



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. 2-23-116

DATE FILED 5/15/23

C91
ZONING BOARD CLERK

Applicant:

Steven Magri

E-mail: steve.mager@outlook.com

Phone: 603-396-6222

Applicant Address: 81 South Road North Hampton NH 03862

Property Owner (if different): Sunset Harbor LLC

Property Owner Address: 81 South Road North Hampton NH

Variance Address: 55 Lafayette Street Rochester NH

Map Lot and Block No: _____

Description of Property: 2 story house

Proposed use or existing use affected: change from single family rto a two family

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section Table 19-A

and asks that said terms be waived to permit required frontage

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: _____

Date: 5/11/2023





City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

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

With the shortage of rental units in the city, this variance would keep a apartment on the market

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

The property is existing

No changes would be made, the footprint would remain the same

3) Granting the variance would do substantial justice because:

i purchased the property as a 2 family and found out in the

eyes or the city it is a single family in 2013 it was change from a two famo'y to a one family

but was a two family after that

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:
the majority of the neighborhood is multifamily homes

A duplex woud fit the neighborhood

5.) Unnecessary Hardship:

a. Owning 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:

i cannot obtain funding until the classification is changed. I want to do improvements to the property which will help keep property

values in the neighborhood intact

And:

ii. The proposed use is a reasonable one because:

i am trying to fix a problem and make everything right

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.

most of the properties on the street are not meeting the frontage requirements for multifamilies

ZONING

275 Attachment 6

City of Rochester

Table 19-A Dimensional Standards - Residential Districts
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

	Lots			Setbacks				Other			Standards, Notes and References		
	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Minimum Lot Area/ Dwelling Unit (square feet)	Minimum Front (feet)	Maximum Front (feet)	Minimum Side (feet)	Minimum Rear (feet)	Maximum Building Footprint	Maximum Lot Coverage	Maximum Number of Stories	Minimum Building Height (feet)	Maximum Building Height (feet)	A "—" means there is no dimensional standard for this item
Residential Districts													
Residential-1 (R1)													
Single-family	10,000	100	—	10		10	20	30%	35%			35	See Article 19, Dimensional Standards
All other uses	10,000	100	—	10		10	20	30%	35%			35	
Residential-2 (R2)													
Single-family	6,000	60	—	10			20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	9,000	80	—	10		8	20	30%	45%			35	See Article 19, Dimensional Standards
Three- and four-family	12,000 and 15,000	80	—	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
Five- or more family	30,000	100	5,000 or 7,500	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
All other uses	9,000	80	—	10		8	20	30%	35%			35	
Neighborhood Mixed Use (NMU)													
All uses	6,000	60	— ²	—	25	5 [#]	20		90%	3	20	20	See Article 19, Dimensional Standards
Agricultural (AG)													
Single-family, conventional subdivision, municipal water and sewer	20,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, municipal water or sewer	30,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, neither municipal water nor sewer	45,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	150% of single	150	—	20		10	20	30%	40%			—	See Article 19, Dimensional Standards
Single-family dwelling - conservation subdivision	6,000	60	—	20		10	20	30%	35%			35	See Article 33, Conservation Subdivisions
All other uses	45,000	150	5,000 or 7,500	20		10	20		40%			35	

NOTES:

Note 1: For lots that adjoin a residential district, the side setback on the side adjoining the residential district shall be the larger of the required side setback in the subject commercial zone or the adjoining residential zone.

Note 2: For lots without both water and sewer, 10,000 square feet of lot area is required per additional dwelling unit beyond one.



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.

