

## City of Rochester, New Hampshire Zoning Board of Adjustment

## **Special Exception Application**

TO: BOARD OF ADJUSTMENT CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE
CASE NO. 7 - 22 - 24
DATE FILED 619122
- CO9
ZONING BOARD CLERK

	ZONING BOARD CLERK
Applicant: Sean Desrosiers	
E-mail: sdez4@yahoo.com Ph	one: 603-303-2995
Applicant Address: 326 Chestnut Hill Road, Rochester, NH 03867	
Property Owner: Sean Desrosiers	
Property Owner Address: 326 Chestnut Hill Road, Rochester, NH 03867	
Variance Address: 326 Chestnut Hill Road, Rochester, NH 03867	
Map Lot and Block No: 206 lot 7	
Description of Property (give length of lot lines): 163 acres zone A	
Proposed use or existing use affected: Accessory Dwelling	
The undersigned hereby requests a special exception as provided in section	on 275.22 of the Zoning Ordinance to
permit a detached accessory dwelling designation to the existing home so I can	build a new home on the property.
The undersigned alleges that the following circumstances exist which prevale strict terms of the Zoning Ordinance and thus constitute grounds for a	a Special Exception.
signed: Desusus	Date: 6/7/2022
	JUN 0 9 2022



## City of Rochester, New Hampshire

## Zoning Board of Adjustment

### **275.22 Special Exception Sheet**

(a)	General	<b>Provisions</b>
( <del>U</del> )	Selicial	I I O VISIOIIS

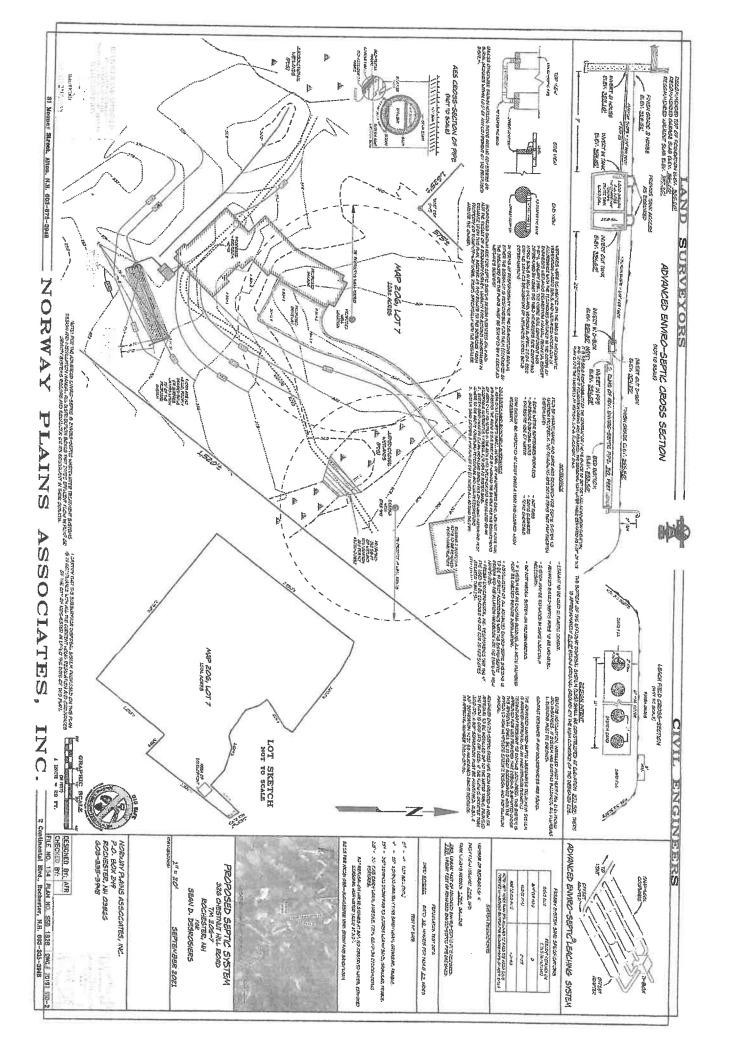
- (1) Certain uses, structures, or conditions are designed as Special Exceptions (E) in this ordinance. Upon application, the Board of Adjustment may, subject to the appropriate conditions and safeguards, grant a permit for these special exceptions and no others.
- (2) Special Exceptions, for which conformance 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 275.22, 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.
- (3) 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.

