



Planning
Community Development
Zoning
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: <http://www.rochesternh.net>

MAR 25 2013

APPLICATION FOR SPECIAL EXCEPTION

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No. (603) 330-2122

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-15

DATE FILED 3/25/13

ZONING BOARD OF FRK

Name of applicant Waste Management of NH, Inc.; attn: John Nadeau, District Manager

Address 30 Rochester Neck Road Rochester, New Hampshire

(if same as applicant, write "same")

Owner of Property Concerned Same.

(if same as applicant, write "same")

Address PO Box 1450, Chicago, IL 60690-1450

(if same as applicant, write "same")

Location of property Off of 30 Rochester Neck Road in Rochester, New Hampshire

Map No. 267 and 262 Lot No. 2 and 22 (respectively) Zone I-4, I-4A and A

The undersigned hereby requests a special exception as provided in

Article: 42 Section: 42.11 of the Zoning Ordinance

Map 267, Lot 2:	7,272 ft	6,003 ft	2,665 ft
Description of Property Map 262, Lot 22:	318 ft	7,586 ft	2,030 ft
(give length of the lot lines)	Frontage	Sides	Rear

Proposed use or existing use affected Development of two on-site borrow areas to support on-site construction and operations. Areas are currently wooded and/or used for stormwater management.

Signed Ann Beckett
(Applicant)

Date 3/25/13

SITE NARRATIVE

Special Exception Application

Soil Borrow Area Project
Waste Management of New Hampshire, Inc. (WMNH)
Turnkey Recycling and Environmental Enterprise (TREE)
Rochester Neck Road, Rochester, NH

March 25, 2013

Waste Management of New Hampshire (WMNH) plans to develop two on-site borrow areas to provide soils to be used to support on-site construction and operations at their Turnkey Recycling and Environmental Enterprise (TREE) facility located on approximately 1200 acres with frontage along Rochester Neck Road in Rochester. The proposed borrow areas are located in the northwestern portion of the site (approximately 1,200 feet north of Rochester Neck Road), and are accessible by the existing TLR-III perimeter access road. The proposed borrow areas will disturb approximately 14.7 acres of two adjacent properties delineated by the City of Rochester as Map 267 Lot 2 and Map 262 Lot 22, which cumulatively compose nearly 570 acres.

Borrow area construction is anticipated to disturb approximately 640,000 square feet and generate approximately 410,000 cubic yards of borrow material for on-site use, as further described below:

- Borrow Area 6-East (6E) is proposed in the approximate location of existing stormwater detention basin 6 (Basin 6). Existing Stormwater Basin 6 was constructed as part of the TLR-III Phases 9-14 initial construction project, and is designed to detain stormwater from the facility at full build out. Currently, Basin 6 receives very little flow from the surrounding undisturbed areas and perimeter access road, as the adjacent area has not yet been filled to proposed grade. Borrow Area 6E will be constructed by excavating soils at the base of and surrounding the existing basin; following removal of the borrow materials, Basin 6 will be reconstructed at the toe of the existing slope further to the east.
- Borrow Area 6-West (6W) is proposed in a wooded, undeveloped area to the southwest of Basin 6 and proposed Borrow Area 6E. In the 1980s, a residential development was proposed to be developed on the parcel on which Borrow Area 6W is located, but the development was never constructed; the area is encircled by a woods road built to support the proposed development. Borrow Area 6W will be revegetated following removal of the borrow materials.

In general, the topography in the vicinity of the project area slopes downward toward the Cocheco River, which is located approximately 300 feet from the northern extent of the project area. An undeveloped wooded area is located northwest of the proposed Borrow Area 6W, and the WMNH golf driving range is located approximately 350 feet southwest of the center of proposed Borrow Area 6W.

Wetlands are present along the Cocheco River, as well as to the north and west of the proposed borrow areas. The wetlands proximate to the proposed borrow areas were delineated B.H. Keith Associates of Freedom, New Hampshire, and are defined as seasonally flooded, saturated palustrine forested and shrub-scrub wetlands that have formed in localized depressions and topographic low areas. This project will not disturb the wetlands proximate to the project area.

