



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2-23-53

DATE FILED 9/21/23

C91

ZONING BOARD CLERK

Applicant:

NM Cook Development LLC & NM Cook 17 Farmington Road LLC

E-mail: mcook@metrocast.net

Phone: 603-502-5200

Applicant Address: 22 Isaac Lucas Circle, Dove, NH 03820

Property Owner (if different): Same

Property Owner Address: Same

Variance Address: "0" Farmington Road & 17 Farmington Road

Map Lot and Block No: Tax Map 216, Lot 29 & Tax Map 221, Lot 164

Description of Property: Commercial Building, Tides Fish Market and Vacant Parking Lot

Proposed use or existing use affected: Proposing to Merge the parcels and redevelop the site with multiple buildings

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section _____

and asks that said terms be waived to permit _____

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. **I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.**

Signed: _____

- Chapter 275-12.8 Uses Allowed, to permit the corner of a proposed building within 50' of a wetland boundary.
- Chapter 275-12.8 (B)(8) to permit land disturbance within 25' of a wetland boundary
- Chapter 275, Article 23.2 (7)(a) to permit a drive through window to be placed on the front of a structure.
- Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 100' to the rear boundary line.
- Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 50' to the front boundary line to NH Route 11
- Chapter 275-8.5B.10(a) (5) to permit the development without the need for the 300' buffer requirement.



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

1) Granting the variance would not be contrary to the public interest because:
See Narrative

2) If the variance were granted, the spirit of the ordinance would be observed because:
See Narrative

3) Granting the variance would do substantial justice because:
See Narrative

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:
See Narrative

5.) Unnecessary Hardship:

a. Owing to special **conditions of the property that distinguish it from other properties in the area**, denial of the variance would result in an unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

See Narrative

And:

ii. The proposed use is a reasonable one because:

b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.



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September 20, 2023

City of Rochester Zoning Board

Attention: Shanna Saunders, Director of Planning & Development

33 Wakefield Street

Rochester, NH 03867

Re: NM Cook Development LLC & NM Cook 17 Farmington Road LLC

Property Located Between 21 and 17 Farmington Road

Farmington Road / NH Route 11

Tax Map 216, Lot 29 & Tax Map 221, Lot 164

Variance Request(s)

Ms. Saunders

On behalf of our client, NM Cook Development LLC & NM Cook 17 Farmington Road LLC, Berry Surveying & Engineering (BS&E) is requesting variances to six portions of the City of Rochester Zoning Ordinance.

- Chapter 275-12.8 Uses Allowed, to permit a portion of a proposed building within 50' of a wetland boundary.
- Chapter 275-12.8 (B)(8) to permit land disturbance within 25' of a wetland boundary
- Chapter 275, Article 23.2 (7)(a) to permit a drive through window to be placed on the front of a structure.
- Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 100' to the rear boundary line.
- Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 50' to the front boundary line of NH Route 11
- Chapter 275-8.5B.10(a) (5) to permit the development without the need for the 300' buffer requirement.

Background and General Narrative:

The existing primary sites for development are Tax Map 216, Lot 29 and Tax Map 221, Lot 164, which is situated between the new Meredith Village Savings Bank (MVSB), located at 21 Farmington Road and the plaza located at 17 Farmington Road. The plaza is on Lot 164. The subject parcels and others noted below are all located within the Granite Ridge Development (GR) Zone. Mr. Cook, of NM Cook Development LLC & NM Cook 17 Farmington Road LLC the "applicant" has purchased a number of properties in the area over the years. The presented project combines and promotes uses on each one of the project sites and locations.



The Proposal:

Mr. Cook is proposing to develop the underutilized parking lot with a mix of commercial development in multiple buildings. This includes merging the two parcels to have one project site unencumbered by internal boundary lines. The rear of the site is proposed to be developed with a building that is approximately 12,500 Sq.Ft. in size. The building is proposed to contain a full basement for storage use of the abutting complimentary uses. The first-floor commercial space is designed with a large inviting sidewalk at the front to make way for integrated landscape features as well as activated space. The building's basement design is designed around the topographic feature at the rear of the site, and allows for the required slope of the drive aisle to work with the foundation wall. Additional parking is proposed at the rear of this building. The rear building is of regular increment, and is positioned as far to the south as the site will allow. The parking array to the south, parking adjacent to the plaza and the installation of sidewalk for walkability positions the building on the site. Due to this positioning the rear corner of the building is located within the 50' wetland setback, 41.77' at the closest point. A variance for the structure is requested whereas it is not a permitted use in the overlay district.

The drive aisle at the rear of the structure along the abutting boundary line, is proposed to continue to the lower section of the building. It will transition from a 24' aisle to a 15' paved access road which will traverse between the subject parcels and the Rochester Motorsports to the north. This will formally allow materials to travel to and from the sites without the need to enter and exit onto NH Route 11 and the existing traversing activities within the right of way will be discontinued. Though the proposed access road is permitted by Conditional Use, granted by the Planning Board, portions of the access and the associated grading will be located within 25' of the wetland boundary, which is not permitted within the overlay district and therefore requires a variance.