•	Considerations Governing Granting Special Exceptions: In acting upon an application for a special				
•	exception, the Board of Adjustment shall take into consideration whether:  (1) The specific site is an appropriate location for the proposed use or structure.  Yes  No Reasoning: It is an existing home built in 1975.				
F	(2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood. Yes N Reasoning: Same as #1 plus the property will be substantially improved once the new home is constructed and the existing home is removed.				
ĉ					
a t	and design of access ways and off street parking. Yes (No) Reasoning: There will be no change the pedestrian or vehicular traffic. The existing driveway will be utilized.  4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operation				
e t	o the pedestrian or vehicular traffic. The existing driveway will be utilized.  4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operation.				

Please check section 275.22 of the Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.

**Zoning Board of Adjustment** Rochester, NH **Re: Special Exception Application** 6/7/2022 Dear Board Members, I am seeking an exception to the accessory dwelling unit to allow for my current home to be considered a detached ADU so that my family can remain in our home while we build a new house behind the current home. Our plan is to remove the current home once the new house is built. The current home is a single-family ranch that is less than 800 square feet of living space with 2 bedrooms and 1 bath. It is on private sewer and water. It falls within the regulations of the detached ADU. Please see attached Special Exception Application, CAI Property Card, and proposed site plans for details. Sincerely, Sean Desrosiers 326 Chestnut Hill Road

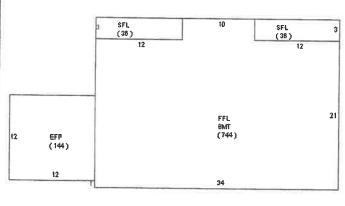
Rochester, NH 03867



# CAI Property Card Town of Rochester, NH



	TOWN BUT
GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 326 CHESTNUT HILL RD	BUILDING STYLE: RANCH
ACRES: 163	UNITS: 1
PARCEL ID: 0206-0007-0000	YEAR BUILT: 1975
LAND USE CODE: 016	FRAME: WOOD
CONDO COMPLEX:	EXTERIOR WALL COVER: ALUM/VINYL
OWNER: STEELE SUSAN J &	ROOF STYLE: GABLE
CO - OWNER: ARNONE SANDRA &	ROOF COVER: ASPH SHINGLE
MAILING ADDRESS: 1610 PEOPLES AVE	BUILDING INTERIOR
TROY, NY 12180-3605	INTERIOR WALL: AVERAGE
ZONING: A	FLOOR COVER: AVERAGE
PATRIOT ACCOUNT #: 6839	HEAT TYPE: FORCED H/W
SALE INFORMATION	FUEL TYPE: OIL
SALE DATE: 1/14/2011	PERCENT A/C: 0
BOOK & PAGE: 3899-169	# OF ROOMS: 4
SALE PRICE:	# OF BEDROOMS: 2
SALE DESCRIPTION: Fam/Rel/Affi	# OF FULL BATHS: 1
SELLER: WINKLEY HARVEL E REVOCABLE,	# OF HALF BATHS: 0
PRINCIPAL BUILDING AREAS	# OF ADDITIONAL FIXTURES: 0
GROSS BUILDING AREA: 1,704	# OF KITCHENS: 1
FINISHED BUILDING AREA: 816	# OF FIREPLACES: 1
BASEMENT AREA: 744	# OF METAL FIREPLACES: 0
# OF PRINCIPAL BUILDINGS: 1	# OF BASEMENT GARAGES: 0
ASSESSED VALUES	
LAND: 53,128	
YARD: 4,100	
<b>BUILDING:</b> 96,000	
TOTAL: \$153,228	
SKETCH	РНОТО
3 SFL 10 SFL 3 (38) 12	





4 of 1



#### § 275-22.1 General provisions.

#### <u>A.</u>

Granting authority. Wherever a special exception is authorized under this chapter, the authority to administer or grant special exception approval is vested in the Zoning Board of Adjustment.

