



PLANNING, DEVELOPMENT AND ZONING DEPARTMENT

City Hall – Second Floor
31 Wakefield Street
ROCHESTER, NH 03867-1917
(603) 335-1338

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APR 18 2012

City Planning
Community Development
Economic Development
Zoning Development

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APR 18 2012

Planning Dept.

APPLICATION FOR VARIANCE
TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO.

2012-13

DATE FILED

4-18-12

Phone No. (615) 440-4742

C. Lemoine
ZONING BOARD CLERK

Name of Applicant Tractor Supply Company

Address 200 Powell Place, Brentwood, TN 37027

Owner of property concerned Adamian Construction & Development Corp.
(if same as applicant write "same")

Address 29 Mill Street, Arlington, MA 02476
(if same as applicant write "same")

Location of property Farmington Rd./Rte. 11

Map No. 208 Lot No. 1-2 Zone Granite Ridge

Description of property 335' 695' 250'
(give length of frontage, side lines rear lines)

Proposed use or existing use affected Parking requirements.

The undersigned hereby requests a variance to the terms of Article 42.9 Section (b)(17)

And asks that said terms be waived to permit parking requirements to be determined by the number of spaces actually needed by the applicant (65) rather than by the size of the building (87).

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 constitutes grounds for a variance The size of the building is based on the space needed for the storage of merchandise, so using 1 space/200 sf. results in far more spaces than what is actually needed for the proper operation of the facility.

Signed

[Signature]
(As Agent for the Applicant)

CRITERIA FOR VARIANCE

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Case # _____ APR 18 2012

Date: _____ Planning Dept.

A Variance is requested by Tractor Supply Company

from Section 42.9 Subsection (b)(17)

of the Zoning Ordinance to permit: parking requirements per the number of spaces

needed by the applicant rather than the size of the building.

at Farmington Rd./Rte. 11 Map 208 Lot 1-2 Zone Granite Ridge

Facts supporting this request:

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

Constructing less parking will have no detrimental affect on property values. On the
contrary, building more parking than what is needed would likely be detrimental to the area.

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

impervious pavement is good for the environment; why require parking that's not needed?

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

would result in the need to construct more than 20 spaces beyond what is proposed to
satisfy the needs of the applicants.

4.) Granting the variance would do substantial justice because: It will allow the project
to be constructed in a reasonable manner and consistent with the actual needs of the user.

5.) The use is not contrary to the spirit of the ordinance because: The ordinance
strives to ensure that all uses have adequate parking. In this case, the size of the building
bears no reasonable relationship to the number of parking spaces needed.

Name _____

Arthur H. Nickless, Jr., Agent

Date: _____

4/18/12



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APPLICATION FOR VARIANCE
TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

#2

DO NOT WRITE IN THIS SPACE

CASE NO. 2012-13

DATE FILED 7-18-12

Phone No. (615) 440-4742

C. Lewis
ZONING BOARD CLERK

Name of Applicant Tractor Supply Company

Address 200 Powell Place, Brentwood, TN 37027

Owner of property concerned Adamian Construction & Development Corp.
(if same as applicant write "same")

Address 29 Mill Street, Arlington, MA 02476
(if same as applicant write "same")

Location of property Farmington Road

Map No. 208 Lot No. 1-2 Zone Granite Ridge

Description of property 335' 695' 250'
(give length of frontage, side lines rear lines)

Proposed use or existing use affected Installation of an 8-foot high security fence.

The undersigned hereby requests a variance to the terms of Article 42.10 Section (a)

And asks that said terms be waived to permit an 8-foot high fence to be installed around the proposed outside storage area when the ordinance limits fence height to 6'.

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 constitutes grounds for a variance given the nature of the products that might be kept in the storage area, the company prefers to use an 8' tall fence to protect against theft and/or vandalism.

Signed

Arthur J. [Signature]
(As Agent for the Applicant)

CRITERIA FOR VARIANCE

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Case # APR 18 2012
Planning Dept.
Date: _____

A Variance is requested by Tractor Supply Company
from Section 42.10 Subsection (a)
of the Zoning Ordinance to permit: an 8-foot high security fence when the ordinance
only allows a 6-foot high fence.
at Rte. 11/Farmington Rd. Map 208 Lot 1-2 Zone Granite Ridge

Facts supporting this request:

- 1) The proposed use would not diminish surrounding property values because:
The fence will not impact surrounding properties as it will not be constructed near an
existing boundary line.
- 2) Granting the variance is not contrary to the public interest because: Neither the general
public nor any abutter will be affected by this fence that will be constructed entirely on the
subject premises immediately adjacent to the proposed building.
- 3.) Denial of the variance would result in unnecessary hardship to the owner because of the
following special circumstances of the property: Having a secure outside storage area is
extremely important to the applicant. An 8-foot high fence provides a much more secure
environment for the protection of the company's inventory.
- 4.) Granting the variance would do substantial justice because: it will allow a necessary and
reasonable use of the property without impacting abutting property or the public in general.
- 5.) The use is not contrary to the spirit of the ordinance because: Limits on fence heights
are designed to prevent spite fences from being erected along common boundaries. This
fence will not be placed along the perimeter boundaries of the lot nor are there any abutting
uses or buildings that could be affected by an extra 2-feet of fence height in this location.