The center of the site contains the main drive aisle and is designed to promote all of the users of the site to enter and exit through the northern entrance previously discussed. The site proposes parking arrays opposing the drive aisle in a conventional design.

Two buildings are proposed at the front of the site. The northern building is approximately 3,600 Sq.Ft., and the southern building is approximately 3,200 Sq.Ft. in size. The intent of the two separated buildings is to promote internal landscaping, visual connection to the rear of the site and the creation of internal activated space. The walks ways adjacent to the center aisle are proposed to be an inviting 8' wide. Though the primary store fronts of the buildings will be internally facing, the architectural requirements of the GR zone will dictate the required features facing NH Route 11.

The southern building is proposed to contain a tenant that would require a drive-through order and pickup window and is logically proposed along the length of the building facing NH Route 11. Article 23.2 (7)(a) requires that these uses are placed on the side or rear of the structure. As noted above the best traffic pattern for NH Route 11 and the site is to promote activity at the



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The special condition of this parcel is the general dimension of the property in relation to the existing buildings already situated on the project site. When these factors are considered, adjacent to the wetland onsite, which cuts through the corner on an angle, the constraints pose an unnecessary hardship to the applicant.

The denial of the variance would cause an unnecessary hardship to the owner in that it places the site at an economic disadvantage to other identical sites in more favorable zones. This is unnecessary if the variance is granted for a minor encroachment within the 50'

Variance Criteria for Chapter 275-12.8 (B)(8) Land surface within 25' of a wetland is proposed to be altered.

- 1) *Granting the variance would not be contrary to the public interest because:*
The public interest is the balance between the environmental longevity of the natural resources in the City of Rochester and the growth potential and traffic connectivity of parcel within the GD Zone. In this case the applicant is proposing an access for the connectivity of multiple parcels to alleviate the need to enter into NH Route 11, which aids in the much-needed traffic management issue along the corridor.
- 2) *If the variance were granted, the spirit of the ordinance would be observed because:*
If the variance were granted, the spirit of the ordinance would be observed whereas the applicant has designed the access and associated grading to be the most limited needed which allows for a remaining buffer around the wetland boundary. Stormwater and buffer plantings will be evaluated during the planning process of the project to ensure current design philosophy is utilized.
- 3) *Granting the variance would do substantial justice because:*
Substantial justice in this case is achieved where the applicant gains and maintains access between the parcel without there being a detriment to the ordinance or abutting land owners. The disturbance within 25' of the wetland boundary will not cause harm to abutting land owners in the area and satisfies a need between the multiple project sites.
- 4) *If the variance were granted, the values of the surrounding properties would not be diminished because:*
If the variance were granted, the values will not be diminished whereas value is not determined by the breadth of wetland buffers. The reduction in the buffer will not pose environmental harm given the existing disturbance with the area of impact.



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5) *Unnecessary Hardship:*

- a. *Owning the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:*
- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*

The special condition of this parcel is the shape in the context of the existing natural features as well as the topographic features at the rear of the site. The wetland buffer and setback in this area has some existing disturbance. The ordinance is designed to ensure the remaining buffer provides a level of protection to the wetland boundary. This can be done with innovative stormwater methods and enhanced plantings in the area and therefore there is no relationship between the purpose and this specific application.

The denial of the variance would cause an unnecessary hardship to the owner by not allowing access between the parcels in the most appropriate way possible given the context of NH Route 11 and the GR Zone. Connectivity is promoted throughout the GR ordinance and this proposal follows suit on a project specific level.

- ii. *The proposed use is a reasonable one because:*

The proposed use is a reasonable one because it allows for the reasonable development of the existing disturbed area around a wetland to be used for a traffic management purpose.

- b. *Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owning to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use for it.*

Though other properties in the immediate area have wetlands on them, this lot is special given the less uniform nature when compared to the property boundary and the existing buildings situated thereon. The need to traverse along the wetland boundary within the buffer is a direct result of the wetlands shape and position as it relates to the developable land on both



sites. Denial would pose an unnecessary hardship by not permitting a formal access between the parcels.

Variance Criteria for Chapter 275, Article 23.2 (7)(a) Drive Through Window must be on the side or rear of the building.

- 1) *Granting the variance would not be contrary to the public interest because:*
The public interest is ensuring the corridor is not lined with drive-thru services at the front of project sites, which tend to cause traffic congestion and queuing issues with public highways. In this case, the purpose of the request is to ensure there is adequate traffic management and queue length for the modern-day drive-thru and pick up window.
- 2) *If the variance were granted, the spirit of the ordinance would be observed because:*
The spirit of this ordinance is likely to promote building facades that face the corridor. Drive-thru location and proper building facades are not mutually exclusive items. The site will contain a landscape design between the aisles and the right of way and the building design can still contain architectural elements that are required in the GR Zone.
- 3) *Granting the variance would do substantial justice because:*
Substantial justice is provided by allowing the owner to develop the site in a cohesive manner that promotes the best traffic and pedestrian management. There is no detriment to the ordinance or the general public in light of the fact that the alternative options were reviewed and found to pose site related issues that are contrary to other section of the GR Zoning ordinance.
- 4) *If the variance were granted, the values of the surrounding properties would not be diminished because:*
If the variance were granted the values of the surrounding property values would not be diminished. There are no abutting properties that would be impacted by allowing the drive-thru components to be placed at the front of the site. In fact, the closest abutting residential user is at the rear of the project site.
- 5) *Unnecessary Hardship:*
 - a. *Owning the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:*



- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*

The special condition of this parcel is the width vs the depth of the property in conjunction with the two restricted, dedicated, access points on the property. The GR district promotes small commercial pods that are interconnected by walks, activated spaces, and cohesive traffic flow. On this property, the public purpose noted above and the public purpose of providing drive-thru items on the side and rear for traffic management reasons are in conflict with one another. Since the traffic management proposed is the reason for the placement of the drive-thru there is no substantial relationship between the two.