#### B.

Purpose. Certain uses, structures, or conditions possess special characteristics such that if developed in certain locations or in certain ways may have significant adverse impacts. In order to safeguard the public interest and the interest of neighboring property owners, these uses, structures, and conditions are designated as uses allowed by special exception.

#### <u>C.</u>

Types of special exceptions.

#### <u>(1)</u>

There are two types of special exceptions included in this chapter:

#### <u>(a)</u>

Uses. Special exceptions for actual "uses" as defined in this chapter and as listed in the Uses Tables (e.g., contractor's storage yard).

#### <u>(b)</u>

Departures from standards. Special exceptions to allow for certain departures from standards otherwise applicable, articulated throughout this chapter (e.g., allowing for reduced setbacks for garages).

#### (2)

The process is the same for both types of special exceptions. The term "special exception" is used throughout this chapter for both situations.

#### <u>D.</u>

Criteria and conditions. The base criteria in § <u>275-22.2</u> apply to all special exceptions. In addition, certain particular uses have specific criteria and/or conditions which must also be met in order for those uses to be approved as listed below in § <u>275-22.3</u>, Conditions for particular uses. For those uses which are not specifically discussed below, it is necessary only that the base criteria be satisfied.

#### E.

Burden of persuasion. The applicant shall bear the burden of persuasion, through the introduction of sufficient evidence as may be required by this chapter or by the Zoning Board of Adjustment in its reasonable discretion, that the proposal will comply with this chapter.

#### <u>F.</u>

Pertinent information. In reviewing an application for a special exception, the ZBA shall consider the following information, as applicable to the case:

#### (1)

Compliance with the applicable requirements contained in this chapter;

#### <u>(2)</u>

The results of any special investigative or scientific studies prepared in association with the proposed development;

#### <u>(3)</u>

Special reports or analysis of the project or its impacts, prepared by the City or consultants;

#### <u>(4)</u>

The findings, goals and objectives of the City's Master Plan;

#### (5)

The relationship of the development to the timing, location and cost of public improvements scheduled in the Capital Improvements Program;

#### <u>(6)</u>

Testimony and evidence introduced at the public hearing on the application; and

#### (7)

Any other appropriate information or documentation.

#### <u>G.</u>

Terms of approval. The ZBA may also impose, in addition to any applicable conditions specified in this chapter, such additional conditions as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this chapter, including, but not limited to, the following:

#### <u>(1)</u>

Increasing front, side, and rear setbacks in excess of the minimum requirements of this chapter;

#### <u>(2)</u>

Screening of the premises from the street or adjacent property in excess of any minimum requirements of this chapter;

#### (3)

Landscaping in excess of any minimum requirements of this chapter or the Site Plan Regulations;

#### <u>(4)</u>

Modification of the exterior features of buildings or other structures;

### <u>(5)</u>

Limitations on the size of buildings and other structures more stringent than the requirements of this chapter;

#### <u>(6)</u>

Footprint or lot coverage less than the allowed maximum of this chapter;

#### <u>(7)</u>

Limitations on the number of occupants and methods and times of operation;

#### (8)

Regulation of design of access drives, sidewalks, crosswalks, and other traffic features;

#### (9)

Off-street parking and loading spaces in excess of, or less than, the minimum requirements of this chapter or the Site Plan Regulations; and

#### **(10)**

Other performance standards as appropriate.

#### Н.

Existing uses and structures. Any use that was lawfully established prior to the adoption of this chapter and which now may require a special exception is now permitted and may continue in the same manner and to the same extent as conducted prior to the adoption of this chapter. However, special exception approval shall be secured from the ZBA before the use or structure or building in which the use is conducted may be intensified, enlarged, expanded, moved, or significantly altered.

