



PLANNING, DEVELOPMENT AND ZONING DEPARTMENT

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

City Planning
Community Development
Economic Development
Zoning Development

APPLICATION FOR VARIANCE
TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

RECEIVED

AUG 23 2012

Planning Dept.

DO NOT WRITE IN THIS SPACE

CASE NO. 2012-27

DATE FILED _____

Phone No. (603) 335-3948

ZONING BOARD CLERK

Name of Applicant NHDOT-Bureau of Turnpikes c/o HNTB Corporation

Address 340 County Road, Suite 6C; Westbrook, ME 04092

Owner of property concerned Louise J. Brown

(if same as applicant write "same")

Address 121 Chestnut Hill Rd.; Rochester, NH 03867

(if same as applicant write "same")

Location of property 121 Chestnut Hill Rd./Spaulding Turnpike Connector

Map No. 216 Lot No. 81 Zone A

Description of property 294.5' 896'/982' 308'
(give length of frontage, side lines rear lines)

Proposed use or existing use affected Subdivision of the tract into 2-lots.

The undersigned hereby requests a variance to the terms of Article 42.6 Section (a)(25)

And asks that said terms be waived to permit a lot to be created with frontage on a limited access highway.

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 lot being created will be conveyed to the State of New Hampshire for use by the NHDOT; whereas the State controls access to the limited access highway, the lot will technically have useable frontage.

Signed _____

(As Agent for the Applicant)

CRITERION FOR VARIANCE

CASE # _____
DATE _____

A variance is request by NHDOT-Bureau of Turnpikes
from Section 42.6 subsection (a)(25)
of the Zoning Ordinance to permit: a lot to be created with frontage on a limited access highway.
at 121 Chestnut Hill Road Map 216 Lot 81 Zone A

Facts supporting this request:


1.) The proposed use would not diminish surrounding property values because: The creation of a lot that will abut the Spaulding Turnpike will not affect property values. Any future use of the lot by DOT will be located quite a distance away from any existing homes on Chestnut Hill Road.

2.) Granting the variance would be of benefit to the public interest because: the restriction on frontage on a limited access highway was put in place to prevent creating lots that would then have to take access from another Class V or better road. In this case, it will be better if DOT accesses the lot directly from the limited access Spaulding Turnpike Connector.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances that distinguish it from other properties similarly zoned: The lot being created will be conveyed to the State of New Hampshire for use by the NHDOT; whereas the State controls access to the limited access highway, the lot will technically have useable frontage and access will not have to be taken from Chestnut Hill Road.

4.) Granting the variance would do substantial justice because: it will allow DOT a strategically located parcel on the state's turnpike system.

5.) The use is not contrary to the spirit of the ordinance because: as stated above, the restriction on using limited access highways for frontage was to prevent the creation of lots with frontage on roads that were not accessible to the general public.


(As Agent for the Applicant)

8/22/12

Date

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

August 23, 2012

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

Re: Variance Request - NHDOT/Louise Brown - Chestnut Hill Rd. - Map 216, Lot 81

Dear Ralph:

On behalf of the above referenced applicant and owner, we hereby submit application and supporting data for a variance. Specifically, we request that the terms of Article 42.9(a)(25) be waived to allow a lot to be created with frontage on a Limited Access Highway (LAH), i.e., the Spaulding Turnpike Connector. The ordinance specifically states that frontage for new lots can not be taken solely from that portion of the subject lot that abuts a LAH. This provision was added in the recent past in response to a subdivision that was approved by the Planning Board where lots were created using the frontage along the Spaulding Turnpike while taking access from a common right-of-way leading to and from a city street.

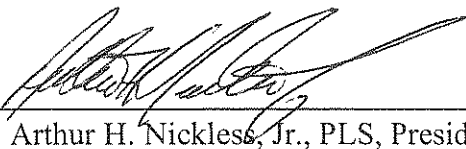
The purpose of the proposed 2-lot subdivision is so Mrs. Brown can convey a portion of her property to the NHDOT-Bureau of Turnpikes. At some point in the future, they plan to construct a maintenance facility on this property. Obviously, access to the lot will in fact be taken from the LAH as the maintenance facility will serve a valuable function to the State's turnpike system.

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

Sincerely,

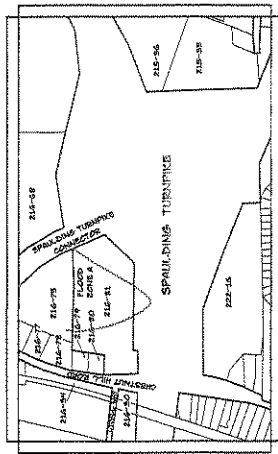
NORWAY PLAINS ASSOCIATES, INC.

By: _____



Arthur H. Nickless, Jr., PLS, President

cc: Paul Danforth, PE., HNTB Corp.



