



Planning & Zoning
Community Development
Conservation Commission
Historic District 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

NOTICE OF PUBLIC HEARING

Dear Abutter:

You are hereby notified of a **Public Hearing** to be held at **7:00 p.m.** on **Wednesday, March 14, 2012** in the City Hall Council Chambers concerning the following:

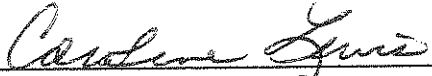
2012-05 Application by OCW Retail-Rochester LLC for two variances.
A variance under Article 42.8 (c)(5) of the City's Zoning Ordinance to permit an additional pole sign where one is permitted, and
A variance under Article 42.9 (b)(5)(6) of the City's Zoning Ordinance to Permit 1,432 parking spaces where 1,521 parking spaces are required.

Location: 160 Washington Street (Rochester Crossing)
Map 130 Lot 38 Business 2 Zone

You are welcome to attend the public hearing and comment on the proposal. You can also submit comments by letter, fax, or email (caroline.lewis@rochesternh.net). The project application is available for review by the public in the Planning Department, 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.


Caroline Lewis, Zoning Secretary
cc: file



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Community Development
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31 Wakefield Street
ROCHESTER, NEW HAMPSHIRE 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: <http://www.rochesternh.net>

RECEIVED
FEB 28 2012
Planning Dept.

APPLICATION FOR A VARIANCE

DO NOT WRITE IN THIS SPACE

CASE NO. 2012-05

DATE FILED 2/28/12

C. Leung
ZONING BOARD CLERK

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

Phone No. (617) 896-4947

Name of applicant OCW Retail - Rochester, LLC

Address 160 Washington Street, Rochester, NH

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

Address c/o The Wilder Companies Limited, 800 Boylston St., Suite 1300, Boston, MA 02199
(If the same as applicant, write "same")

Location 160 Washington Street

Map No. 130 Lot No. 38 Zone B-2

Description of property Rochester Crossing Shopping Center

Proposed use or existing use affected variance to add one pole sign and to permit
1,432 parking spaces, where 1,521 parking spaces are required

The undersigned hereby requests a variance to the terms of Article 42 Section 42.8(c)(5) 42.9(b)(5)(6)
and asked that said terms be waived to permit an additional pole sign where only one is
permitted, and to permit 1,432 parking spaces where 1,521 parking spaces are required.
See Exhibit A appended hereto.

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 Malcolm R. McNeill, Jr.
(Applicant)
Malcolm R. McNeill, Jr., duly authorized

Date 2/29/2012

EXHIBIT A

STATE OF NEW HAMPSHIRE
STRAFFORD, SS. ROCHESTER ZONING
BOARD OF ADJUSTMENT

Supplement in support of the
Application of OCW Retail-Rochester, LLC for a
sign variance and a parking/gross
leaseable area variance for Rochester Crossing retail shopping center
located at 160 Washington Street
Located in the B-2 Zoning District
Map 130, Lot 38

Summary of Relief Requested

OCW Retail-Rochester, LLC of 800 Boylston Street, Prudential Tower, Suite 1300, Boston, Massachusetts 02199 (hereinafter the "Applicant") seeks relief for the following two variances:

1. A variance to the terms of Article 42, Section 42.8(c)(5) to permit an additional pole sign along the Spaulding Turnpike where only one pole sign for each lot street frontage is permitted and there presently exists a pole sign on the Spaulding Turnpike and a pole sign on Washington Street.
2. A variance to the terms of Article 42, Section 4.29(b)(5)(6) to permit 1,432 parking spaces where 1,521 are required.

Brief Statement of Relevant Facts

OCW Retail-Rochester, LLC purchased the 305,000 SF Rochester Crossing shopping center in 2007. The shopping center is located on the southerly side of Washington Street and is adjacent to the Spaulding Turnpike. The site is approximately 45 acres and is located entirely within the B-2 Zoning District. All approved and proposed uses are permitted within this Zone. Attached hereto is a copy of the approved site plan (Exhibit "1") as it existed at the time of the applicant's acquisition of the property, and said plan discloses that the shopping center consisted of a variety of retail and restaurant uses. The approved parking for the site is contained on the parking summary chart which indicates the total spaces were 1,462 spaces. These spaces were calculated consistent with Article 42, Section 42.9(a)(5) which provides as follows:

“42.9 Off-Street Parking and Loading

(5) In the case of two uses on one lot, the requirements for parking and loading spaces shall be the sum of the requirements of the various uses computed separately. The space computed for one use shall not be used to provide the requirements of any other use. Required loading areas shall not be included as parking.”

Therefore, Rochester does not have a generic classification for a multi-use shopping center, but rather regulates parking on the basis of each use within the shopping center. As such, it appears that the Rochester Zoning Ordinance requires a variance on each occasion where there is a change of use from one permitted use to another permitted use where there is a resulting change in parking requirements. In a large shopping center, such as the applicant's center, with periodic changes of tenants and footprints, the present zoning positions create a somewhat burdensome process.

Since the approval of the project, a portion of the space delineated as Retail E consisting of 1,250 sq. ft. has been occupied as a restaurant use. The space delineated as Restaurant B has not been built and the applicant proposes to amend the site plan to delete Restaurant B consisting of 5,500 sq. ft. and to replace that use with a 12,500 sq. ft. retail use as shown on Exhibit “2”. The applicant also proposes that a portion of the 17,050 sq. ft. Retail A be used as a restaurant. It is anticipated that approximately 5,800 sq. ft. will be occupied as a restaurant.

A certificate of occupancy has already been issued for the small restaurant use at Retail E. Restaurant B, as approved, required 80 parking spaces and the proposed replacement retail use of 12,000 sq. ft. requires 58 spaces. Due to the expansion of the retail space which consumes more square footage than the restaurant space, but yet requires less parking, a portion of the previous parking area will be covered by the expanded retail use. Retail A is now divided into three (3) tenants. The new restaurant will take 5,800 sq. ft. of vacant space. The rest is occupied by retail uses. Proposed Retail A as now proposed with a restaurant will require a total of 157 parking spaces (53 for retail/storage and 104 for restaurant use) spaces as opposed to the 80 spaces currently required for Retail A.