The denial of the variance would cause an unnecessary hardship in creating a disjointed development on the project site. If a drive-thru were forced on the rear or side of the building each pad site would be designed to work independently of each other creating disconnection on the entire site.

- ii. *The proposed use is a reasonable one because:*

The proposed use is reasonable whereas the traffic management component and the aesthetic purpose can be satisfied despite having the drive-thru on the front of the building.

- b. *Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use for it.*

As noted above, given the special nature of the parcel's width and depth in conjunction with the southerly abutting building, existing gas station location and existing dedicated driveway locations would not reasonably allow for a drive-thru (an allowed use) to be placed on the project site while maintaining a high level of traffic management and meeting the goals and objectives found in the GR Zone. Not permitting a much needed use on the site due to the location poses an unnecessary hardship to the applicant.



Variance Criteria for Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 100' to the rear boundary line.

- 1) *Granting the variance would not be contrary to the public interest because:*
The public interest is to provide separation of larger projects within the GR Zone from abutting users that are likely not within the GR Zone. In this case there is a large wooded buffer between the rear building and the closest abutting non-congruent use. (Residential). The building proposed is not imposing and is not proposed to be a tall mixed use building.
- 2) *If the variance were granted, the spirit of the ordinance would be observed because:*
If the variance were granted, the spirit of the ordinance would be observed whereas the project design is relatively small in horizontal and vertical scale. Larger setbacks are supported in projects that have larger massing associated with them. This can be seen later in the GR ordinance where larger buffers from larger structures is contemplated.
- 3) *Granting the variance would do substantial justice because:*
Substantial justice in this case is achieved where the applicant is allowed to develop a site that does not contain an abundance of depth, on a scale that is practical given the context of the site.
- 4) *If the variance were granted, the values of the surrounding properties would not be diminished because:*
If the variance were granted, the values will not be diminished whereas the proposed reduction in the rear setback is not outside the disturbances and constraints currently observed on the site now. The buildings are not proposed to be large or imposing and are on the same scale as what has been developed on the site in the past.
- 5) *Unnecessary Hardship:*
 - a. *Owning the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:*
 - i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*

The special condition of this parcel is the shape in the context of the scale of the proposed project. The lack of sizable depth makes



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compliance and reasonable development of a parcel in the GR Zone impossible and therefore constitutes an unnecessary hardship to the applicant. If the intent is to promote larger building projects to have larger setbacks, there is no substantial relationship to projects that are smaller in footprint and profile.

The proposed use is a reasonable one because:

The proposed use is reasonable given the scale that is contemplated.

- b. *Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use for it.*

It is unreasonable to think the properties in the GR Zone with such stout depths could reasonably be developed to a high potential with such a large rear setback. This poses an unnecessary hardship on the applicant by not permitting the highest in best use of a parcel in a zone that promotes the highest and best uses.

Variance Criteria for Chapter 275-8.5B.10(a) (1) minimum setbacks to permit a building closer than 50' to the front boundary line to NH Route 11

- 1) *Granting the variance would not be contrary to the public interest because:*
The public interest is to provide separation of larger projects within the GR Zone from the road right of way so that they are less imposing to the corridor. The proposed building is set further back from the corridor than the two abutting buildings to the north and south.
- 2) *If the variance were granted, the spirit of the ordinance would be observed because:*
If the variance were granted, the spirit of the ordinance would be observed whereas the project design is relatively small in horizontal and vertical scale. Larger setbacks are supported in projects that have larger massing associated with them. This can be seen later in the GR ordinance where larger buffers from larger structures is contemplated.
- 3) *Granting the variance would do substantial justice because:*
Substantial justice in this case is achieved where the applicant is allowed to develop a site that does not contain an abundance of depth, on a scale that is practical given the context of the site.



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- 4) *If the variance were granted, the values of the surrounding properties would not be diminished because:*

If the variance were granted, the values will not be diminished whereas the proposed reduction in the front setback is not outside the disturbances and constraints currently observed on the site now. The buildings are not proposed to be large or imposing and are on the same scale as what has been developed on the site in the past.

- 5) *Unnecessary Hardship:*

- a. *Owning the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:*

- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*

The special condition of this parcel is the shape in the context of the scale of the proposed project. The lack of sizable depth makes compliance and reasonable development of a parcel in the GR Zone impossible and therefore constitutes an unnecessary hardship to the applicant. If the intent is to promote larger building projects to have larger setbacks, there is no substantial relationship to projects that are smaller in footprint and profile. Prior to the latest revisions on the zoning document there were not prescribed setback requirements within the zone.