#### I.

Expiration. A special exception shall become null and void after three years from the date of approval unless a building permit is issued, a plat is recorded, or other appropriate action is taken pursuant to the special exception within that time frame.

#### J.

Procedures. See Article <u>4</u>, Zoning Board of Adjustment and Building Code Board of Appeals. § 275-22.2**Base criteria.** 

The Zoning Board of Adjustment shall approve a special exception if, and only if, it reasonably determines that all of the following criteria are met (in addition to those criteria/conditions articulated for specific uses in § <u>275-22.3</u> below, or in addition to those articulated elsewhere in this chapter for departures from standards):

#### Α.

Location. The specific site is an appropriate location for the proposed use or structure;

#### B.\_

Neighborhood. The proposed use would not be detrimental, injurious, obnoxious, or offensive to the neighborhood;

#### <u>C.</u>

Traffic. The proposed use would not create an undue hazard or nuisance to vehicular or pedestrian traffic;

#### D.

Public facilities. Adequate and appropriate facilities and utilities would be provided to ensure the proper operation of the proposed use or structure; and

#### E.

Master Plan. The proposed use or structure is consistent with the spirit of this chapter and the intent of the Master Plan.

91,800 68,128 5,500 91,800 3,400 165,428 369,900 465,100 369,900 Descri | Prior Assesse Ç 465,100 CUB 304.03 CO PER PHONE C ROCHESTER, NH OWNER GAVE Notes CHG SIDING T Land Use 061R Print Date 11/8/2021 12:30:15 P FIXED SKETC **NOISIN** Notes Total Land Value BLDG LAND OB LAND SUMMARY VISIT / CHANGE HISTORY Year 2020 60,000 7,408 720 91,800 60,000 3,400 7,408 720 **Purpost/Result** 163,328 Assessed Current Assesse Value Total 165,428 DEED CHANGE DEED CHANGE OWN ADD CHG | Descri | Prior Assesse | Year | Descri | Prior Assess | 91,800 68,128 5,500 CORRECTION CORRECTION C U CHANGE Appraised Extra Feature Value (Bldg) Appraised Outbuilding Value (Bldg) EXT ONLY 60,000 233,400 76,500 Appraised Appraised Building Value (Card) Value Fotal Appraised Parcel Value **Total Appraised Parcel Value** Appraised Land Value (Bldg) 91,800 68,128 5,500 Total 165,428
PREVIOUS ASSESSM Prior Assessed ASSESSMEN 6839 AND LAND 무절목도오도록 60,000 1,913.25 1,913.25 Adj UnitPrice Account # Bldg # 1 Valuation Method 2020 06-04-2020 04-21-2020 05-02-2013 01-24-2011 04-20-2005 37-23-2002 04-21-202 Date Infl3 Adj 91,800 68,128 5,500 IRRENT 165,428 LUC Co 101 101 101 653 693 Infl3 ठ ठ Infl2 Adj Description Total BLDG AND GR Card # Sec # LAND LAND LAND 2019 LAND Year Infl2 LAND LINE VALUATION SECTION 163.00 AC 8 8 4 8 8 Infl1 Adj A AGRICULTURAL NHBD NAME Notes SALE CODE RURAL NORTH CONING REPORT RECD 5/16/2016; Infl Description Nb Adj Parcel Total Land Area 1.90 1.90 1.90 1.90 Parcel ID 0206/ 0007/ 0000/ 4,000 425,000 SALE PRICE Nphd 1010 1010 1010 EGAL DESCRIPTION VEIGHBORHOOD Cond 1.90 1.90 1.90 BUILDING PERMIT RECORD Code 1010 Stat  $\circ \circ \circ \circ \circ \circ$ 1.00000 0.76534 0.76534 Size Adj BUILDING NOTES 04-09-2020 01-14-2011 07-23-1993 06-03-1988 SALEDATE Year 01-01-1900 S % Disclaimer. This information is believed to be correct but is subject to change and is not warranteed. 2,500 (2,500 (2,500 ( UnitPric 163.00 AC Insp Date 0 NONE 0 WELL UTL/ST/TRAF 1.000 UTILITIES BOOK/PAGE 638 169 256 572 0 Loc Adj O MEDIUM 0 ISEPTIC Total Card Land Units PAVED 4752 3899 1710 1396 E,AVFO Price ۵ Ш 326 CHESTNUT HILL RD PRIMARY EXCESS A E TIMBER INTNT
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TIMBER INTNT Land Type Description SALES INFORMATION- GRANTEE 03867-5143 STEELE SUSAN J WINKLEY HARVEL E REVOCABLE WINKLEY HARVEL E & BARBARA M WINKLEY ERNEST & MILDRED 122.00 1.000 40.000 LandU **CURRENT OWNER** 326 CHESTNUT HILL RD **DESROSIERS SEAN D** 17-389-01-T 15-389-08-T 포 **DESROSIERS SEAN D** Permit Id 17-389-01-T 16-389-11T SINGLE FA CU HRWD R CU UNP RE 16-389-11T 16-389-11 Description Property Location ROCHESTER 05-11-2017 05-11-2017 05-26-2016 05-26-2016 05-26-2016 Issue Date Vision ID 1010 6530 6930 Lec