The history of the shopping center has demonstrated that there has not been a problem with parking congestion on the site and frequently there are numerous vacant parking spaces in the shopping center. Lowes, the largest anchor on the site, is not driven by substantial holiday increases in parking demand and the remainder of the uses on the site have not experienced a shortage of parking spaces. The proposed 1,432 spaces complies with industry standards for a mixed use shopping center which provides for 4.5 parking spaces per 1,000 sq. ft. of Gross Leasable Area (GLA). The applicant has the greatest interest in providing adequate parking to its tenants and believes that the parking proposed will adequately service all tenants.

As to the sign variance component of the within application, the property directly abuts Spaulding Turnpike on the north, most of the tenants on the site are not visible from the Turnpike due to the fact that the site is significantly higher than the Turnpike. Due to its topographical characteristics the site slopes sharply down to Spaulding Turnpike and more gradually down to Washington Street where the shopping center's only access is located. See Exhibit 1, Site Plan for reference.

The development and ultimate success of a shopping center of this size is dependent on capturing potential customers that travel on the much more heavily traveled Turnpike. The existing pylon sign on the turnpike is primarily designed for the main anchors, Lowe's and Kohl's. It did not address all tenants in the shopping center which rely on turnpike traffic. Motorists on the Spaulding Turnpike cannot see or easily recognize many other buildings within the shopping center and therefore are not aware of the many other smaller, but nevertheless, key tenants in the center. In addition to this, Lowe's and Kohl's are destination retailers where the customer specifically travels to the site to go to these stores. Clearly, the existing sign is still necessary for the anchors in order to direct motorists to the correct exit and ultimately to the shopping center. However the other tenants in this center are also dependent on pass-by turnpike travelers and therefore signage is vitally important.

As noted, the Shopping center is approved for up to approximately 305,000 SF. Of this total, the two anchors (Lowe's and Kohl's) comprise just over 240,000 SF leaving approximately 65,000 SF of smaller retail and restaurant leasable space. The proposed user of former Retail A is a national restaurant which is dependent on recognition from the highway, due to the fact that the restaurant cannot be seen from the highway. Other non-anchor users within the shopping center would also benefit from additional turnpike signage.

The applicant proposes to add one additional pole sign along the Spaulding Turnpike in the location shown on Exhibit "2". The sign will otherwise comply with all requirements of the City of Rochester and would be located approximately 315 ft. from the existing two-sided Lowe's pylon sign along the Spaulding Turnpike. The sign would be intended to provide safe notice to non-anchor, primarily restaurant users within the shopping center and would be internally lit in a similar fashion to the existing Lowes/Kohl's anchor sign. The height and size of the proposed additional sign will be consistent with the ordinance. Zoning Board relief is necessary due to the fact that depending upon how one reads the ordinance, only one pole sign is permitted for each frontage area and presently one pole sign exists along the highway and one pole sign exists along Washington Street. Therefore, a variance is necessary for the additional turnpike sign. The proposed additional pole sign is shown as Exhibit 2.

It is respectfully submitted that the sign modifications proposed by the Applicant are aesthetically pleasing and provide reasonable and safe notice for the smaller tenants in this large-scale shopping center and is necessary for the economic viability of this shopping center. In addition, the unique topographical, locational and access characteristics of the site provide a basis for the relief being requested by the Applicant.

Criteria for the Sign Variance

As noted above, the applicant seeks a variance to Article 42, Section 42.8(c)(5) for one additional pole sign along the Spaulding Turnpike as shown on Exhibit 3. The relief is necessary only for the number of pole signs, the proposed sign will be otherwise compliant with the Zoning Ordinance.

1. The proposed use will not diminish surrounding property values. The sign will be located in a commercial zone advertising commercial uses on the site. There are no properties in the vicinity of the site that would be adversely affected by the size or location of the sign. The additional sign will be approximately 315 ft. from the existing Lowes/Kohl's anchor sign and, as such, there will not be sign congestion along the turnpike. It is not unusual for legal signs in separately owned shopping centers to be less than 315 ft. apart.

2. Granting the variance is not contrary to the public interest. The sign will provide safe and reasonable visibility to the highway and permit a customer reasonable notice of the smaller users within the shopping center in a manner that would permit a reasonable opportunity to get off the turnpike to gain access to the businesses noticed on the sign. It is in the public interest for there to be safe notice and access to a successful shopping center and the area is zoned for business use.

3. Denial of the variance would result in unnecessary hardship to the owner because of the following circumstances of the property. The shopping center has only one direct access off of Washington Street but relies heavily on customer traffic from the Spaulding Turnpike. Non-anchor users, particularly restaurants, also depend on turnpike traffic, however, presently there is no reasonable signage along the highway to provide notice of many of the stores and restaurants within the shopping center. The project is a large shopping center and is uniquely positioned upgradient from surrounding roadways. The new sign will allow motorists to see the sign in advance of the exits particularly in the northbound direction where the site sits over 70 feet higher than, and several hundred feet from the travel lanes of the Turnpike. The unique characteristics, topography, size, visibility and access all provide a reasonable basis to grant the relief requested.

4. Granting of the variance would do substantial justice. The size, location, topography and access of this shopping center and the necessity to provide reasonable signage on the Spaulding Turnpike for this 305,000 SF regional shopping center so that it remains economically viable due to its heavy reliance on customer traffic from the Turnpike. The addition of the new sign for non-anchor uses, primarily restaurants, within the already existing overall sign structure is necessary and will not result in any substantial changes. The new sign will otherwise comply with the ordinance as to size and height.

5. The use is not contrary to the spirit of the ordinance. The spirit and intent of the Rochester Zoning Ordinance is to provide reasonable signage. The area

requirements for pole signage as set forth in the Zoning Ordinance are not designed to address projects of this size that rely on visibility from highways or that have unique characteristics due to topography and visibility, especially for non-anchor uses. The modifications proposed will not result in over-signage and is necessary to provide reasonable visibility to the project from Spaulding Turnpike.

Criteria for the Parking Variance

A variance is necessary to Article 42, Section 42.9(b)(5)(6) to permit 1,432 parking spaces where 1,521 are required. A variance is necessary due to the change in two retail uses to restaurant uses and the expansion of approved space from a restaurant space to a retail space.

The shopping center has not experienced parking problems since its approval and the net increase in square footage resulting from the change of Restaurant B to a retail use is only approximately 7,000 sq. ft. which is slightly more than a 2% increase in a shopping center consisting of approximately 305,000 sq. ft. The variance is required due to the Rochester Zoning Ordinance's requirement that parking be calculated based on uses and the ordinance does not contain a mixed use generic shopping center classification (Article 42, Section 42.9(a)(5)).

