



BUILDING, ZONING & LICENSING DEPARTMENT
31 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 332-3976- Fax (603) 509-1912
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, April 9, 2014** in the City Hall Council Chambers concerning the following:

2014-06 Application by Steven Wayne Sr. and Joan Mary Noel Joint Living Trust requests a variance for a lot line revision to increase frontage on a non-conforming lot under Article 42.16, Dimensional Regulation-Table 2, of the City's Zoning Ordinance.

Location: 983 Salmon Falls Rd
Map 240 Lot 48 Agricultural Zone

If you are planning to attend the meeting and have paperwork you wish to have reviewed, or if you are *not* planning to attend the meeting, you may comment by letter, fax or email (karen.grenier@rochesternh.net). However, for the Board to consider your comments they MUST be received NO LATER than 12:00 noon on the Monday before the meeting (April 7, 2014).

The project application is available for review by the public in the Department of Building Safety 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.

Karen Grenier, Building, Zoning & Licensing Secretary
cc: file



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

*PACK 13064 - 175.00
postage 102.04 K9*

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No: 603-332-0929

DO NOT WRITE IN THIS SPACE

CASE NO. 2014-06

DATE FILED 3-24-14

[Signature]
ZONING BOARD CLERK

Name of applicant: Steven Wayne Sr. & Joan Mary Noel Joint Living Trust

Address: 981 Salmon Falls Rd, Rochester, NH 03868

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

Address: same

Location: 983 Salmon Falls Rd

Map No. 240 Lot No. 48 Zone: Agricultural

Description of property: The parcel is an existing lot of record containing 37.66 acres of vacant, wooded land that is non-conforming due to having no frontage.

Proposed use or existing use affected: Proposing a Lot Line Revision with TM 241-25 increasing the area of TM 240-48 to 47.68 ac. and increasing's TM 240-48 frontage from zero to 80.08'

The under signed hereby requests a variance to the terms of Article 42.16 Dimensional Regulation-Table 2 (Frontage) and asked that said terms be waived to permit TM 240-48 frontage from zero to 80.08'

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 X

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 *[Signature]*
(Randolph R. Tetreault - Agent for Owner)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2014-04

Date: 3/24-14

A Variance is requested by Steven Wayne Sr. & Joan Mary Noel Joint Living Trust from Section 42.16 Dimensional Regulation-Table 2 (Frontage) and asked that said terms be waived to permit TM 240-48 frontage from zero to 80.08' (less than the required 150')

at #983 Salmon Falls Road Tax Map 240 Lot 48 Zone: Agricultural

Facts supporting this request:

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

The property would be used in similar fashion with the current surrounding neighborhood uses and in accordance with any other uses allowed in the existing agricultural zone.

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

It allows the existing lot of record to be utilized as allowed under the current allowable zoning standards.

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

The owner would be unable to obtain a building permit for the existing "land-locked" and currently undeveloped lot (as determined by the zoning officer).

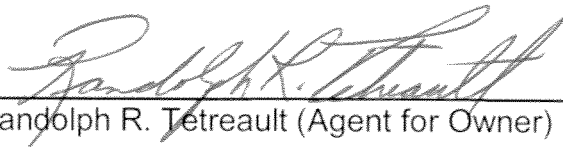
4.) Granting the variance would do substantial justice because:

It would allow for reasonable access and development of an existing lot of record.

5.) The use is not contrary to the spirit of the ordinance because:

It is already an established lot/parcel within the agricultural zone. Allowing 80' of frontage verses the required 150' of frontage does not affect the proposed residential use as it is an allowable use in the zone.

Name


Randolph R. Tetreault (Agent for Owner)

Date:

3/24/2014

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

31 Mooney Street
Alton, New Hampshire 03809
Alton Office (603) 875-3948
E-MAIL: sferguson@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

March 24, 2014

Rochester Zoning Board of Adjustment
31 Wakefield Street
Rochester, NH 03867

Re: Variance Request – Steven & Joan Noel – TM 240-48 – 983 Salmon Falls Road – Rochester, NH

Dear Board Members:

On behalf of Steven & Joan Noel, owners of the above referenced property, I hereby respectfully request consideration of the variance requested in the attached application.

