



Planning & Development Department
City Hall - Second Floor
31 Wakefield Street
ROCHESTER, NEW HAMPSHIRE 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: <http://www.rochesternh.net>

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AUG 20 2012

Planning Dept.

Planning
Community Development
Zoning
Conservation Commission
Historic District Commission

APPLICATION FOR SPECIAL EXCEPTION

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2012-23

DATE FILED 8/20/12

C. Lunn
ZONING BOARD CLERK

(cell)
Phone No. 603-234-6288 / 603-332-5218 (o)

Name of applicant Unified Industries Ltd.

Address 40 Bernard Rd Rochester NH 03868

(if same as applicant, write "same")

Owner of Property Concerned George & Rita Gauthier Revocable Trust

(if same as applicant, write "same")

Address Same

(if same as applicant, write "same")

Location of property 40 Bernard Rd Rochester, NH

Map No. 226

Lot No. 2

Zone A

The undersigned hereby requests a special exception as provided in

Article: 42.14 Table 1 (C) 12 Section: 42.14 of the Zoning Ordinance

Description of Property See Attached Map. 4740 Salmon Falls River
(give length of the lot lines) Frontage Sides Rear

Proposed use or existing use affected Camp ground & Associated Recreation Area

Signed Douglas Lachance Date 8/20/2012

(Applicant)

Douglas Lachance for Unified Industries, Ltd.

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Special Exception

42.23 Special Exceptions

(a) General Provisions

- (1) Certain uses, structures, or conditions are designed as Special Exceptions (E) in this ordinance. Upon application, the Board of Adjustment may, subject to the appropriate conditions and safeguards, grant a permit for these special exceptions and no others.
- (2) Special Exceptions, for which conformance to additional standards is required, may be permitted in their respective districts, subject to the satisfaction of the requirements and standards set forth in this Section 42.23, in addition to all other requirements of this ordinance. All such uses are hereby declared to possess such special characteristics that each shall be considered as an individual case.
- (2) The Board of Adjustment may require that a site plan for development for a proposed Special exception be submitted showing the location of all buildings, parking areas, traffic access, open spaces, landscaping, and any other pertinent information that may be necessary to determine if the proposed special exception is in harmony with the intent of this ordinance.

- (b) Considerations Governing Granting Special Exceptions: In acting upon an application for a special exception, the Board of Adjustment shall take into consideration whether:

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- (1) The specific site is an appropriate location for the proposed use or structure
YES X NO _____ Reasoning: allowable under zoning, Planning Dept
 - (2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood
YES _____ NO X Reasoning: These sites are so far away from any residential dwellings it would be near impossible for them to have any impact.
 - (3) There will be undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off street parking
YES _____ NO X Reasoning: there are no roads at this location
 - (4) Adequate and appropriate facilities and utilities will be provided to insure the Proper operation of the proposed use or structure
YES X NO _____ Reasoning: We will work with local, state and federal authorities with jurisdiction & comply with all state & local health & safety codes.
 - (5) The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan
YES X NO _____ Reasoning: will provide years of outdoor "open-space" enjoyment by generating revenue necessary to maintain the land as open space.

Please check Section 42.23 (c) of the Rochester Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.



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APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

603-234-6288 (cell)

Phone No 603-332-5215 (office)

DO NOT WRITE IN THIS SPACE

CASE NO. 2012-23

DATE FILED 8/20/12

ZONING BOARD CLERK

Name of applicant Unified Industries Ltd.

Address 40 Bernard Rd. Rochester, NH 03868

Owner of property concerned George & Rita Gauthier Renewable Trust
(If the same as applicant, write "same")

Address same

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

Location same

Map No. 226

Lot No. 2

Zone A

Description of property see attached map.