MAP-LAT
ARUTTHES

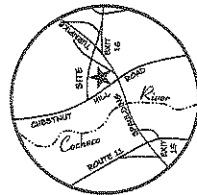
215-60 DAVID C. JACKSON, 100 CHESTNUT HILL RD., ROCKHISTON, NH 05667-5129
215-61 ADAM A. M. MURPHY, 135 CHRISTIAN HILL RD., ROCKHISTON, NH 05667-5129
215-62 ADAM A. M. MURPHY, 135 CHRISTIAN HILL RD., ROCKHISTON, NH 05667-5129
215-75 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-76 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-77 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-78 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-79 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-80 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-81 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-82 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
215-83 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
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215-99 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821
216-00 VINCENT A. & KAREN A. TEBBINS, 100 ALTON, PO BOX 55 ALTON, NH 05821

www.elsevier.com/locate/ymbs

1. PLAIN OF HONOLULU TURNPIKE, ROUGHASTER, LA-11228(0), P-22827-A*
 DATED 1974 BY HOSCHKE AND JOHNSON-80000015-0000000000
 ON FILE AT HNDOT
2. PLAIN OF HONOLULU TURNPIKE, ROUGHASTER, LA-11228(0), P-22827-A*
 DATED 2010 BY CALVIN THOMPSON & ASSOCIATES

NOTES

- [illegible]

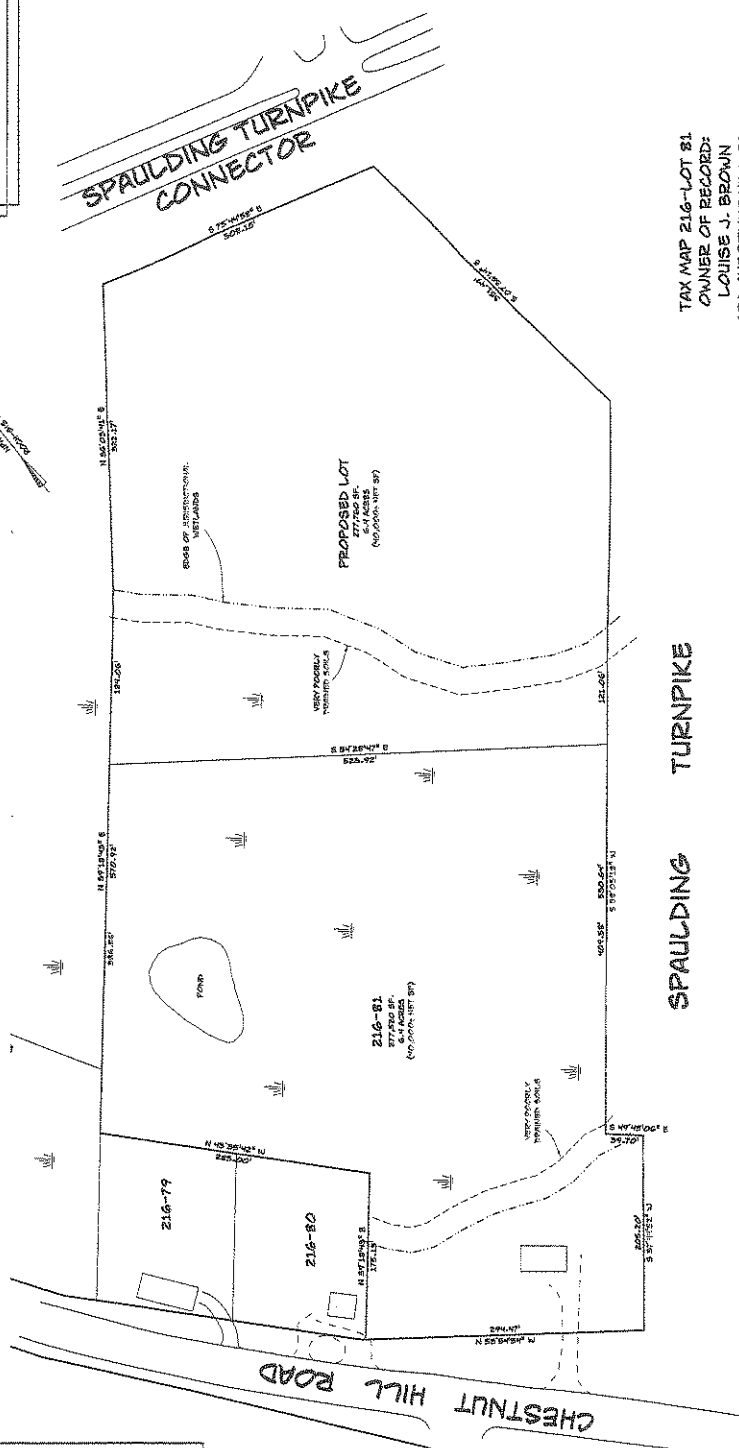


HERBY CERTIFY THAT THIS PLAN, FORMED UNDER MY DIRECTION, WAS THE RESULT OF A BULKY MAIL ON THE GROUND AS PER REPORT OF INSPECTIONS AND IS COVERED TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE PLAN ABOVE DESCRIBED IS CORRECT.