The proposed use is a reasonable one because:

The proposed use is reasonable given the scale that is contemplated.

- b. *Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use for it.*

It is unreasonable to think the properties in the GR Zone with such shallow depths could reasonably be developed to a high potential with such a large front setback. This poses an unnecessary hardship on the applicant by not permitting the highest in best use of a parcel in a zone that promotes the highest and best uses.



Variance Criteria for Chapter 275-8.5B.10(a) (5) to permit the development without the need for the 300' buffer requirement.

- 1) *Granting the variance would not be contrary to the public interest because:*
The public interest is to provide separation of larger projects within the GR Zone from the road right of way so that they are less imposing to the corridor and allow the front 300' to be use for smaller scale commercial ventures. This project is within that spirit but cannot meet the buffering requirements within the chapter. Internal landscaping and perimeter landscaping will be proposed and reviewed by the planning board as part of the project but the percentages prescribed in the ordinance will not be obtained based on the entire parcel being located within the 300' buffer.
- 2) *If the variance were granted, the spirit of the ordinance would be observed because:*
If the variance were granted, the spirit of the ordinance would be observed whereas the project design is relatively small in horizontal and vertical scale and will provide the highest level of landscaping appropriate for the site design.
- 3) *Granting the variance would do substantial justice because:*
Substantial justice in this case is achieved where the applicant is allowed to develop a site that does not contain an abundance of depth, on a scale that is practical given the context of the site. The site is currently developed and contains no landscaping or vegetation to speak of. The development of the site will improve the landscaping and will bring it closer to compliance.
- 4) *If the variance were granted, the values of the surrounding properties would not be diminished because:*
If the variance were granted, the values will not be diminished whereas the site will contain more buffering than the existing condition. Being more inviting and walkable will promote businesses to locate in the area and will raise overall property values.
- 5) *Unnecessary Hardship:*
 - a. *Owning the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:*
 - i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*



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The special condition of this parcel is the shape and the fact that it is already fully developed. The development will bring the site closer to complying with the buffering regulations and therefore there is no fair and substantial relationship between this site and the need for full compliance within the zone. Full compliance would require the applicant to not develop the site to the highest and best use which places the land at an economic disadvantage, which is an unnecessary hardship but for the variance request.

The proposed use is a reasonable one because:

The proposed use is reasonable given the scale that is contemplated and the fact that it will be developed closer to compliance than the existing condition.

- b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use for it.*

It is unreasonable to think the properties in the GR Zone with such shallow depths could reasonably be developed to a high potential with such a large buffering requirement. This poses an unnecessary hardship on the applicant by not permitting the highest in best use of a parcel in a zone that promotes the highest and best uses.

We hope the board finds this project is worthy of a variance and approves the request. Thank you all for your time and attention this matter.

Respectfully submitted,
BERRY SURVEYING & ENGINEERING


Christopher R. Berry, SIT
Principal, President



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275-8.5 Architectural and design standards.

[Added 7-5-2022]

B. Nonresidential site layout. Planning for mixed-use development on a site encompasses items such as its relationship to surrounding uses, building orientation on the site, pedestrian and vehicular circulation, and efficiency of parking areas, screening of loading and utility areas, and the design of landscaping, signage, and lighting.

(10) Dimensional requirements:

(a) Nonresidential/mixed-use buildings:

[1] Minimum structure setback from external lot line:

[a] Side: 50 feet.

[b] Rear: 100 feet.

[2] Minimum structure setback from external ROW: 300 feet.

[3] Maximum nonresidential building height: 75 feet.

[4] Structures over 55 feet shall be placed as close to the center of the lot as practical.