Proposed use or existing use affected Fermentation, storage & packaging
of ^{apple} cider and other fruits into hard cider

The undersigned hereby requests a variance to the terms of Article 42.14
Section ~~1~~ and asked that said terms be waived to permit the bottling of
Hard Cider

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)

Douglas Lachance, for Unified Industries Ltd

Variance

CRITERIA FOR VARIANCE

Case # _____

Date: _____

A Variance is requested by Unified Industries Ltd.

from Section 14.42 Subsection #2 Table 1(E) 9

of the Zoning Ordinance to permit: Fermentation, storage, packaging and distribution of hard cider and other fruit wines

at 40 Bernard Rd Rochester, NH Map 226 Lot 2 Zone A

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Facts supporting this request:

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

There would be no impact, fermenting will occur inside an existing building

2) Granting the variance is not contrary to the public interest because: it enables the preservation and continuation of agricultural activity on agricultural land,

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: would create financial hardship by limiting the ability to produce as much saleable goods as possible from agricultural activity

4.) Granting the variance would do substantial justice because: creates an allowable use in a zone which has been designed for this type of use.

5.) The use is not contrary to the spirit of the ordinance because: it will ensure the continued use of land as a family farm.

Name Douglas Lockwood

Date: 8/20/2012

for Unified Industries Ltd.

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Plan. & Zoning Dept.

To the Rochester Zoning Board,

Unified Industries Limited is a company owned and organized by Kevin, Kent and Lynn Gauthier. Together they are leasing the land known as the Gautier Farm from the George and Rita Gauthier Revocable Trust and own the land formerly known as the Gagne Farm on the Salmon Falls Road. Unified Industries runs Gauthier's Heating and is looking to expand operations at their location on 40 Bernard Road in Rochester to include traditional farming practices as well as non traditional but allowable uses in the agricultural zone. The expansion is intended to preserve the land as a family operated farm and maintain its' character as open and as agricultural as possible. To accomplish that end it is necessary to develop operations which can support the ongoing expense of maintaining a family farming operation.

We are therefore requesting a special exception under current zoning to allow for the development of a primitive campground on land owned along the Salmon Falls River. We are also requesting a variance under existing zoning for permission to ferment, package and distribute Hard Cider utilizing space in an existing out building. We will work with and comply with all local, state and federal governing bodies that have jurisdiction over these functions and comply with all necessary public health and safety regulations.

Thank-you for you consideration.

Respectfully,

Douglas Lachance, on behalf of Unified Industries Limited

dated 7/13/12

Salmon Falls Recreation

A DBA of Unified Industries Ltd.
40 Bernard Rd Rochester, NH 03868
603-332-5218
SalmonFallsRecreation@aol.com

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Plan...

This is a letter of intent for the use of the property in the trust of George and Rita Gauthier's Revocable Trust. The property is located at 40 Bernard Rd in Rochester, NH. This property is in an agricultural zone at Map #226 Lot #2. Presently, the land is being used as hay fields and personal recreational space. This land is accessed by a right of way off of Bernard Rd. The right of way is owned by Chris & Joyce Gauthier and gives access to all use on the properties owned by Lynn Gauthier and the trust. The proposed project is abutted by Lynn Gauthier's land, Chris & Joyce Gauthier's land, the Salmon Falls River and Tara Estates. There would be minimal noise, vibration or smoke increases to the Tara Estates residents.

The proposal is as follows:

- Grass Parking Area in existing field 14,000 sq.ft. (approximately 80 vehicles).
- Disk Golf Area in wooded area 461,000 sq.ft.
- Tent Camping Area in wooded area 175,000 sq.ft.

The idea of this project is to protect this property from development by providing Unified Industries LTD with a more diverse income stream. This will in turn provide the trust with better ability to meet its responsibilities. This project will allow access for the public to rustic camping where Boy and Girl Scouts or other interested parties and individuals can come to enjoy the quiet setting in the woods.

We will be modifying the land as little as possible. The campsites will be approximately 50'x 50' with a plan of no more then 70 sites in this area. We will have a carry in carry out policy and portable toilets will be provided through out the area. Little will be changed here since the natural woods are the attraction and there will only be walking trails. Campground would be a 24 hour operation in season. It is not expected to be a large operation at the beginning as it would be rustic without water and electricity. Traffic on Salmon Falls Road is very steady and is not believed to be a significant increased. Bernard Road used to have the traffic of our tractor trailers and numerous trucks hauling out of the gravel pit, so the traffic would be decreased and much quieter.