В

Land Use 061R Print Date 11/8/2021 12:30:16 P 7 开 (36 sg) 3 FFL BMT (744 Sf) 10 34 6839 Account # Bldg # 1 74. ಕ ಕ Appr. Value 3,400 24,113 9,873 105,788 12 12 Card # Sec # 139,774 Undepreciated Value EFP (144 st) Cost to Cure Ovr Comment

VARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Dim 2 Grade Condition Yr Bit % Gd Unit Price Grade Adj.

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The state of the sta 2 32.41 68.56 129.64 12 Unit Cost Parcel ID 0206/ 0007/ 0000// CONSTRUCTION DETAIL (CONTINUED) Building #
Section #
% Owner Description Complex # 186 0 816 1,002 166,849 55 91,800 Eff Area BUILDING SUB-AREA SUMMARY SECTION 1.000 1975 45 CONDO DATA Condo Location COST / MARKET 744 144 816 1,704 Soge Floor Area ပ္ပ Misc Imp Ovr Comment Cost to Cure Ovr RCNLD Dep % Ovr Dep Ovr Comment **Building Value New** Depreciation Code Functional Obsol Extra Fixture(s Extra Fix Ratin Remodel Rating Year Remodeled Economic Obsol Adjust Type Depreciation % Half Bath Rati Element Percent Good Misc Imp Ovr 816 Special Adj Condition % Condo Main Frend Factor Living Area Condo Floor /ear Built OB - OUTBUILDING & Ttl Gross Liv / Lease Area 326 CHESTNUT HILL RD Description Residential RANCH L/B Qnty Dim 1 GABLE ASPH SHINGLE OIL FORCED H/W 4 CONCRETE AVERAGE AVERAGE CONSTRUCTION DETAIL 4VG. (-) Description VINYL SAME BASEMENT ENCL PORCH 1ST FLOOR 100.00 9 Code Description
04 GARAGE FR 28 ဗ 229-Property Location Vision ID 6839 Basement Floor % Heated Heat Fuel Heat Type 2nd Heat Type 3/4 Bath(s) 3/4 Bath Rating Haff Bath(s) Half Bath Ratin Exterior Wall 2 2nd Ext Wall % # Heat Systems Residential Unit Roof Structure Extra Fixture(s) Exterior Wall 1 2nd Int Wall % Interior Floor 2 Interior Wall 1 Interior Wall 2 Interior Floor 1 2nd % Heated Comm Units AC Percent Bedrooms Full Bath(s) Bath Rating Roof Cover Code Style Grade Stories Model EFP FF