The shopping center, as approved, included 1,462 parking spaces for 304,799 sq. ft. of building area. The applicant is proposing to add approximately 7,000 sq. ft. of gross leasable area to the site, changing an originally proposed restaurant use (Restaurant B) to a somewhat larger retail use. See Exhibit 2. By modifying the site plan to accommodate this somewhat larger building footprint, approximately 30 parking spaces will now be occupied with building, reducing the parking provided on the site to 1,432 spaces. With the addition of restaurant uses in space previously approved for retail use in Retail E and Proposed Retail A, the total number of spaces required under the ordinance for the proposed site plan and mix of uses in the shopping center is 1,521 spaces.

The shopping center has not experienced parking problems to date largely because of the unique size of the center and complimentary mix of uses. Demand for parking occurs at various times throughout the day, depending on the use, thereby reducing the overall need for parking. Even at the requested reduced number of parking spaces, the center will provide in excess of industry standards with respect to centers of this type. Research shows that in shopping centers with up to 400,000 sq. ft. of space, typically 4.0 to 4.3 spaces per 1,000 sq. ft. of building area is needed to provide adequate parking. The proposed reduced number of parking spaces provides approximately 4.6 parking spaces per 1,000 sq. ft. Using the current City requirement, the required parking would be approximately 4.9 per 1,000 sq. ft., burdening the property with a requirement for excess parking, pavement and stormwater quality requirements.

1. The proposed use will not diminish surrounding property values. The footprint increase in square footage being proposed by the applicant is approximately 2%

of the total shopping center size. Retail E has already been converted to a restaurant use without adverse affects. The proposed restaurant to be located in a portion of what is presently Proposed Retail A is a large national restaurant chain for which the parking proposed is satisfactory to this user. The new retail use along Washington Street is only approximately 7,000 sq. ft. larger than the prior approved restaurant use. The shopping center has not and will not have an adverse affect on surrounding property. All of the uses are permitted uses and there is no evidence that the existing shopping center has had an adverse affect on the relatively few residential uses which are adequately separated from the shopping center.

2. Granting of the variance is not contrary to the public interest. The proposed expansion of a footprint of approximately 7,000 sq. ft., and the modification of two uses from retail to restaurant, one of which has already occurred, in a zone which permits all of the uses and which does not adversely impact on any surrounding properties is clearly not contrary to the public interest. Adequate parking has historically existed within the shopping center and the modest changes being proposed will not adversely affect the public interest and will adequately serve all of the commercial users of the site and will also serve reasonably the parking requirements of their customers. Despite the nominal changes occurring within the shopping center, the amount of parking is reasonably consistent with national standards for a mixed use shopping center of this size.

3. Denial of the variance would result in an unnecessary hardship to the owner because of the unique circumstances of this property. The shopping center was approved as a mixed use shopping center. At the time of approval, all of the tenants were not known. It could be reasonably anticipated that some of the newer tenants may be different, yet permitted, than what was contemplated by the initial developers of the shopping center. It is also to be readily expected that uses in shopping centers will change over time. All of the proposed users of the spaces within the shopping center are permitted uses. It is only because Rochester does not have a mixed use shopping center classification that the requested relief is required. By Rochester standards, this shopping center is unique with regard to both its layout, size and variety of uses. Historically, parking has been reasonable and adequate and the Applicant is proposing only the addition of 7,000 sq. ft. to the footprint area of the shopping area. Given the unique layout of this project, its size and the "moving parts" relating to the permitted uses contained therein, it would be a hardship not to permit the alteration of parking which is requested herein.

4. Granting of the variance would do substantial justice. It is the interest of the City and the Applicant that the shopping center be successful and that the Applicant be able to meet and adapt reasonable tenant demand for a variety of permitted uses within the shopping center. As time passes, different uses will occupy different spaces and as is the case now pending, restaurant spaces may replace retail and vice versa. As long as adequate parking exists consistent with national standards and the requirements of the commercial tenants, which is the case of the pending application, substantial justice will be done. Historically, the City has been able to see that parking has been reasonably

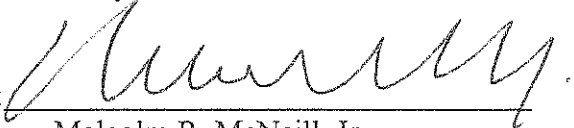
accommodated at this site and the nominal changes which are being proposed will not unreasonably adversely affect parking on the site.

5. The use is contrary to the spirit of the ordinance. The spirit and intent of the Rochester Zoning Ordinance is to provide reasonable parking. Although it is respectfully submitted that in a mixed use shopping center, that it would be in the best interest of the further development of the community that a mixed use parking standard be adopted rather than an individual requirement for each use. This creates a burdensome condition for the applicant as tenants change. It is important to note that all of the tenant changes of the within application are for permitted uses. Based on national standards, and the Applicant's experience to date with parking on the site which can be readily observed by regulatory officials, the spirit and intent of the ordinance would not be violated by granting of the within parking variance. The modifications proposed will not result in unreasonable parking congestion for this large shopping center where customers have reasonable options with regard to a variety of parking spaces available to them.