Ground disturbance will involve clearing and grubbing, extension of gravel access roads, excavation of the borrow areas, and site restoration. The project will not add significant impervious area to the site, with the exception of gravel haul roads extending from the existing landfill perimeter road to each borrow area. There are no proposed modifications to existing structures (i.e., buildings), nor are new structures proposed with this project.

42.23 SPECIAL EXCEPTION CONSIDERATIONS

Special Exception Application

Soil Borrow Area Project
Waste Management of New Hampshire, Inc. (WMNH)
Turnkey Recycling and Environmental Enterprise (TREE)
Rochester Neck Road, Rochester, NH

March 25, 2013

42.23(b)(1) The specific site is an appropriate location for the proposed use or structure.

The proposed borrow areas will be developed in the northwestern portion of the TREE site. The areas are located in and proximate to: (i) an area used for an existing stormwater management basin and abutting wooded area; and (ii) in a wooded, currently undeveloped area, which had been proposed for residential development in the 1980s. The borrow areas are set back from the property boundaries, and generally surrounded to the west and north by wooded areas.

Land uses on WMNH's property immediately abutting the project areas include the TLR-III Refuse Disposal Facility, the Cocheco River flood plain, the WMNH driving range, and the TREE Maintenance Garage. Residential properties and the Rochester Country Club are located farther to the north and west beyond a wooded buffer (that will not be disturbed by this project).

42.23(b)(2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood.

The project will not be detrimental, injurious, obnoxious, or offensive to the neighborhood, considering that:

- The project is located on the TREE property, and the proposed use is consistent with the needs of site operations. Typical construction equipment associated with WMNH's current earthwork operations will be used to construct and operate the borrow areas, and as such, the amount of noise, vibration, light and smoke (i.e., exhaust) is anticipated to be commensurate with the level generated from current earthwork operations.
- The borrow area will operate during the normal business hours established by the current TREE facility operations: Monday through Friday 6 am to 6 pm.
- The material from the borrow areas will be used on-site, and development of the on-site borrow areas will not result in additional traffic on local roads.

42.23(b)(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.

The project will not cause undue nuisance or serious hazard to pedestrian or vehicular traffic. Pedestrian traffic is not anticipated in the project area, given that the project is located within the TREE facility, approximately 1,200 feet north of Rochester Neck Road. Access to the project area will be via gravel construction access roads that connect to the existing facility perimeter access road. The construction access roads will be aligned to meet the existing perimeter access road to provide safe entrance and egress to the project areas for vehicular traffic within the TREE facility. It is anticipated that much of the traffic (i.e., trucks transporting soil from the borrow areas) will remain on-site; as such, an increase in traffic on Rochester Neck Road greater than current levels is not anticipated as a result of the project. Further, the development of the on-site borrow areas to support on-site construction projects and operations will reduce the need for off-site material to be delivered to the site using local roads. No new off-street parking will be required.

42.23(b)(4) Adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use or structure.

Operation of the borrow areas will not require new structures, facilities, or utilities. There are no proposed modifications to existing structures (i.e., buildings). The stormwater management feature at existing Basin 6 will be reconstructed following earth excavation operations. The project will be permitted through the New Hampshire Department of Environmental Services (NHDES) Alteration of Terrain program, which will review stormwater management and erosion and sediment control measures.