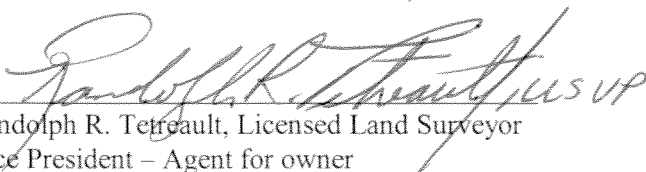
The applicant submitted a "Boundary Line Adjustment" application to the Planning Board/Planning Department on March 11, 2014. (See the attached project narrative). This proposal was to adjust the lot lines between two existing lots of record as described (both owned by the applicant) with the important adjustment being the addition of eighty (80') feet of road frontage to TM 240-48. The resulting change would make TM 240-48 less non-conforming and provide accessible frontage on Salmon Falls Road.

Subsequent to the TRG meeting the zoning officer determined that the proposed lot line change would first require a variance to the frontage requirement in the zone (150') as the proposal did not provide enough frontage to bring the existing non-conforming lot into total frontage conformity.

Thank you for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.


Randolph R. Tetreault, Licensed Land Surveyor
Vice President – Agent for owner

2014-04

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

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Alton, New Hampshire 03809
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2 Continental Boulevard (03867) P. O. Box 249
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March 11, 2014

Mr. James Campbell
Planning, Development & Zoning
31 Wakefield Street
Rochester, NH 03867

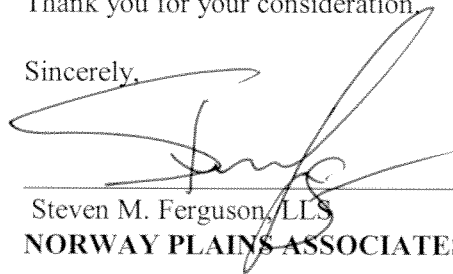
Re: Lot Line Revision – Steven & Joan Noel – TM 240-48 & TM 241-25– Salmon Falls Road

Dear Jim:

On behalf of Steven & Joan Noel, we hereby submit plans and application for a lot line revision of the above referenced properties. TM 241-25 contains an existing single-family home fronting on Salmon Falls Road with an existing well and septic system. TM 240-48 is vacant land with no existing frontage on any street. Our proposal is to revise these two existing lots of record. TM 241-25 is being reduced in area from 11.39 acres to 1.36 acres and the frontage on Salmon Falls Road is being reduced from 230.09' to 150.01', just over the frontage requirement. The area of TM 240-48 is being increased from 37.66 acres to 47.68 acres and the frontage is being increase from no frontage to 80.08' on Salmon Falls Road, making a non-conforming lot of record, less non-conforming.

Thank you for your consideration.