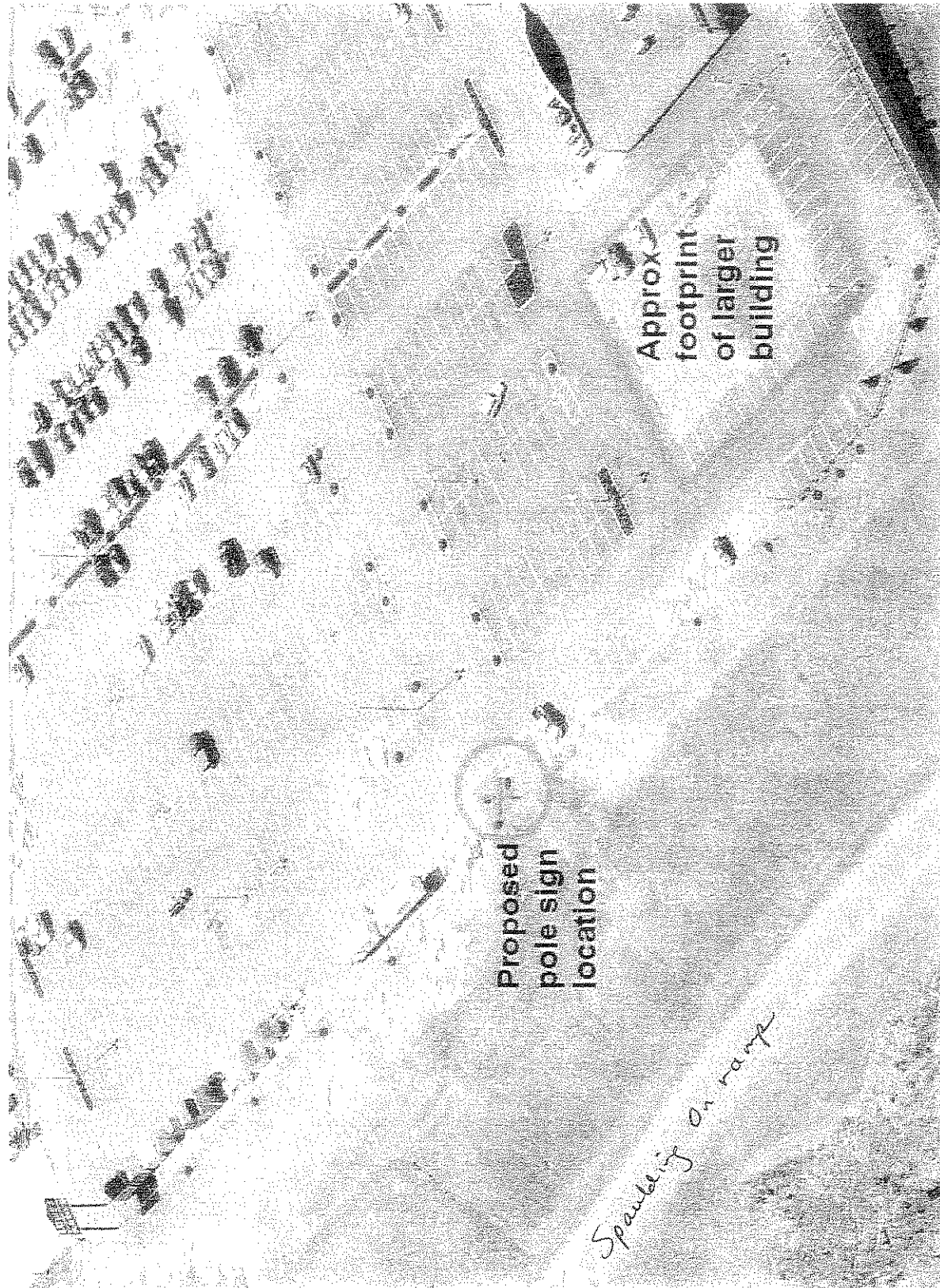
For all of the reasons stated above, the Applicant requests a variance to permit 1,432 parking spaces where 1,521 is required. The Applicant also respectfully requests that the Zoning Board of Adjustment enter an order which provides that in the event the square footage of the revised project does not increase and that all of the uses within the shopping center are permitted uses, that the Applicant not be required to return to the Zoning Board each time a tenant changes.

Respectfully submitted,
OCW Retail – Rochester, LLC
c/o The Wilder Companies, Ltd.
By its attorneys,
McNeill, Taylor & Gallo, P.A.

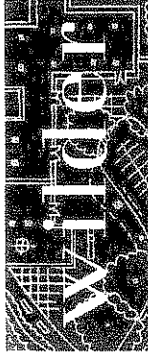
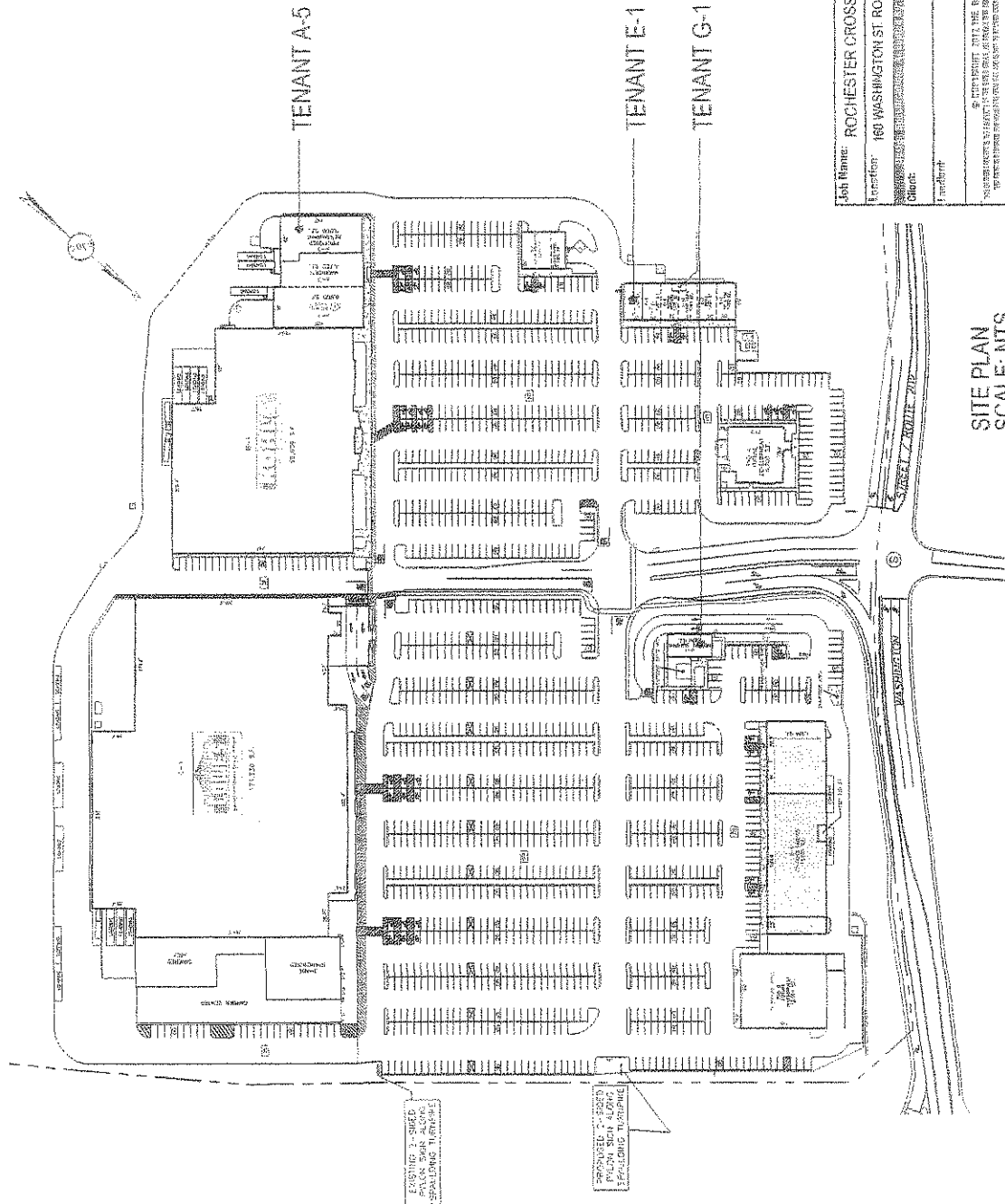
Dated: February 29, 2012