Name Arthur H. Nickless, Jr., Agent Date: 4/18/12

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

31 Mooney Street
Alton, New Hampshire 03809
Alton Office (603) 875-3948
E-MAIL: anickless@norwayplains.com
WEB: www.norwayplains.com

2 Continental Boulevard (03867) P. O. Box 249
Rochester, New Hampshire 03866-0249
Telephone (603) 335-3948
NH (800) 479-3948
Fax (603) 332-0098

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April 18, 2012

Mr. Ralph Torr, Chair
Zoning Board of Adjustment
Planning, Development & Zoning
31 Wakefield Street
Rochester, NH 03867

Re: Variance Requests - Tractor Supply Company - Map 208, Lot 1-2

Dear Ralph:

On behalf of the above referenced applicant, we hereby submit application and supporting data for the variances outlined below. Tractor Supply Company is proposing to build a 19,097 sf. retail facility on Farmington Road/Rte. 11 on land currently owned by Adamian Construction & Development. The owner is subdividing a 5.44-acre lot to be sold to Tractor Supply. This lot abuts Rte. 11 on the northeast and Old Four Rod Road, a Class VI City highway on the northwest.

A Site Plan Review application has been submitted to the Planning Board for their initial review at their May 7 meeting. The site as proposed will require the following variances:

- #1 ▶ **Article 42.9 (b)(17)** - To allow the parking spaces required to reflect the number of spaces actually needed by the applicant rather than using the gross floor area of the building. The proposed building will contain 19,097 square feet, some of which is devoted to storage given the nature of the company's business. The blended number of spaces required equals 87. Based on the many stores the applicant has across the country, they do not require more than the 65 spaces we have depicted on the
- #2 ▶ **Article 42.10(a)** - To allow an 8-foot high fence where a maximum of 6-feet is allowed. Securing the storage area that will be located adjacent to the proposed building is of maximum importance to the applicants. An 8-foot fence provides the extra measure of security that the applicants feel is needed.

We look forward to discussing these matters with you and the other members of the ZBA and thank you in advance for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.

By: 
Arthur H. Nickless, Jr., PLS, President

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID	0208-0001-0000	Account Number	27618
Prior Parcel ID	-	Property Location	126 FARMINGTON RD
Property Owner	ADAMIAN CONSTRUCTION & DEV	Property Use	MIX COMM/CU
	CORP	Most Recent Sale Date	12/21/1987
Mailing Address	29 MILL ST	Legal Reference	1301-185
		Grantor	LOMMA JAMES F
City	ARLINGTON		
Mailing State	MA	Zip	02476-4733
		Sale Price	0
Parcel/Zoning	GRD	Land Area	82.500 acres

Current Property Assessment

Card 1 Value	Building Value	0	Yard Items Value	0	Land Value	1,129,167	Total Value	1,129,167
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Building Description

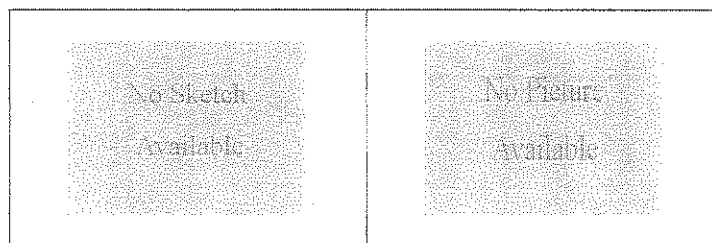
Building Style	N/A	Foundation Type	N/A	Flooring Type	N/A
# of Living Units	N/A	Framo Type	N/A	Basement Floor	N/A
Year Built	N/A	Roof Structure	N/A	Heating Type	N/A
Building Grade	N/A	Roof Cover	N/A	Heating Fuel	N/A
Building Condition	N/A	Siding	N/A	Air Conditioning	0%
Finished Area (SF)	N/A	Interior 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

Narrative Description of Property

This property contains 82.500 acres of land mainly classified as MIX COMM/CU with a(n) N/A style building, built about N/A, having N/A exterior and N/A roof cover, with N/A 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.

ABUTTER LISTCity of Rochester, NH
Please Print or Type

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Planning Dept.

Applicant: Tractor Supply CompanyDate: April 18, 2012Project Address: Farmington Road / NH Route 11

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
208	1	GRD	Adamian Construction and Development Corporation	29 Mill Street; Arlington, MA 02479-4733

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
208	1-1	Infinity Rochester Property	1330 Boylston Street, Suite 212; Chestnut Hill, MA 02467
208	2	Jean M. Kane 2009 Revocable Trust	117 Bow Street; Portsmouth, NH 03801
208	4	John David & Carolyn Meader	148 Farmington Road; Rochester, NH 03867
208	15	City of Rochester	31 Wakefield Street; Rochester, NH 03867
208	16	Robert Rowe, Sr.	127 Farmington Road; Rochester, NH 03867
208	19-2	JMB Automotive Group, LLC	67 Mallard Drive; Alton, NH 03809
216	11	Stratham Industrial Properties, Inc.	PO Box 284; Stratham, NH 03885
217	48	James Laverdiere, Sr.	195 Ten Rod Road; Rochester, NH 03867
217	51	Aaron Thibaudeau & Jana Gagnon	155 Ten Rod Road; Rochester, NH 03867
217	51-1	Michael & Gwen Morrison	159 Ten Rod Road; Rochester, NH 03867
217	54	John W. Ballentine	PO Box 130; Rochester, NH 03866-0130
217	55	Daniel & Ruth Caron	135 Ten Rod Road; 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**

Norway Plains Associates, Inc.	PO Box 249; Rochester, NH 03866-0249
Round Pond Soil Survey	374 Pond Hill Road; Barrington, NH 03825

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form and mail certified notices to abutters and other parties in a complete, accurate, and timely manner, in accordance with applicable law. 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 Patriot Database (located in the Revenue Bldg at 19 Wakefield Street)

on this date: April 18, 2012, This is page 1 of 1 pages.

Applicant or Agent: 

Staff Verification: _____

N:\PLAN\Forms\Miscellaneous\Abutter list.doc (effective 7-12-10)

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