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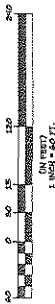
FILE NO. 154
PLAN NO. #
DWG. NO. 12128/X-1



TAX MAP 216-LOT 81
OWNER OF RECORD:
LOUISE J. BROWN
121 CHESTNUT HILL RD.
ROCHESTER, NH
SCRD 2272/37 & 39

SUBDIVISION PLAN
CHESTNUT HILL ROAD, SPAULDING TURNPIKE
& SPAULDING TURNPIKE CONNECTOR
STRAFFORD COUNTY
ROCHESTER, NH
FOR: STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
(BUREAU OF TURNPIKES)

1"=60' AUGUST, 2012
GRAPHIC SCALE



ROCHESTER PLANNING BOARD
THURSDAY, APRIL 11, 1974

[illegible]

NORWAY PLAINS ASSOCIATES, INC.

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0216-0081-0060	Account Number 34582
Prior Parcel ID --	Property Location 121 CHESTNUT HILL RD
Property Owner BROWN LOUISE J	Property Use SINGLE FAM
Mailing Address 121 CHESTNUT HILL RD	Most Recent Sale Date 2/8/2001
City ROCHESTER	Legal Reference 2272-36
Mailing State NH Zip 03607-5123	Grantor BROWN LOUISE J
Parcel Zoning A	Sale Price 17,200
	Land Area 12.500 acres

Current Property Assessment

Card 1 Value	Building Value 56,200	Yard Items Value 280	Land Value 77,300	Total Value 133,700
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Building Description

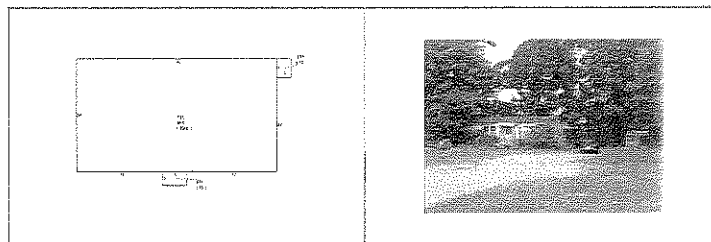
Building Style RANCH	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1978	Roof Structure GABLE	Heating Type FORCED H/A
Building Grade AVG. (-)	Roof Cover ASPHALT SH	Heating Fuel GAS
Building Condition Poor	Siding COMP CLAP	Air Conditioning 0%
Finished Area (SF) 1008	Interior Walls AVERAGE	# of Bsmt Garages 0
Number Rooms 5	# of Bedrooms 3	# 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 12.500 acres of land mainly classified as SINGLE FAM with a(n) RANCH style building, built about 1978, having COMP CLAP exterior and ASPHALT SH roof cover, with 1 unit(s), 5 room(s), 3 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

Applicant: N.H.D.O.T. Bureau of Turnpikes c/o Paul Danforth, HNTB Corporation Phone (207) 252-5989

Project Address: 121 Chestnut Hill Road

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
✓ 216	81		Louise J. Brown	121 Chestnut Hill Road, Rochester, NH 03867-5123

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
✓ 216	80	David C. Jacobs	129 Chestnut Hill Road, Rochester, NH 03867-5123
✓ 216	79	Charles W. Moses	133 Chestnut Hill Road, Rochester, NH 03867-5123
✓ 216	78	Mark A. & Karen A. Tremblay	P. O. Box 866, Milton, NH 03851
✓ 216	68	Vincent A. & Diana L. Crout-Hamel	71 Elmo Lane, Rochester, NH 03867-5100
✓ 216	75	State of New Hampshire	P. O. Box 483, Concord, NH 03302-0483
✓ 216	34	Lydall Eastern, Inc.	P. O. Box 1960, Rochester, NH 03866-1960
✓ 216	30	Same as 216/34	
✓ 222	16	Thomas R. Miller	P. O. Box 1676, Rochester, NH 03866-1676
✓ 215	35	Lewis G. Potter	10 Pauls Way, Rochester, NH 03868
✓ 215	36	Old Milton Road, LLC	23 Meaderboro 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
Joseph W. Noel, CSS, CWS	P. O. Box 174, South Berwick, ME 03908
Steven M. Ferguson, LLS, Norway Plains Associates, Inc.	P. O. Box 249, Rochester, NH 03866-0249

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: _____, This is page _____ of _____ pages.

Applicant or Agent: _____

Staff Verification: C.D. 8/16/12

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

RECEIVED

AUG 15 2012

Plan 11-100