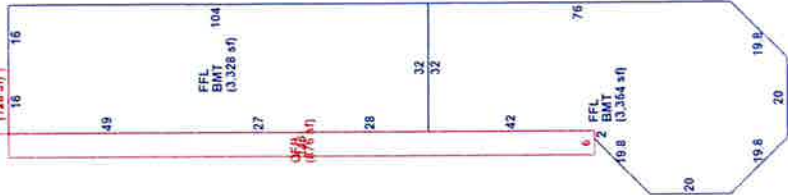
CURRENT OWNER			UTILITIES		TOPO		ZONING		CURRENT ASSESSMENT			VISION											
NM COOK 17 FARMINGTON RD LLC 22 ISAAC LUCAS CIR DOVER NH 03820-4910			0	CITY WATER C	0	LEVEL	G	GRANITE	Description	LUC Co	Prior Assessed	Current Assesse	748,300 203,000 97,000	ROCHESTER, NH									
			0	NONE		NEIGHBORHOOD	NHBD NAME																
			0	CITY SEWER	3001		COMMERCIAL RT11 N																
			UTL/ST/ TRAF		EXEMPTIONS																		
			0	NONE	Year	Code	Description																
			0	PAVED																			
			0	HEAVY																			
			LEGAL DESCRIPTION																				
			ESMNTS BK3973 PG707 & PG709 TERMINATED BY BK- 4766, PG- 2																				
RECORD OF OWNERSHIP			BK-VOL/PAGE	SALE DATE	SALE PRICE	SALE CODE	PREVIOUS ASSESSMENTS (HISTORY)																
NM COOK 17 FARMINGTON RD LLC			4766 234	06-01-2020	1,000,000	02	Year	Descri	Prior Assesse	Year	Descri	Prior Assess	Year	Descri	Prior Assesse								
BGF REALTY LLC			4539 260	12-26-2017	0	40	2020	BLDG	624,700	2021	BLDG	705,900	2022	BLDG	705,900								
BGF-ALLC			4000 989	02-10-2012	100,000	45		LAND	203,000		LAND	203,000		LAND	203,000								
CARDINAL RENE & WAYNE			3973 715	12-01-2011	900,000	02		OB	82,500		OB	97,000		OB	97,000								
CARDINAL RENE & WAYNE			0 0	10-05-2006	0	81	Total									1,005,900	1,048,300						
			Total									910,200	1,005,900	APPRAISED VALUE SUMMARY									
BUILDING NOTES																							
CARDINAL PLAZA: MOBIL & 3 VACANT																							
Appraised Building Value (Card)															748,300								
Appraised Extra Feature Value (Bldg)															0								
Appraised Outbuilding Value (Bldg)															97,000								
Appraised Land Value (Bldg)															203,000								
Total Appraised Parcel Value															1,048,300								
Valuation Method															C								
BUILDING PERMIT RECORD																							
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes																
07-21-2022	M-22-345	A/C	4,800	04-13-2023	100	CE	new condneser and evaporator coil																
03-09-2022	P-22-36	PLUMBING	1,500	04-13-2023	100	CE	Rough plumbing for 1/2 bathroom																
02-14-2022	P-22-19	PLUMBING	5,000	04-13-2023	100	CE	move toilet, install HWH, install mop sink, install 2 beaut																
11-05-2021	SG-21-45	SIGN	400	04-13-2023	100	CE	WALL																
04-16-2021	SG-21-17	SIGN	500	04-13-2023	100	CE	Covering basement to storage																
03-04-2021	MJB-21-4	FIN BSMT	10,000	04-13-2023	100	CE	GAS PIPING; JR																
02-03-2021	M-21-57	MANUAL	500	03-22-2021	100	C	gas furnace and air conditioning; JR																
01-19-2021	M-21-29	HEATING SYS	8,000	03-22-2021	100	C	sewer and water connections for 6 units for future plumb																
12-22-2020	P-20-186	PLUMBING	5,000	03-22-2021	100	C	Lighting, Receptacles in Basement, lighting recess cans																
12-04-2020	E-20-486	ELECTRIC	4,000	03-22-2021	100	C	JR																
07-27-2020	B-20-447	ROOFING	50,000	03-22-2021	100	C	Gasoline manifold for convection oven and cooktop																
05-03-2019	M-19-165	MANUAL	500	02-21-2020	100	C																	
LAND LINE VALUATION SECTION																							
B	LUC	Description	LandU	Land Type	Loc Adj	UnitPric	Size Adj	Cond	Nbhd	Nb Adj	Inf1	Inf1 Adj	Inf2	Inf2 Adj	Inf3	Adj UnitPrice	Appraised Value	Assessed Value	Notes				
1	3250	RETAIL/SVC	1.160	PRIMARY	P	1,000	175,00	1.000000	1.00	3001	1.000				TIF3	175,000	203,000	203,000					
Total Card Land Units															1.16	AC	Parcel Total Land Area		1.16	AC	Total Land Value		203,000

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Model	94	Commercial	Half Bath Ratin	A	SAME		
Style	C39	MIX RETAIL	Extra Fixture(s)	0			
Grade	C	Average	Extra Fix Rating				
Stories	1						
Units							
Residential Unit	0						
Comm Units	6.00						
Wall Height	10.00						
Exterior Wall 1	04	VINYL					
Exterior Wall 2							
2nd Ext Wall %	0						
Roof Structure	11	MULTI TYPE					
Roof Cover	12	MULTIPLE					
Interior Wall 1	06	AVERAGE					
Interior Wall 2							
Interior Floor 1	08	AVERAGE					
Interior Floor 2							
Basement Floor							
% Heated	100.00						
Heat Fuel	10	CONCRETE					
Heat Type	01	PROPANE					
2nd Heat Type		FORCED W/A					
2nd % Heated	0.00						
# Heat Systems	2.00						
AC Percent	100.00						
Bedrooms							
Full Bath(s)	0						
Bath Rating	A	SAME					
3/4 Bath(s)	0						
3/4 Bath Rating							
Half Bath(s)	7						
Half Bath Ratin	A	SAME					
Extra Fixture(s)	0						

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value
TF	TANK I/G FIB	L	1	1	15000	C	AV	2017	90	1.25	1.00	16,900
TF	TANK I/G FIB	L	1	1	12000	C	AV	2017	90	1.25	1.00	13,500
GC	COMM CANO	L	1	30	45	C	AV	1986	30	23.25	1.00	9,400
GP	GAS PUMPS	L	4	1	1	C	AV	1986	30	15000.00	1.00	18,000
PA	PAVING ASPH	L	1	1	32000	C	FR	1980	45	2.57	1.00	37,000
PK	PARK'G SPAC	L	1	1	43	C	AV	1980	100	0.00	1.00	0