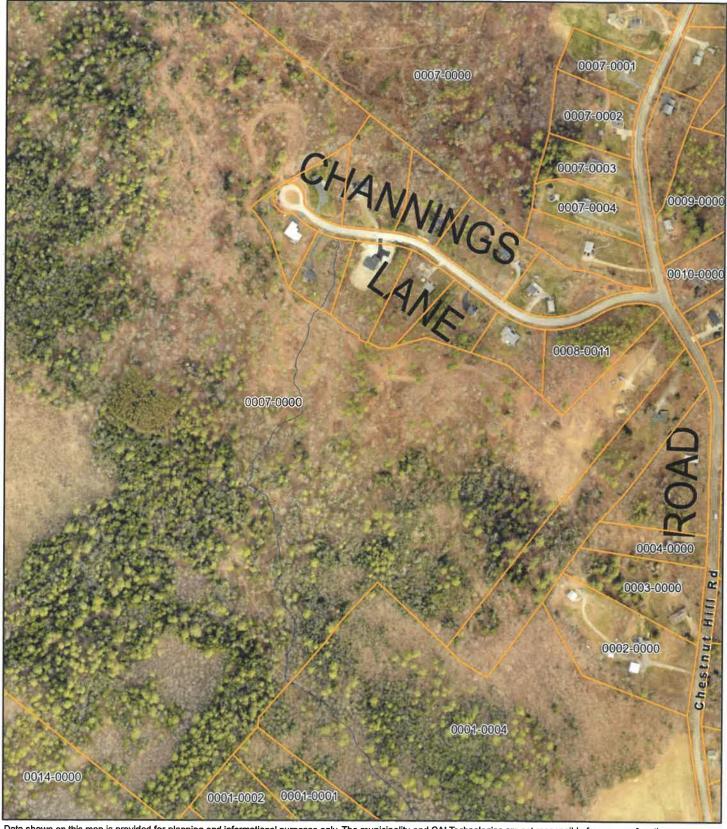
## 326 Chestnut Hill Road

Rochester, NH 1 inch = 380 Feet CAI Technologies

www.cai-tech.com

June 9, 2022

0 380 760 1140



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

#### **List of Abutters**

Sean D. Desrosiers
326 Chestnut Hill Road
Tax Map 206, Lot 7
Rochester, New Hampshire

Tax Map 203, Lot 7
Jonathan D. & Judith M. Mott
350 Chestnut Hill Road
Rochester, NH 03839

Tax Map 206, Lot 1-4
Franklin G. & Ann M. Torr
Torr Family Trust %
1 Old Littleworth Road
Dover, NH 03820

Tax Map 206, Lot 6
Shayla R. & Jamie R. Demers
324 Chestnut Hill Road
Rochester, NH 03867

Tax Map 206, Lot 8
Walter P. & Loretta E. Campbell
24 Channings Lane
Rochester, NH 03867

Tax Map 206, Lot 8-2 Robin L. Reinhardt 32 Channings Lane Rochester, NH 03867

Tax Map 206, Lot 8-3 Christopher Gilpatrick 42 Channings Lane Rochester, NH 03867

Tax Map 206, Lot 8-4 Susan Pollard 376 Cross Road Rochester, NH 03867 Tax Map 206, Lot 8-5
Erik G. Miles & Lindsey D. Sprague
58 Channings Lane
Rochester, NH 03867

Tax Map 206, Lot 8-6
Werner A. & Barbara L. Reinhardt
Reinhardt Family Revocable Trust %
62 Channings Lane
Rochester, NH 03867

Tax Map 206, Lot 8-7 Jodi & Jeffery Singletary 61 Channings Lane Rochester, NH 03867

Tax Map 206, Lot 8-8 Aaron R. Loring 51 Channings Lane Rochester, NH 03867

Tax Map 206, Lot 8-11
Peter V. Rizzo
30 Crowhill Road
Rochester, NH 03867

Applicant
Sean D. Desrosiers
326 Chestnut Hill Road
Rochester, NH 03867

Cynthia M. Balcius, CWS, CSS, CPESC Stoney Ridge Environmental, LLC 233 Prospect Mountain Road Alton, NH 03809 Phone: (603) 776-5825