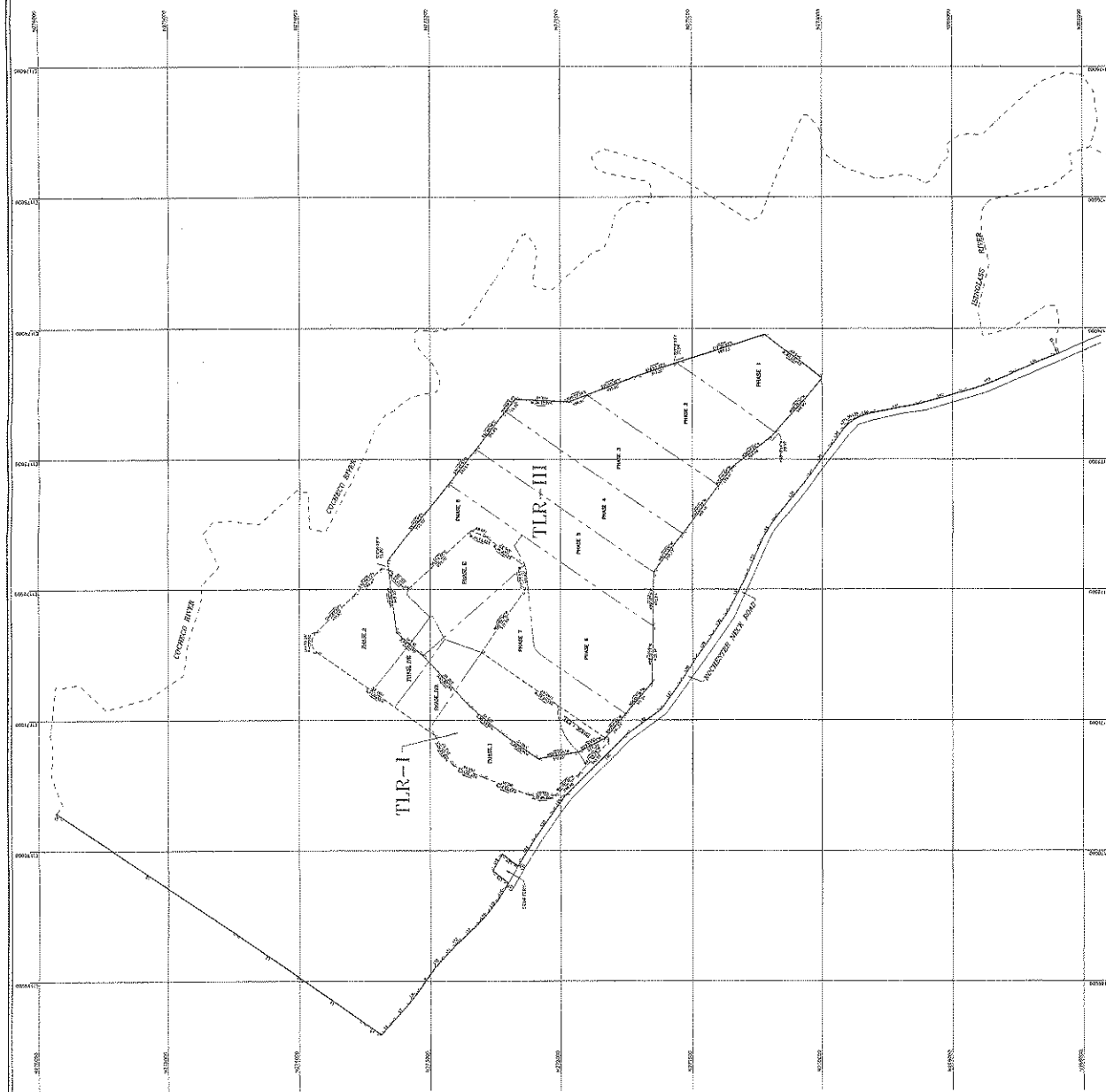
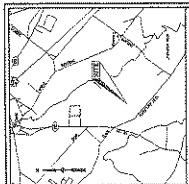
42.23(b)(5) The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan.

The proposed project is consistent with the spirit of the Zoning Ordinance and the intent of the master plan, including, but not limited to, the following considerations:

- Granting this Special Exception request will support the City's efforts "to facilitate the provision of solid waste facilities." To provide waste management services, WMNH uses soil for construction and operations of the facility. This project will provide WMNH with soil from on-site areas close to existing operations and proposed cell areas, thereby allowing WMNH to continue to provide waste management services to the City and its residents.
- The use of this portion of the TREE facility for borrow operations is suitable for the project, given that the borrow area sites are located within the facility boundary with complimentary property uses.
- The project is not anticipated to divert the City's resources or reduce the ability of the City to provide for the welfare of the City and its residents, given that no new utilities will be needed to support this project. Further, as stated herein, it is anticipated that most traffic related to this project will remain on-site and not anticipated to increase

traffic on Rochester Neck Road. Further, the use of the on-site borrow areas to support on-site construction projects and operations will reduce the need for off-site material to be delivered to the site using local roads.

- The project will be constructed to preserve the natural resources located on and adjacent to the WMNH property, with the borrow areas designed and restored in a manner that will manage stormwater quality and quantity in accordance with the New Hampshire Department of Environmental Services (NHDES) Alteration of Terrain regulations. Erosion and sediment control practices will be implemented to protect the natural buffer, flood plain, and wetland areas associated with the Cocheco River.



