



City of Rochester, New Hampshire

Zoning Board of Adjustment

Agenda - Wednesday, July 10, 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 June 12, 2019
5. Postponed Cases:
 - a. Motion to Rehear:
 - i. **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.
 - ii. **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.
 - b. **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 id 6,098 square feet where 9,000 square feet id required.
Location: 7 Academy Street, Rochester, NH 03867, MLB 0125-0099-0000 in the R2 Zone.
 - c. **Z-19-13** Thomas Demchak applicant seeks a Variance from section 20.2(P)(1,2,&3) of the Zoning Ordinance to permit a commercial stable where none of the following requirements will be met:
 - i. 1. The minimum lot size required shall be 5 acres.
 - ii. 2. The side and rear setbacks for structures housing horses shall be 100 feet from any property line.
 - iii. 3. 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.
 - d. **Z-19-14** Thomas Demchak applicant seeks a Variance from section 23.2(A)(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.

- 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.

6. New Cases:

- a. **Z-19-18** Ronald Dubois applicant seeks a *Variance* from table 19-A of the Zoning Ordinance to permit a storage shed that encroaches on the 10' setback requirement.

Location: 1 Adelia St, Rochester, NH 03867, MLB 0122-0022-0000 in the R1 Zone

- b. **Z-19-19** Waste Management of NH applicant seeks a *Variance* from table 18-D of the Zoning Ordinance to permit and continue a use defined as a "truck terminal" in the agricultural zone.

Location: 214 Rochester Neck Rd, Rochester, NH 03867, MLB 0268-0002-0000 in the Agricultural Zone

7. Other Business:

- a. Review amendment to RSA 676:7, II

8. 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. ***