



City of Rochester, New Hampshire

Zoning Board of Adjustment

Agenda - Wednesday, June 12, 2019
7:00 PM in the City Hall Council Chambers

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of minutes for April 10, 2019
5. Postponed Cases:
 - a. **Z-19-10** Mark Phillips applicant seeks an *Equitable Waiver* to the terms of RSA 674:33-a to waive the terms of Article 42, Table 19-A to permit construction of a three bedroom home on the lot on which there presently exists a garage.
Location: 106 England Road, Rochester, NH 03867, MLB 0263-0010-0000 in the Agricultural Zone.
6. Motion to Rehear:
 - a. **2019-07** One80 Solar, LLC, applicant seeks a *Variance* from table 18-D of the City Zoning Ordinance to permit a photovoltaic power station for the generation and distribution of electricity in the Agricultural zone.
Location: 68 Flagg Road, Rochester, NH 03867, MLB 0262-0058-0000 in the Agricultural Zone.
 - b. **2019-06** One80 Solar, LLC, applicant seeks a *Variance* from table 19-A of the City Zoning Ordinance to permit a subdivision of the parcel that creates two lots in which neither have the minimum 150' of frontage required in the Agricultural zoning district.
Location: 68 Flagg Road, Rochester, NH 03867, MLB 0262-0058-0000 in the Agricultural Zone.
7. New Cases:
 - a. **Z-19-11** Krzysztof Kozlowski applicant seeks a *Variance* from table 19-A of the City Zoning Ordinance to permit a duplex on a lot that is 6,098 square feet where 9,000 square feet is required.
Location: 7 Academy Street, Rochester, NH 03867, MLB 0125-0099-0000 in the R2 Zone.
 - b. **Z-19-12** The Granite YMCA applicant seeks a *Special Exception* as provided in section 22(a)(8) of the Zoning Ordinance to permit the expansion of a child care program.
Location: 35 Industrial Way, Rochester, NH 03867, MLB 0230-0021-0000 in the Industrial Zone
 - c. ~~**Z-19-13** Thomas Demchak applicant seeks a Variance from section 20(b)(16)(A,B,&C) of the Zoning Ordinance to permit a commercial stable where none of the following requirements will be met:
 - i. A. The minimum lot size required shall be 5 acres.
 - ii. B. The side and rear setbacks for structures housing horses shall be 100 feet from any property line.
 - iii. C. Any storage areas for manure shall be set back at least 200 feet from any lot lines.
Manure must be handled according to best management practices.**Location:** 72 Crown Point Rd, Rochester, NH 03867, MLB 0235-0050-0000 in the Agricultural Zone.~~ **APPLICANT POSTPONED**

d. ~~**Z-19-14** Thomas Demchak applicant seeks a Variance from section 23(b)(3)(E) of the Zoning Ordinance to permit the keeping of less than ten horses as an accessory use to a residence where the following requirements will not be met:~~

- ~~i. The activity is not carried out as a business;~~
- ~~ii. A lot in the AG District is at least 3 gross acres;~~
- ~~iii. A lot in all other districts is at least 2 gross acres;~~
- ~~iv. There is an additional ¼ acre of land beyond the minimum specified in iii. and iv, above, for each animal kept beyond the first one;~~
- ~~v. No area or structure for the housing, stabling, storage of manure/animal waste, or feeding of animals shall be located within 100 feet of any property line;~~
- ~~vi. Handling of manure/animal waste must follow best management practices and not be a nuisance for neighbors;~~
- ~~vii. No animals shall be pastured within 25 feet of any side or rear property line except where the abutting property owner consents to a reduced setback.~~

Location: 72 Crown Point Rd, Rochester, NH 03867, MLB 0235-0050-0000 in the Agricultural Zone. **APPLICANT POSTPONED**

e. ~~**Z-19-15** Thomas Demchak applicant seeks a Variance from section 23(b)(E) of the Zoning Ordinance. The section does not exist and we have not heard from the representative regarding the clarification of this.~~

Location: 72 Crown Point Rd, Rochester, NH 03867, MLB 0235-0050-0000 in the Agricultural Zone. **APPLICANT POSTPONED**

f. **Z-19-16** SFC RC Funding, LLC applicant seeks a Variance from 30(c)(1) of the Zoning ordinance to permit the expansion of a building on an established nonconforming property.

Location: 152 Highland St, Rochester, NH 03867, MLB 0106-0056-0000 in the R1 Zone

g. **Z-19-17** Christopher and Renee McMaster applicants seek a *Special Exception* as provided in section 26(c)(2) of the Zoning Ordinance to permit the storing of a commercial food truck on private property in a residential district.

Location: 5 Hussey St, Rochester, NH 03867, MLB 0116-0037-0000 in the R1 Zone

8. Other Business:

9. Adjournment:

***Application files are available for review in the Department of Building, Zoning, & Licensing Services. The Council Chambers are handicap accessible by using the elevator in the rear of the building. If you require special accommodations please contact the Department of Building, Zoning, & Licensing Services prior to the meeting, 603-332-3976. ***