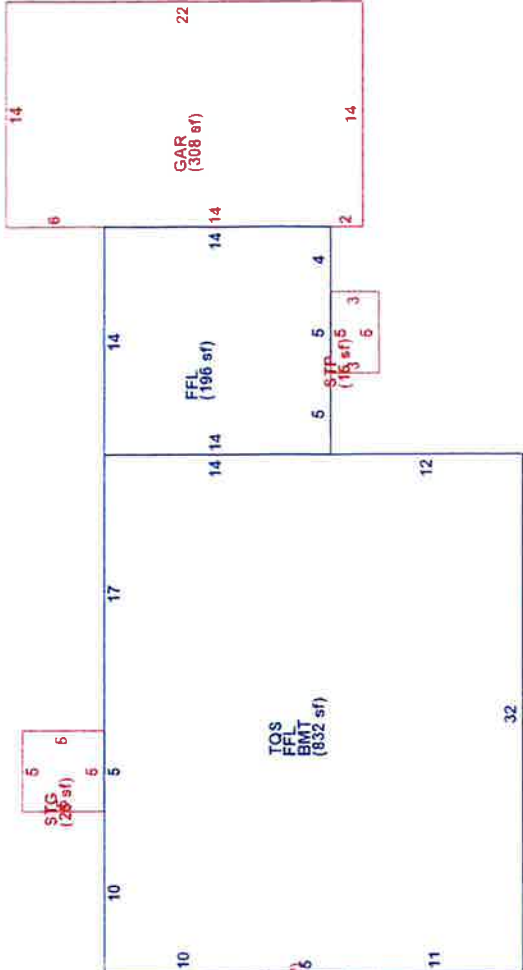
BUILDING SUB-AREA SUMMARY SECTION					
Code	Description	Living Area	Floor Area	Elt Area	Unit Cost
BMT	BASEMENT	0	6,682	1,671	24.42
FFL	1ST FLOOR	6,682	6,682	6,682	97.66
OPF	OPEN PORCH	0	876	0	61.27
STG	FRAME SHED BULKHEAD/FRAME UTILIT	0	128	0	40.41
Gross Liv / Lease Area		6,682	14,368	8,353	


8 516 128 sf		16	16	49	27	28	42	6	2	19.8	20	19.8	76	32	32	104	FFL BMT (3,328 sf)	FFL BMT (3,354 sf)
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CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Model	94	Commercial	Half Bath Ratin	A	SAME		
Style	C37	RETAIL STORE	Extra Fixture(s)	0			
Grade	D	Fair	Extra Fix Rating				
Stories	1.75						
Units	0						
Residential Unit	0						
Comm Units	1.00						
Wall Height	8.00						
Exterior Wall 1	04	VINYL					
Exterior Wall 2	0						
2nd Ext Wall %	0						
Roof Structure	01	GABLE					
Roof Cover	01	ASPH SHINGLE					
Interior Wall 1	06	AVERAGE					
Interior Wall 2							
Interior Floor 1	08	AVERAGE					
Interior Floor 2							
Basement Floor	12	CONCRETE					
% Heated	100.00						
Heat Fuel	01	OIL					
Heat Type	01	FORCED W/A					
2nd Heat Type	0.00						
2nd % Heated	0.00						
# Heat Systems	1.00						
AC Percent	0.00						
Bedrooms							
Full Bath(s)	0						
Bath Rating	A						
3/4 Bath(s)	0	SAME					
3/4 Bath Rating							
Half Bath(s)	1						
Half Bath Ratin	A	SAME					
Extra Fixture(s)	0						

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value
LM	LIGHT M/POL	L	5	1	1	C	AV	1990	100	312.50	1.00	1,600
LM	LIGHT M/POL	L	2	1	1	C	AV	1990	100	312.50	1.00	600



CURRENT OWNER		UTILITIES		TOPO		ZONING		CURRENT ASSESSMENT			VISION	
NM COOK DEVELOPMENT LLC		0	CITY WATER C	0	LEVEL	G	GRANITE	LUC Co	Prior Assessed	Current Assesse	ROCHESTER, NH	
		0	CITY WTR PBO	NEIGHBORHOOD		NHBD NAME		390	184,200	184,200		
		0	CITY SEWER	3001	COMMERCIAL RT11 N							
		UTL/ST / TRAF		EXEMPTIONS								
22 ISAAC LUCAS CIR		0	NONE	Year	Code	Description					184,200	
		0	PAVED									
		0	HEAVY									
DOVER NH 03820											184,200	
LEGAL DESCRIPTION												
ESMNTS BK3973 PG707 & PG709 TERMINATED BY BK- 4766, PG- 2												

SALES INFORMATION- GRANTEE				BOOK/PAGE	SALE DATE	SALE PRICE	SALE CODE	PREVIOUS ASSESSMENTS (HISTORY)			
Year	Descr	Prior Assesse	Year	Descr	Prior Assesse	Year	Descr	Prior Assesse	Year	Descr	Prior Assesse
02	LAND	140,100	2021	LAND	140,600	2022	LAND	140,600	2022	LAND	184,200
02		352,300	40		352,300			352,300			
01		34,100	01		34,100			43,500			
99			99								
Total				Total				Total			