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NOTES:
1. THE SITE IS LOCATED IN THE TOWN OF CHOCOMA, NEW HAMPSHIRE.
2. THE SITE IS A 100-ACRE TRACT OF LAND.
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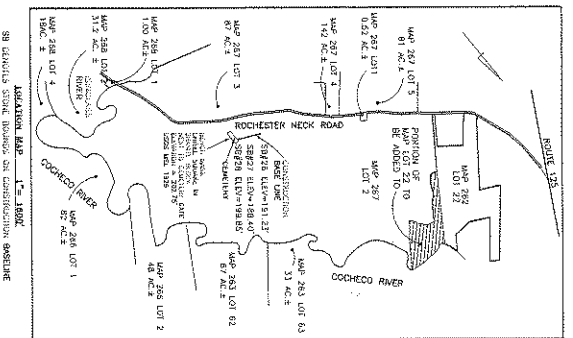
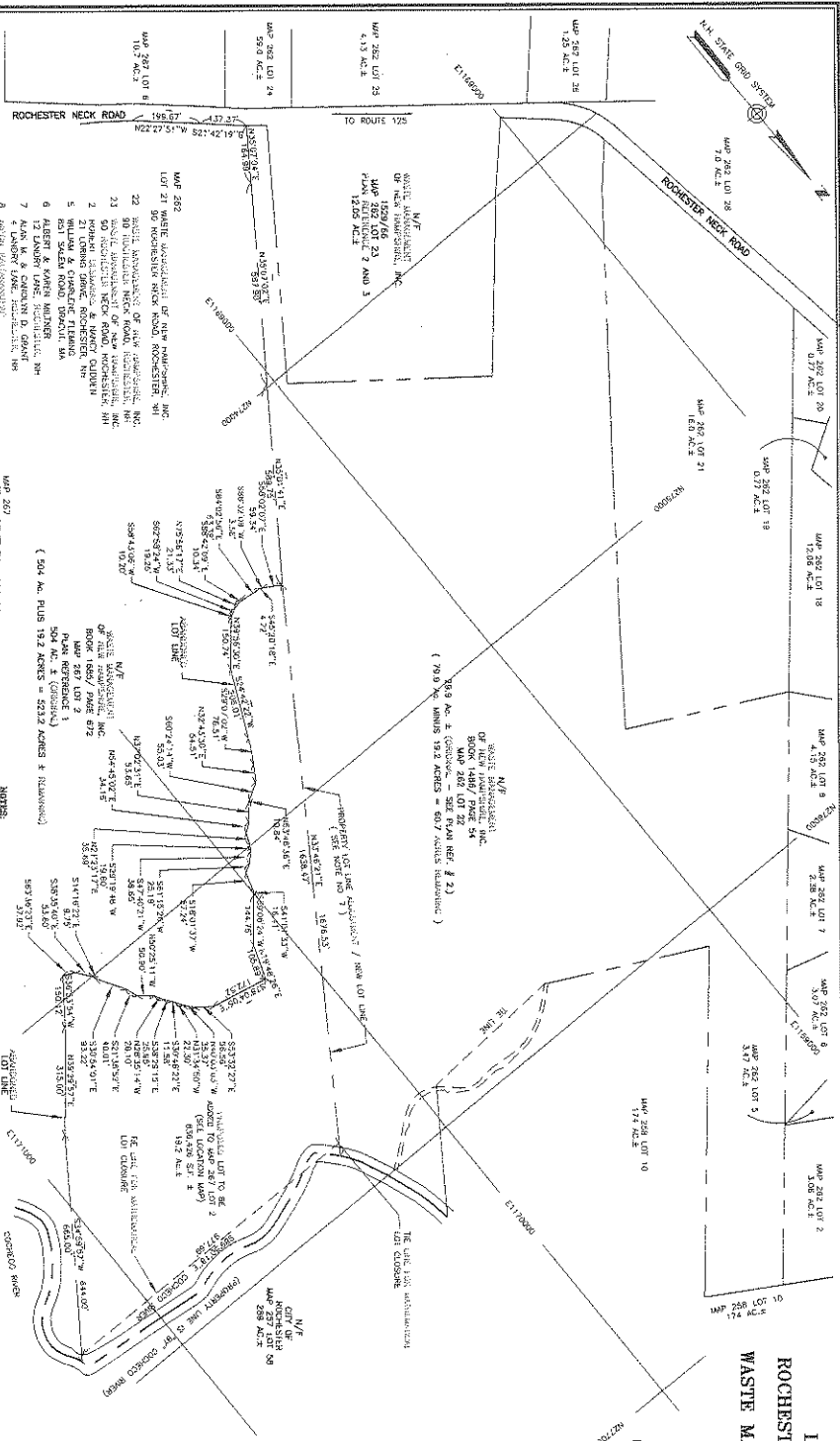