By: 

Malcolm R. McNeill, Jr.
PO Box 815
180 Locust Street
Dover, NH 03821-0815
(603) 749-5535
(603) 749-1187 facsimile



2012-05



| REVISIONS | |
|---|---------|
| Date | Comment |
| BARLO SIGNS 150 Bowler St. Hudson, NH 03051 (603) 882-2538 Fax: (603) 882-7538 | |
| Job Name: ROCHESTER CROSSING Location: 160 WASHINGTON ST ROCHESTER, NH Client: D.J.R. Designer: BARN Date: 2/07/12 | |
| The owner: ROCHESTER CROSSING LTD 000170215 E-12-02-0170 R-2 | |
| Scale: 1" = 20' Date: 2/07/12 Project: 160 WASHINGTON ST ROCHESTER, NH Client: D.J.R. Designer: BARN Date: 2/07/12 | |

SITE PLAN
SCALE: 1" = 20'

SPALLING TURNPIKE RTE 16

Unofficial Property Record Card - Rochester, NH

General Property Data

| | |
|--|-------------------------------------|
| Parcel ID 0130-0028-0006 | Account Number 27485 |
| Prior Parcel ID -- | |
| Property Owner OCW RETAIL ROCHESTER LLC | Property Location 160 WASHINGTON ST |
| % WILDER CO | Property Use SHOP CTR |
| Mailing Address 800 BOYLSTON ST PRU TOWER STE 1300 | Most Recent Sale Date 6/1/2007 |
| | Legal Reference 3625-855 |
| City BOSTON | Grantor 1993 FLATLEY FAMILY TRUST % |
| Mailing State MA Zip 02199 | Sale Price 35,700,016 |
| Parcel Zoning B2 | Land Area 44.000 acres |

Current Property Assessment

| | | | | |
|--------------------|---------------------------|-----------------------------|----------------------|------------------------|
| Card 1 Value | Building Value 1,251,600 | Yard Items Value 616,800 | Land Value 4,436,800 | Total Value 6,306,200 |
| Total Parcel Value | Building Value 17,913,400 | Xtra Features Value 624,000 | Land Value 4,436,800 | Total Value 22,977,200 |

Building Description

| | | |
|----------------------------|--------------------------|-------------------------|
| Building Style RETAIL | Foundation Type CONCRETE | Flooring Type AVERAGE |
| # of Living Units 3 | Frame Type STEEL | Basement Floor N/A |
| Year Built 2007 | Roof Structure FLAT | Heating Type FORCED H/A |
| Building Grade GOOD (+) | Roof Cover MEMBRANE | Heating Fuel GAS |
| Building Condition Average | Siding CONC BLOCK | Air Conditioning 100% |
| Finished Area (SF) 17280 | Interior Walls DRYWALL | # of Bmt Garages 0 |
| Number Rooms 0 | # of Bedrooms 0 | # of Full Baths 0 |
| # of 3/4 Baths 0 | # of 1/2 Baths 6 | # of Other Fixtures 0 |

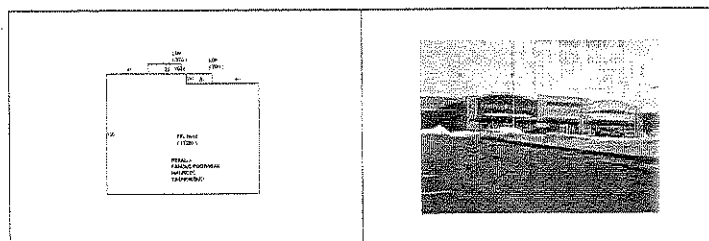
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 677 STATE TAKING 3.85 ACRES BK 3243 PG 008

Narrative Description of Property

This property contains 44.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007, having CONC BLOCK exterior and MEMBRANE roof cover, with 3 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 6 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 0130-0035-0000 | Account Number 27485 |
| Prior Parcel ID -- | Property Location 160 WASHINGTON ST |
| Property Owner OGW RETAIL ROCHESTER LLC | Property Use SHOP CTR |
| % WILDER CO | Most Recent Sale Date 5/1/2007 |
| Mailing Address 800 BOYLSTON ST PRU TOWER STE 1300 | Legal Reference 3525-855 |
| City BOSTON | Grantor 1993 FLATLEY FAMILY TRUST % |
| Mailing State MA Zip 02199 | Sale Price 35,700,016 |
| Parcel/Zoning B2 | Land Area 0.000 acres |

Current Property Assessment

| | | | | |
|--------------------|---------------------------|-----------------------------|----------------------|------------------------|
| Card 2 Value | Building Value 4,555,000 | Yard Items Value 0 | Land Value 0 | Total Value 4,555,000 |
| Total Parcel Value | Building Value 17,813,400 | Xtra Features Value 624,000 | Land Value 4,439,800 | Total Value 22,877,200 |

Building Description

| | | |
|----------------------------|--------------------------|-------------------------|
| Building Style RETAIL | Foundation Type CONCRETE | Flooring Type AVERAGE |
| # of Living Units 1 | Frame Type STEEL | Basement Floor N/A |
| Year Built 2007 | Roof Structure FLAT | Heating Type FORCED H/A |
| Building Grade GOOD (+) | Roof Cover MEMBRANE | Heating Fuel GAS |
| Building Condition Average | Siding CONC BLOCK | Air Conditioning 100% |
| Finished Area (SF) 68453 | Interior Walls DRYWALL | # of Bent Garages 0 |
| Number Rooms 0 | # of Bedrooms 0 | # of Full Baths 0 |
| # of 3/4 Baths 0 | # of 1/2 Baths 3 | # of Other Fixtures 0 |