BUILDING NOTES		APPRAISED VALUE SUMMARY	
VACANT		Appraised Building Value (Card)	0
		Appraised Extra Feature Value (Bldg)	0
		Appraised Outbuilding Value (Bldg)	0
		Appraised Land Value (Bldg)	184,200
		Total Appraised Parcel Value	184,200


BUILDING PERMIT RECORD							Valuation Method		C
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes		
09-07-2021	D-21-46	DEMOLITION	20,000	03-25-2022	100	CE	TWO SMALL BUILDINGS		
10-23-2019	E-19-435	ELECTRIC	800	02-21-2020	100	C	new 100A electrical service on utility pole;		
07-13-2016	E-16-230	ELECTRIC	600		100	CE	TEST CIRCUITS TO MAKE SAFE;		
07-13-2016	E-16-230	ELECTRIC	600	01-20-2017		C			
10-29-2015	12097	DEMOLITION	6,800		0	CE	OFFICE BLDG & STG BLDG STILL HERE;		
10-29-2015	12097	DEMOLITION	6,800	01-20-2017	0	C	OFFICE BLDG & STG BLDG		
04-15-2008	08-313	GARAGE	30,000	03-23-2009	0	C	STRUCTURE NOT BUILT;		
Total Appraised Parcel Value									184,200
VISIT / CHANGE HISTORY									
Date		Id		Purpost/Result		Notes			
06-03-2022		TH		CORRECTION		CORRECTED			
04-11-2022		JR		EXT ONLY		3/25/22- ALL BL			
04-11-2022		DF		MAPPING CHG					

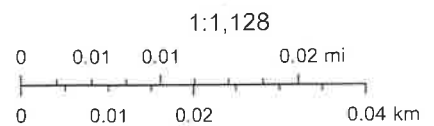
LAND LINE VALUATION SECTION											
B	LUC	Description	LandU	Land Type	Loc Adj	UnitPric	Size Adj	Cond	Nbhd	Nb Adj	Notes
1	3900	COM DEVL	1.000	PRIMARY	P	1,000	1,000,000	1.00	3001	1,000	
1	3900	COM DEVL	0.610	EXCESS A	E	1,000	1,000,000	1.00	3001	1,000	
Total Card Land Units		1.61		AC		Parcel Total Land Area		1.61		AC	
Total Land Value										184,200	

0 & 17 Farmington Road



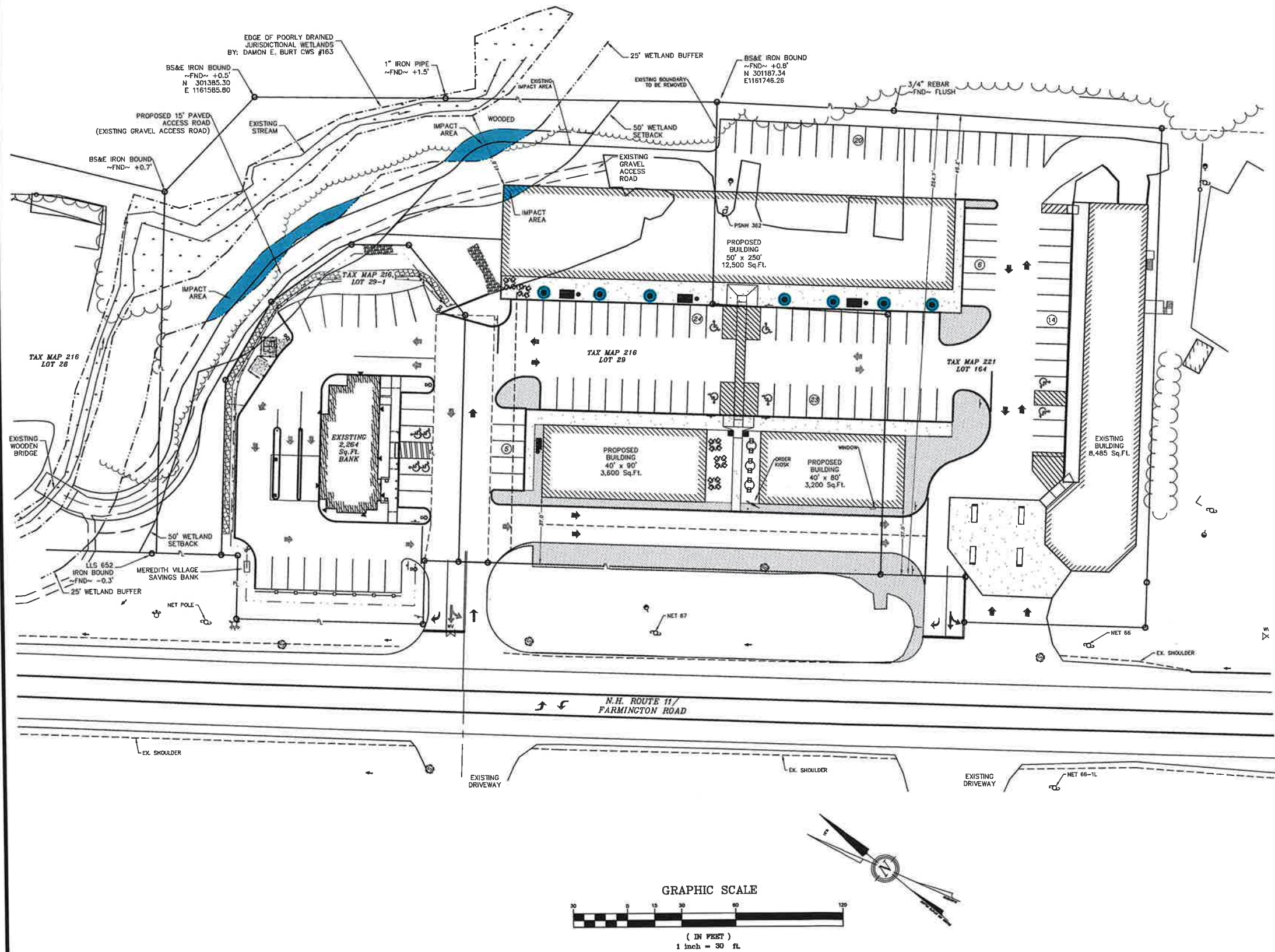
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 Tax Parcels