BOUNDARY COMPLETION
AND
FOOTPRINT COMPLETION
OF TLR-I AND TLR-II
ROCHESTER NICK ROAD
WASTE MANAGEMENT OF NH
CHAS. H. SELLIS, INC.

DATE: 10/1/80
BY: J.H.
CHECKED BY: J.H.
APPROVED BY: J.H.
SCALE: 1" = 100'

LOT LINE ADJUSTMENT PLAN ROCHESTER NECK ROAD, ROCHESTER, N.H. WASTE MANAGEMENT OF NEW HAMPSHIRE, INC. ROCHESTER, N.H.

OWEN HASKELL, INC.
 1700 WEST STREET, DUNSTABLE, MA 01928
 PREPARED FOR: WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.
 SCALE: 1" = 100'



LOT	OWNER	AREA (AC.)	REMARKS
1	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 1
2	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 2
3	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 3
4	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 4
5	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 5
6	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 6
7	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 7
8	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 8
9	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 9
10	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 10
11	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 11
12	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 12
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27	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 27
28	WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.	1.00	LOT 28

APPROVED FOR RECORD:
 ROCHESTER PLANNING BOARD

DRAWN BY: [Name]

WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.
 1700 WEST STREET, DUNSTABLE, MA 01928
 PREPARED FOR: WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.

C-1000000-0000

SANBORN HEAD



APPROXIMATE
LIMITS OF
WORK

DRAWN BY: R. CLAY
 DESIGNED BY: R. CLAY
 REVIEWED BY: K.E. SCHLOSSER
 PROJECT MGR: K.E. SCHLOSSER
 INC: R.S. SHILABEN
 DATE: MARCH 2015

SOIL BORROW AREA PROJECT
 TAIL REFUSE DISPOSAL FACILITY
 WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.
 AERIAL IMAGE FROM BING MAPS

PROJECT NUMBER: 3415.00
 SCALE: 1" = 100'
 1 OF 1



SANBORN HEAD

1" = 100' SCALE
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DRAWN BY: R. CLAY
DESIGNED BY: R. CLAY
REVIEWED BY: K.E. SCHLOSSER
PROJECT MGR: K.E. SCHLOSSER
PIC: R.S. SHILLABER
DATE: MARCH 2013

SOIL BORROW AREA PROJECT
TIR-HI REFUSE DISPOSAL FACILITY
WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.
NICHOLS BLVD. NEW HAMPSHIRE
EXISTING CONDITIONS
PROJECT NUMBER: 3415.00
SHEET NUMBER: 1 OF 1

ABUTTER LIST

City of Rochester, NH
Please Print or Type

Applicant: Waste Management of New Hampshire, Inc. Phone (603) 330-2122

Project Address: 30 Rochester Neck Road, Rochester, New Hampshire

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
267	2	I-4	Waste Management of NH, Inc.	PO Box 1450, Chicago, IL 60690-1450
262	22	I-4A /A	Waste Management of NH, Inc.	PO Box 1450, Chicago, IL 60690-1450

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
		Please see attached	

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. 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: 3/25/2013, This is page 1 of 2 pages.

Applicant or Agent: [Signature]

Planning Staff Verification: _____ Date: _____

CERTIFIED MAIL CALCULATION

Certified Mail Recipient	Count
Site owner	1
Abutters (properties not owned by site owner)	13
Engineer	1
Total	15

Cost per recipient = \$3.56

Cost for Certified Mail = \$53.40