Sincerely,

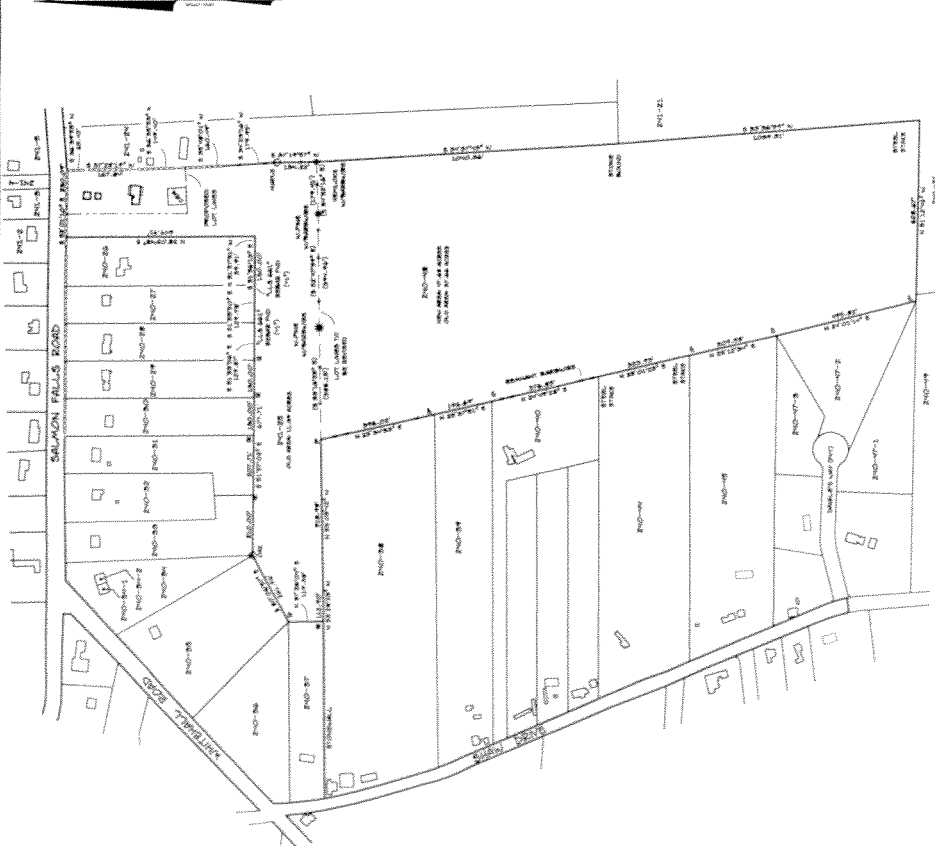


Steven M. Ferguson, LLS
NORWAY PLAINS ASSOCIATES, INC.

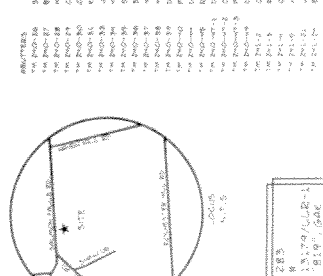
2011-01





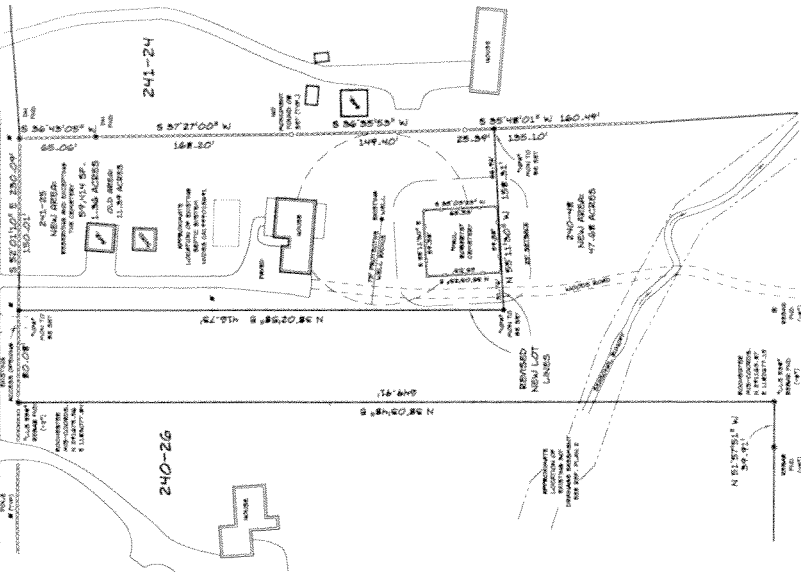


- NOTES:
1. THE PURPOSE OF THIS PLAN IS TO RECORD THE LOT LINES OF TWO LOTS, 241-24 AND 241-25, AND TO SHOW THE LOCATION OF THE EXISTING SEPTIC SYSTEMS AND THE PROPOSED SEPTIC SYSTEMS.
 2. THE PROPOSED LOT IS NOT LOCATED WITHIN THE LOT LINES OF THE EXISTING SEPTIC SYSTEMS, AND THE PROPOSED LOT IS NOT LOCATED WITHIN THE LOT LINES OF THE EXISTING SEPTIC SYSTEMS.
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REVISIONS: 3/17/14 PRE TDS

SALMON FALLS ROAD



SCALE: 1"=50'

ROCHESTER PLANNING BOARD

APPROVED BY: [Signature]

DATE: 3/17/14

NOTES: THE PURPOSE OF THIS PLAN IS TO RECORD THE LOT LINES OF TWO LOTS, 241-24 AND 241-25, AND TO SHOW THE LOCATION OF THE EXISTING SEPTIC SYSTEMS AND THE PROPOSED SEPTIC SYSTEMS. THE PROPOSED LOT IS NOT LOCATED WITHIN THE LOT LINES OF THE EXISTING SEPTIC SYSTEMS, AND THE PROPOSED LOT IS NOT LOCATED WITHIN THE LOT LINES OF THE EXISTING SEPTIC SYSTEMS.

TAX MAP 241-LOT 25 & TAX MAP 240-LOT 48

OWNERS OF RECORD:

STEVEN W. NOEL, SR. & JOAN MARY NOEL

JOINT LIVING TRUST

981 SALMON FALLS ROAD, ROCHESTER, N.H.

SCED 4081/866 & 3810-194

LOT LINE REVISION PLAN

SALMON FALLS ROAD

STRAFFORD COUNTY

ROCHESTER, NH

FOR: JOAN MARY & STEVEN W. NOEL, SR.