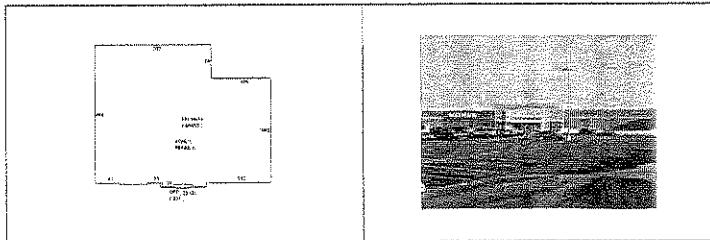
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 577 STATE TAKING 3.85 ACRES BK 3243 PG 906

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007, 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 | 0130-0038-0000 | Account Number | 27485 |
| Prior Parcel ID | -- | Property Location | 160 WASHINGTON ST |
| Property Owner | OCW RETAIL ROCHESTER LLC | Property Use | SHOP CTR |
| | % WILDER CO | Most Recent Sale Date | 5/12/2007 |
| Mailing Address | 800 BOYLSTON ST PRU TOWER STE 1300 | Legal Reference | 3525-855 |
| | | Grantor | 1903 FLATLEY FAMILY TRUST % |
| City | BOSTON | Sale Price | 35,700,016 |
| Mailing State | MA | Zip | 02106 |
| Parcel Zoning | B2 | Land Area | 0.000 acres |

Current Property Assessment

| | | | | | | | | |
|--------------------|----------------|------------|---------------------|---------|------------|-----------|-------------|------------|
| Card 3 Value | Building Value | 9,466,000 | Yard Items Value | 7,200 | Land Value | 0 | Total Value | 9,473,200 |
| Total Parcel Value | Building Value | 17,913,400 | Xtra Features Value | 624,000 | Land Value | 4,430,800 | Total Value | 22,977,200 |

Building Description

| | | | | | |
|--------------------|---------|-----------------|------------|---------------------|------------|
| Building Style | RETAIL | Foundation Type | CONCRETE | Flooring Type | AVERAGE |
| # of Living Units | 1 | Frame Type | CONC BLOCK | Basement Floor | N/A |
| Year Built | 2007 | Roof Structure | FLAT | Heating Type | FORCED H/A |
| Building Grade | GOOD | Roof Cover | MEMBRANE | Heating Fuel | GAS |
| Building Condition | Average | Siding | CONC BLOCK | Air Conditioning | 100% |
| Finished Area (SF) | 130405 | Interior Walls | AVERAGE | # of Bmnt Garages | 0 |
| Number Rooms | 0 | # of Bedrooms | 0 | # of Full Baths | 0 |
| # of 3/4 Baths | 0 | # of 1/2 Baths | 3 | # of Other Fixtures | 15 |

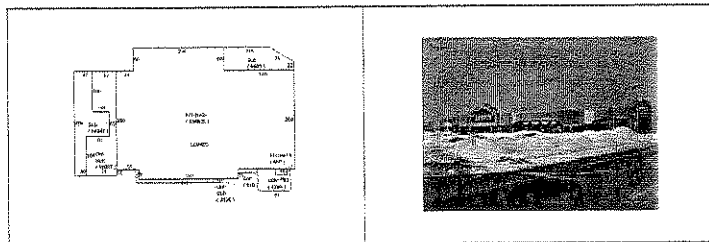
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 577 STATE TAKING 3.85 ACRES BK 3243 PG 908

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007, 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 | 0130-0028-0000 | Account Number | 27485 |
| Prior Parcel ID | -- | Property Location | 160 WASHINGTON ST |
| Property Owner | OCW RETAIL ROCHESTER LLC | Property Use | SHOP CTR |
| | % WILDER CO | Most Recent Sale Date | 5/1/2007 |
| Mailing Address | 800 BOYLSTON ST PRU TOWER STE 1300 | Legal Reference | 3625-855 |
| | | Grantor | 1983 FLATLEY FAMILY TRUST % |
| City | BOSTON | Sale Price | 35,706,016 |
| Mailing State | MA | Land Area | 0.006 acres |
| Zip | 02109 | | |
| Parcel/Zoning | B2 | | |

Current Property Assessment

| | | | | | | | | |
|--------------------|----------------|------------|---------------------|---------|------------|-----------|-------------|------------|
| Card 4 Value | Building Value | 1,443,000 | Yard Items Value | 0 | Land Value | 0 | Total Value | 1,443,000 |
| Total Parcel Value | Building Value | 17,913,400 | Xtra Features Value | 624,000 | Land Value | 4,439,800 | Total Value | 22,977,200 |

Building Description

| | | | | | |
|--------------------|---------|-----------------|------------|---------------------|------------|
| Building Style | RETAIL | Foundation Type | CONCRETE | Flooring Type | AVERAGE |
| # of Living Units | 2 | Frame Type | WOOD | Basement Floor | N/A |
| Year Built | 2007 | Roof Structure | FLAT | Heating Type | FORCED H/A |
| Building Grade | GOOD | Roof Cover | MEMBRANE | Heating Fuel | GAS |
| Building Condition | Average | Siding | CONC BLOCK | Air Conditioning | 100% |
| Finished Area (SF) | 22880 | Interior Walls | DRYWALL | # of Bamt Garages | 0 |
| Number Rooms | 0 | # of Bedrooms | 0 | # of Full Baths | 0 |
| # of 3/4 Baths | 0 | # of 1/2 Baths | 5 | # of Other Fixtures | 0 |

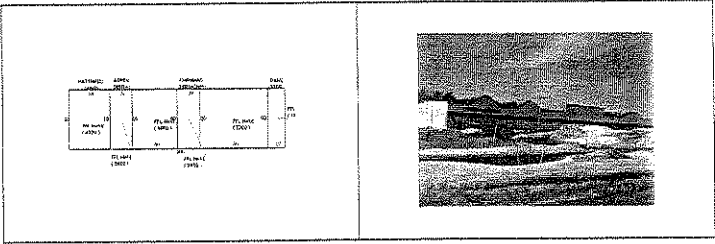
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 577 STATE TAKING 3.85 ACRES BK 3243 PG 906

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007 , having CONC BLOCK exterior and MEMBRANE roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 5 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 | 0130-0035-0000 | Account Number | 27485 |
| Prior Parcel ID | -- | Property Location | 160 WASHINGTON ST |
| Property Owner | OCW RETAIL ROCHESTER LLC | Property Use | SHOP CTR |
| | % WILDER CO | Most Recent Sale Date | 5/1/2007 |
| Mailing Address | 806 BOYLSTON ST PRU TOWER STE 1300 | Legal Reference | 3525-855 |
| | | Grantor | 1993 FLATLEY FAMILY TRUST % |
| City | BOSTON | | |
| Mailing State | MA | Zip | 02109 |
| Parcel/Zoning | B2 | Sale Price | 35,760,016 |
| | | Land Area | 0.000 acres |