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Owner1	Owner2	BillingAddress	City State Zip
COOK N MILES III	ROCHESTER MOTORSPORTS	23 FARMINGTON RD	ROCHESTER, NH 03867
SECKENDORF REAL ESTATE	HOLDINGS LLC	11 FARMINGTON RD	ROCHESTER, NH 03867
20 FARMINGTON LLC		1346 BALD HILL RD	WARWICK, RI 02866
GARZILLO MICHAEL V & JEAN F	REV TRUST TRUSTEES	18 FARMINGTON RD	ROCHESTER, NH 03867-4304
NM COOK DEVELOPMENT LLC		22 ISAAC LUCAS CIR	DOVER, NH 03820
20 FARMINGTON LLC		1346 BALD HILL RD	WARWICK, RI 02866
NM COOK 17 FARMINGTON RD LLC		22 ISAAC LUCAS CIR	DOVER, NH 03820-4910
MEREDITH VILLAGE SAVINGS BANK		PO BOX 177	MEREDITH, NH 03253
10 FARMINGTON ROAD LLC		549 ROUTE 1 BY-PASS	PORTSMOUTH, NH 03801
DONALD TOY REVOCABLE TRUST	BONNIE TOY REVOCABLE TRUST	7497 NE 8TH COURT	BOCA RATON, FL 33487
KAREN & BRIAN TUCKER	JEFFERY TUCKER	23 SHILOH DRIVE	ROCHESTER, NH 03867
JANET MCDONALD		27 SHILOH DRIVE	ROCHESTER, NH 03867
MANSON LIVING TRUST	ROBERT & ISABEL MANSON	29 SHILOH DRIVE	ROCHESTER, NH 03867
DWIGHT & ANNE HARVEY		33 SHILOH DRIVE	ROCHESTER, NH 03867
JAMES & THERESE GORSUCH		37 SHILOH DRIVE	ROCHESTER, NH 03867
VIRGINIA CHAPPELL REV TRUST	VIRGINIA CHAPPELL	5772 COUNTY ROAD 4712	LARUE, TX 75770-3519
EDWARD & KATHLEEN WILENT		41 SHILOH DRIVE	ROCHESTER, NH 03867
LESLIE & ANN HEISLER		45 SHILOH DRIVE	ROCHESTER, NH 03867
GOLONKA FAMILY TRUST	WILLIAM & JOANNE GOLONKA	49 SHILOH DRIVE	ROCHESTER, NH 03867



STANDARD SITE PLAN NOTES:

- 1.) APPLICANT: NM COOK DEVELOPMENT, LLC
22 ISAAC LUCAS CIRCLE
DOVER, NH 03820
TAX MAP 216, LOTS 29
LOT AREA: 70,028 Sq.Ft., 1.61 Ac.
S.C.R.D. BOOK 4842, PAGE 928
- 2.) APPLICANT: NM COOK 17 FARMINGTON RD, LLC
22 ISAAC LUCAS CIRCLE
DOVER, NH 03820
TAX MAP 221, LOT 164
LOT AREA: 50,790 Sq.Ft., 1.17 Ac.
S.C.R.D. BOOK 4766, PAGE 234

ZBA OVERVIEW SITE PLAN

FOR
NM COOK DEVELOPMENT, LLC &
NM COOK 17 FARMINGTON RD, LLC
FARMINGTON ROAD
ROCHESTER, N.H.
TAX MAP 216, LOTS 29,
TAX MAP 221, LOT 164

BERRY SURVEYING
& ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603)332-2863
SCALE : 1 IN. EQUALS 30 FT.
DATE : FEBRUARY 7, 2023
FILE NO. : DB 2023 - 021



REVISION	DATE	DESCRIPTION
#1	10-20-21	ADD F. DRAINS AND ROOF DOWN SPOUT