TRUSTEES

MARCH 2014

REVISIONS: 3/17/14 PRE TDS

SCALE: 1"=50'

DATE: 3/17/14

APPROVED BY: [Signature]

DATE: 3/17/14

ABUTTER LIST

City of Rochester, NH

Applicant: Steve Wayne Sr & Joan Mary Noel Joint Living Trust Phone 603-332-0929

Project Address: 981 Salmon Falls Rd & 983 Salmon Falls Rd LLR

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 submitting the application.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
✓ 241	25	A	STEVE WAYNE SR. & JOAN MARY	981 SALMON FALLS RD
✓ 240	48	A	NOEL JOINT LIVING TRUST	ROCHESTER, NH 03868-5706

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
✓ 240	26	STEVEN A PINA REV TRUST & SUZANNE E PINA REV TRUST	971 SALMON FALLS RD ROCHESTER, NH 03868-5706
✓ 240	27	BRUCE H FIELDING & JANET L DAVIS	967 SALMON FALLS RD ROCHESTER, NH 03868
✓ 240	28	MELISSA H & DANIEL M AYERS	961 SALMON FALLS RD ROCHESTER, NH 03868
✓ 240	29	CRYSTAL RUSSELL	955 SALMON FALLS RD ROCHESTER, NH 03868
✓ 240	30	ODILE B & JAMES MOSS	PO BOX 1061 DOVER, NH 03821-1061
✓ 240	31	KIM E LETENDRE	6203 THORN ST SAN DIEGO, CA 92115-6946
✓ 240	33	JAMES & ODILE B MOSS	309 LEE HOOK RD LEE, NH 03861
✓ 240	34	441-443 SALMON FALLS RD CONDO ASSOC	927 SALMON FALLS RD ROCHESTER, NH 03868
✓ 240	35	SCOTT DUNTLEY & BETHANY N MCKAY	175 WHITEHALL RD ROCHESTER, NH 03868
✓ 240	36	SCOTT DUNTLEY & BETHANY N MCKAY	175 WHITEHALL RD ROCHESTER, NH 03868
✓ 240	37	MARIE L & DONN R CALVI & ALICE J LAPANNE	2 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	38	MONICA R & MICHAEL G II DUBE	6 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	39	DENNIS CARIGNAN	12 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	40	PAUL GORDON	14 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	44	DAVID J STEWART	22 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	45	RICHARD G & DOROTHY CASSIDY	34 SHAW DR ROCHESTER, NH 03868-5710
✓ 240	47-1	DENNIS L & CAROL A DAIGLE	5 DAIGLES WAY ROCHESTER, NH 03868
✓ 240	47-2	CHARLES E & ALICE D PURPURA	23 DAIGLES WAY ROCHESTER, NH 03868-5726

✓ 240	47-3	PAULA E ROY	25 DAIGLES WAY ROCHESTER, NH 03868-5726
✓ 240	49	DARCY R & HEATH BEAUDOIN	21 ELMO LN ROCHESTER, NH 03867-5100
✓ 241	2	CHRISTOPHER DUBOIS & AMY CLARK	976 SALMON FALLS RD ROCHESTER, NH 03868
✓ 241	3	ROBERT W & JOANNE A STICKNEY	9 1/2 BOSTON HARBOR RD DOVER, NH 03820-4645
✓ 241	4	CHARLES PRESCOTT ESTATES INC	PO BOX 2040 ROCHESTER, NH 03866-2040
✓ 241	5	VERNE A FOWLER REV TRUST U/T/A/ % V FOWLER	996 SALMON FALLS RD ROCHESTER, NH 03868
✓ 241	21	LINDA SARGENT & MARTHA J FOWLER	671 SALMON FALLS RD ROCHESTER, NH 03868
✓ 241	24	BRUCE A & LINDA M WHITE	987 SALMON FALLS RD ROCHESTER, NH 03868

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 ASSOC., INC. C/O RANDY R. TETREALT, LLS	PO 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. I understand that any error or omission could affect the validity of any approval. The names and addresses 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: 3/24/2014. This is page 2 of 2 pages.

Applicant or Agent: _____

Planning Staff Verification: Karen H. Spencer Date: 3/25/14