Current Property Assessment

| | | | | |
|--------------------|---------------------------|-----------------------------|----------------------|------------------------|
| Card S Value | Building Value 540,300 | Yard Items Value 0 | Land Value 0 | Total Value 540,300 |
| Total Parcel Value | Building Value 17,013,400 | Xtra Features Value 624,000 | Land Value 4,430,800 | Total Value 22,077,200 |

Building Description

| | | | | | |
|--------------------|---------|-----------------|------------|---------------------|------------|
| Building Style | RETAIL | Foundation Type | CONCRETE | Flooring Type | AVERAGE |
| # of Living Units | 0 | Frame Type | WOOD | Basement Floor | N/A |
| Year Built | 2007 | Roof Structure | FLAT | Heating Type | FORCED H/A |
| Building Grade | GOOD | Roof Cover | MEMBRANE | Heating Fuel | GAS |
| Building Condition | Average | Siding | CONC BLOCK | Air Conditioning | 100% |
| Finished Area (SF) | 7500 | Interior Walls | DRYWALL | # of Bemt Garages | 0 |
| Number Rooms | 0 | # of Bedrooms | 0 | # of Full Baths | 0 |
| # of 3/4 Baths | 0 | # of 1/2 Baths | 5 | # of Other Fixtures | 0 |

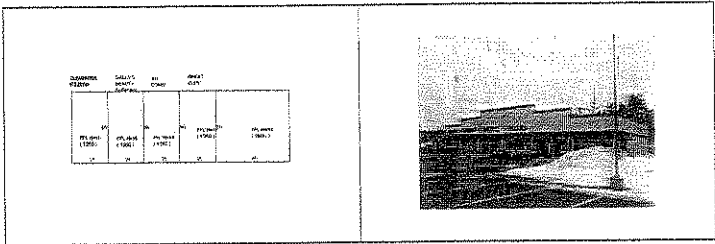
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 577 STATE TAKING 3.85 ACRES BK 3243 PG 906

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007 , having CONC BLOCK exterior and MEMBRANE roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 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.

Unofficial Property Record Card - Rochester, NH

General Property Data

| | | | |
|-----------------|------------------------------------|-----------------------|-----------------------------|
| Parcel ID | 0130-0036-0099 | Account Number | 27486 |
| Prior Parcel ID | -- | Property Location | 100 WASHINGTON ST |
| Property Owner | OCW RETAIL ROCHESTER LLC | Property Use | SHOP CTR |
| | % WILDER CO | Most Recent Sale Date | 5/1/2007 |
| Mailing Address | 800 BOYLSTON ST PRU TOWER STE 1200 | Legal Reference | 3525-855 |
| | | Grantor | 1903 FLATLEY FAMILY TRUST % |
| City | BOSTON | | |
| Mailing State | MA | Zip | 02109 |
| Parcel Zoning | B2 | Sale Price | 35,700,018 |
| | | Land Area | 0.000 acres |

Current Property Assessment

| | | | | | | | | |
|--------------------|----------------|------------|---------------------|---------|------------|-----------|-------------|------------|
| Card B Value | Building Value | 268,400 | Yard Items Value | 0 | Land Value | 0 | Total Value | 268,400 |
| Total Parcel Value | Building Value | 17,913,400 | Xtra Features Value | 624,000 | Land Value | 4,439,800 | Total Value | 22,977,200 |

Building Description

| | | | | | |
|--------------------|---------|-----------------|------------|---------------------|------------|
| Building Style | RETAIL | Foundation Type | CONCRETE | Flooring Type | AVERAGE |
| # of Living Units | 3 | Frame Type | WOOD | Basement Floor | N/A |
| Year Built | 2007 | Roof Structure | FLAT | Heating Type | FORCED H/A |
| Building Grade | GOOD | Roof Cover | MEMBRANE | Heating Fuel | GAS |
| Building Condition | Average | Siding | CONC BLOCK | Air Conditioning | 100% |
| Finished Area (SF) | 3090 | Interior Walls | DRYWALL | # of Bmt Garages | 0 |
| Number Rooms | 0 | # of Bedrooms | 0 | # of Full Baths | 0 |
| # of 3/4 Baths | 0 | # of 1/2 Baths | 2 | # of Other Fixtures | 0 |

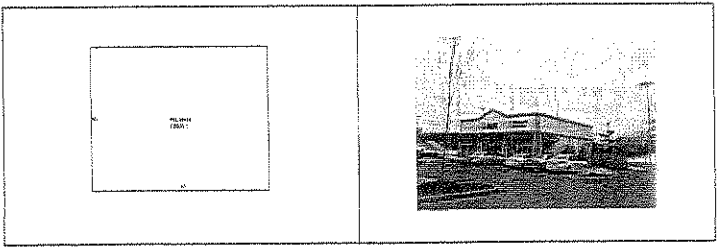
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3740 PG 577 STATE TAKING 3.86 ACRES BK 3243 PG 908

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) RETAIL style building, built about 2007, having CONC BLOCK exterior and MEMBRANE roof cover, with 3 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 2 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 0130-0038-0000 | Account Number 27485 |
| Prior Parcel ID - | Property Location 100 WASHINGTON ST |
| Property Owner OCW RETAIL ROCHESTER LLC | Property Use SHOP CTR |
| % WILDER CO | Most Recent Sale Date 5/1/2007 |
| Mailing Address 800 BOYLSTON ST PRU TOWER STE 1300 | Legal Reference 3525-855 |
| City BOSTON | Grantor 1993 PLATLEY FAMILY TRUST % |
| Mailing State MA Zip 02199 | Sale Price 35,700,016 |
| Parcel Zoning B2 | Land Area 0.000 acres |

Current Property Assessment

| | | | | |
|--------------------|---------------------------|-----------------------------|----------------------|------------------------|
| Card 7 Value | Building Value 389,100 | Yard Items Value 0 | Land Value 0 | Total Value 389,100 |
| Total Parcel Value | Building Value 17,013,400 | Xtre Features Value 624,000 | Land Value 4,439,800 | Total Value 22,977,200 |