The disc golf course would only have 18 baskets spaced around the wooded area . Disc golf has become very popular in the country and the rustic area would afford a beautiful surrounding for a game. The hours of operation for this course would be approximately 10 am to 6pm during the spring, summer and fall, weather depending of course.

At the beginning of the operation, the facility would be able to be operated with the existing office personnel of Unified Industries with the addition of a part time weekend person. As the project grows and expands, we would expect to add additional part and full time crew. The proposed direction of this proposal could be a retail store,

Salmon Falls Recreation
Letter of Intent
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canoe/kayak rental, livestock and vegetable stand and many other agricultural possibilities. As many of the farms in the area have shut down, it would be our desire to make a working ag facility.

Please look over this letter of intent and explain to us what we would need to do to make things happen. Our email and phone numbers are listed above. Thank you for your time and consideration.

Sincerely,



Lynn M. Gauthier
CFO

Map 226
Lot 2

Bernside, ME

SHAWNOT FALLS RIVER

Map 226
Lot 2

SHAWNOT FALLS RIVER

SHAWNOT FALLS RIVER

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Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0226-0002-0000	Account Number 35325
Prior Parcel ID --	
Property Owner GAUTHIER GEORGE A & RITA REV	Property Location 0 BERNARD RD
OCABLE TRUST % G & R GAUTHIER	Property Use IND/RES/ICU
Mailing Address 52 BERNARD RD	Most Recent Sale Date 10/15/1996
	Legal Reference 1893-302
City ROCHESTER	Grantor GAUTHIER GEORGE A & RITA H
Mailing State NH	Sale Price 0
Zip 03865-5600	
Parcel/Zoning A	Land Area 149.000 acres

Current Property Assessment

Card 1 Value	Building Value 0	Yard Items Value 3,300	Land Value 171,077	Total Value 174,377
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Building Description

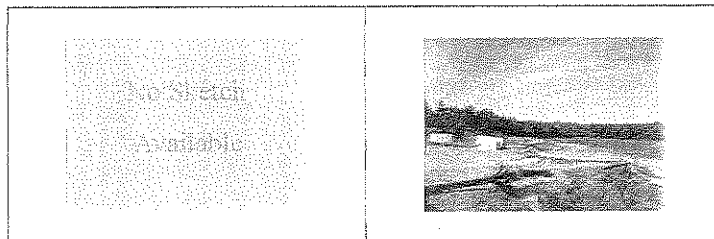
Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmr 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 149.000 acres of land mainly classified as IND/RES/ICU 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 LIST

City of Rochester, NH
Please Print or Type

Applicant: Unified Industries Ltd. Phone 603-234-6288 cell

Project Address: 40 Bernard Rd Rochester NH 603-332-5218 (o)

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.

AUG 20 2012

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
226	2	A	Geo. & Rita Gauthier Rev. Trust	40 Bernard Rd Rochester, NH

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
226	2-1	Lynn M. Gauthier	52 Bernard Rd Rochester NH 03867
226	3	Chris & Joyce Gauthier	60 Bernard Rd Rochester NH 03867
226	4	Virginia & Julia Griewank John Wakefield	1 Maple St Durham NH 03824
226	1	Applicant	40 Bernard Rd. Rochester, NH 03867
224	309	Tara Estates Community LLC	716 Salmon Falls Rd Rochester, NH 03867
227	18	Applicant	40 Bernard Rd Rochester, NH 03867
227	5	Ralph & Pauline Torr Revoc Trust W.R. & Shirley Cretan Rev. Trust	283 Chestnut Hill Rd Rochester, NH 03867-5707
			\$175+ \$17.00 192.00

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 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 - Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: Aug 17, 2012, This is page 1 of 1 pages.

Applicant or Agent: [Signature]

Staff Verification: _____