Building Description

| | | |
|----------------------------|--------------------------|-------------------------|
| Building Style FAST FOOD | Foundation Type CONCRETE | Flooring Type AVERAGE |
| # of Living Units 1 | Frame Type WOOD | Basement Floor N/A |
| Year Built 2007 | Roof Structure HIP | Heating Type FORCED H/A |
| Building Grade GOOD (+) | Roof Cover ASPHALT SH | Heating Fuel GAS |
| Building Condition Average | Siding STUCCO | Air Conditioning 100% |
| Finished Area (SF) 1820 | Interior Walls DRYWALL | # of Benz Garages 0 |
| Number Rooms 0 | # of Bedrooms 0 | # of Full Baths 0 |
| # of 3/4 Baths 0 | # of 1/2 Baths 2 | # of Other Fixtures 0 |

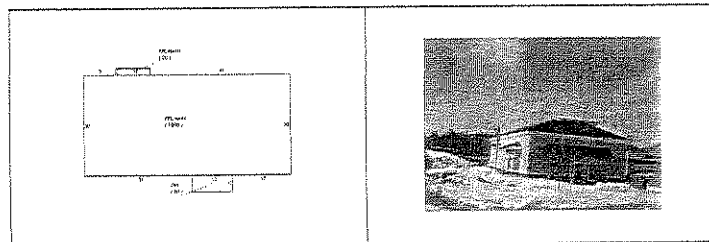
Legal Description

EASEMENT TO FAIRPOINT & PSNH BK 3748 PG 577 STATE TAKING 3.85 ACRES BK 3243 PG 908

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as SHOP CTR with a(n) FAST FOOD style building, built about 2007, having STUCCO exterior and ASPHALT SH roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 2 half bath(s).

Property Images



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

ZONING BOARD CASE COMMENT SHEET

Case # 2012-05

Department of Planning & Development

Director Comments

None

1. *Journal of the American Medical Association*, 2000; 284: 2689-2695.

K.H.L.A. 2-3/12

Signed [Signature] Date 3/1/12

.....

.....

City Manager Comments

DATE

.....

.....

.....

.....

Abstract

2021

Signed [Signature] Date MAR 02 2012

Signed _____

I:\PI\AN\ZBA\Comment Sheet-Dir - Cty Mgr.doc

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Abutters List
Lots 130-38, 246-21
The Rochester Shoppes
Rochester, New Hampshire

FEB 29 2012

Planning Dept.

22
total
page
17.00
1/2

OWNERS

1. Map 130, Lot 38
OCW Retail-Rochester, LLC ✓
c/o The Wilder Companies
Prudential Tower
800 Boylston Street - Suite 1300
Boston, MA 02199

Engineer:

Bryant Anderson, PE
Vanasse Hangen Brustlin, Inc
6 Bedford Farms Dr., Suite 607
Bedford, NH 03110

ABUTTERS

1. Map 246, Lot 21
OCW Retail-Rochester LLC ✓
c/o The Wilder Companies
Prudential Tower
800 Boylston Street - Suite 1300
Boston, MA 02199

2. Map 123, Lot 68
Motiva Enterprises, L.L.C.
Facility IQ Mail Stop 1054
P.O. Box 36230
Louisville, KY 40233-6230

Gty MA/NH Leasing Inc.
125 Jericho Tpk. Suite 103
Jericho, NY 11753

3. Map 123, Lot 78
White Caps Acquisitions LLC ✓
15 Seal Cove Road
Hingham, MA 02043-1029

4. Map 129, Lot 2
Roman Catholic Bishop ✓
Finance Real Estate Office
P.O. Box 310
Manchester, NH 03105-0310

5. Map 129, Lot 3
City Of Rochester
City Manager's Office
31 Wakefield Street
Rochester, NH 03867-1916

ABUTTERS - continued

6. Map 130, Lot 28
Monica R. Wolanek
21 Janet Street
Rochester, NH 03867-4409

Parker, Michelle
21 Janet Street
Rochester, NH 03867-4409

7. Map 130, Lot 29
David and Pamela J. Talon
19 Janet Street
Rochester, NH 03867-4409

✓

8. Map 130, Lot 30
Jas. A. Dickson Rev Trust
Jas. A. Dickson Trustee
17 Janet Street
Rochester, NH 03867-4409

Shane R and Sheena D. Downs
17 Janet Street
Rochester, NH 03867-4409

9. Map 130, Lot 39
Arthur and Vicki L. Walker
174 Washington Street
Rochester, NH 03839-5504

✓

10. Map 130, Lot 40
Ronald and Patricia LeClair
176 Washington Street
Rochester, NH 03839-5504

✓

11. Map 130, Lot 41
Washington Street Professional Center, LLC
P.O. Box 1608
Rochester, NH 03866-1608

Washington St. Partners, LLC
% Chesapeake Development, LLC
501 Daniel Webster Highway
Merrimack, NH 03054

12. Map 130, Lot 42
Public Service Co. of New Hampshire
Tax Accounting
P.O. Box 3430
Manchester, NH 03105-3430

✓

13. Map 130, Lot 43
Route 202 L.L.C.
c/o Jean M. Kane
117 Bow Street
Portsmouth, NH 03801

✓

• maybe 43-1?

13a Map 130, Lot 43 - 0001
Route 202 LLC
% Jean M. Kane
117 Bow Street
Portsmouth, NH 03801

ABUTTERS - continued

14. Map 130, Lot 44
Walter H. Jr. and Brenda J. Barstow ✓
2 Florence Drive
Rochester, NH 03867-4221
15. Map 130, Lot 53
David T. and Tammi I. Shevenell ✓
1 Florence Drive
Rochester, NH 03867-4222
16. Map 237, Lot 1
Donald F. Jr. & Paula McCallion ✓
7 Jody Lane
Strafford, NH 03884
17. Map 237, Lot 1-1
Donald & Paul McCallion/Lori Ann Thomas
~~P.O. Box 7143~~ 7 Jody Lane
~~Rochester, NH 03839-7143~~ Strafford, NH 03884
18. Map 246, Lot 20
City of Rochester
City Manager's Office
31 Wakefield Street
Rochester, NH 03867-1916
19. Map 246, Lot 22
Rita A. Laurion ✓
2 Rochester Hill Road
Rochester, NH 03867
20. Map 246, Lot 24 ✓
Dorothy K. Thone
92 Chesley Hill Road
Rochester, NH 03839-5501

Map 246, Lot 24-0001
Dorothy K Thone
92 Chesley Hill Rd.
Rochester, NH 03839-5501

Map 246, Lot 24-0002
Dorothy K. Thone
92 Chesley Hill Rd.
Rochester, NH 03839-5501