CURRENT OWNER			UTILITIES		TOPO		ZONING		CURRENT ASSESSMENT			VISION													
SUNSET HARBOR LLC 81 SOUTH RD NORTH HAMPT NH 03862			0 CITY WATER R	0 LEVEL	R2 RESIDENCE 2		NHBD NAME		BLDG LAND	101 101	103,900 46,300	103,900 46,300	ROCHESTER ROCHESTER, NH												
			0 CITY SEWER	NEIGHBORHOOD		1250																			
			0 NONE	EXEMPTIONS		URBAN DOWNTOWN																			
			UTL/ST / TRAF		Description																				
			0 NONE	Year	Code																				
			0 PAVED																						
			0 LIGHT																						
			LEGAL DESCRIPTION																						
SALES INFORMATION- GRANTEE			BOOK/PAGE	SALE DATE	SALE PRICE	SALE CODE		PREVIOUS ASSESSMENTS (HISTORY)																	
SUNSET HARBOR LLC			4890 77	04-02-2021	155,000	02		Year	Descri	Prior Assesse	Year	Prior Assess	Year	Total											
DREW REBECCA J			4289 117	04-29-2015	109,000	02		2020	BLDG	103,900	2021	103,900	2022	150,200											
ORKIN HILDI L			3878 51	11-01-2010	100,000	36			LAND	46,300		46,300													
CHRIST THE KING CHURCH			2187 688	04-07-2000	64,900	99																			
MERRIAM THOMAS K			1845 153	01-11-1996	47,500	02																			
			Total																						
			Total																						
BUILDING NOTES			APPRAISED VALUE SUMMARY																						
PARISH CENTER			Appraised Building Value (Card)																						
			Appraised Extra Feature Value (Bldg)																						
			Appraised Outbuilding Value (Bldg)																						
			Appraised Land Value (Bldg)																						
			Total Appraised Parcel Value																						
			Valuation Method																						
			C																						
			150,200																						
			C																						
BUILDING PERMIT RECORD			VISIT / CHANGE HISTORY																						
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes																		
05-11-2015	10497	MANUAL	100	01-06-2016		C	SLEEVE GAS PIPE;																		
05-11-2015	10497	MANUAL	100		100	CE	SLEEVE GAS PIPE;																		
11-20-2013	6683	EXT RENOV	5,600	01-08-2014	100	CE	REPAIR ROTTED PORCH, DECK & RAILS;																		
11-16-2010	10-1348	EXT RENOV	9,000	12-28-2010	100	CE	FENCE, REPLACE GAR.& FRONT DOORS, REPLACE																		
08-31-2004	1111	ELECTRIC	1,500	10-29-2004	100	C																			
04-27-2001	229	FENCE	3,000		100	C																			
06-09-2000	235	INT RENOV	3,000		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	1010	SINGLE FA	0.210	PRIMARY	P	1,000	52,500	4.19762	1.00	1250	1,000					220,374	46,300	46,300							
			Total Card Land Units																						
			0.21					AC					Parcel Total Land Area					0.21		AC		Total Land Value		46,300	

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)												
Element	Cd	Description	Element	Cd	Description										
Style	16	NEW ENGLAND	Solar	0											
Grade	C	AVERAGE	Central Vac	0	LAFAYETTE										
Stories	1.75		Nbhd Modifier	LF											
Units	1		MH Make												
Frame	01	WOOD	MH Serial #		YELLOW;										
Foundation	03	BRICK/STONE	Color;Mdl #;D												
Exterior Wall 1	02	CLAPBOARD	CONDO DATA												
Roof Structure	01	GABLE	Condo Main		Complex #										
Roof Cover	01	ASPH SHINGLE													
View	N	NONE	Adjust Type		Building #										
Interior Wall 1	06	AVERAGE	Condo Floor		Section #										
Interior Floor 1	08	AVERAGE	Condo Location		% Owner										
Basement Flo	12	CONCRETE	COST / MARKET VALUATION												
Bsmt Garage	0		Building Value New		185,596										
Finished Bsmt			Year Built		1890										
FBLA			Depreciation Code		AG										
Rec Room	03	TYPICAL	Remodel Rating												
Electric	02	TYPICAL	Year Remodeled		44										
Insulation	SAME	SAME	Depreciation %												
Interior/Exterio	95.00		Functional Obsol												
% Heated	01	OIL	Economic Obsol		1.000										
Heat Fuel	05	STEAM	Trend Factor												
Heat Type	0.00		Special Adj												
AC Percent	2		Condition %		56										
Bedrooms	1		Percent Good		103,900										
Full Bath(s)	1		RCNLD												
3/4 Bath(s)	0		Dep % Ovr												
Half Bath(s)	0		Dep Ovr Comment												
Extra Fixture(s)	1		Misc Imp Ovr												
Kitchen(s)	0		Misc Imp Ovr Comment												
Extra Kitchen(	0		Cost to Cure Ovr												
Total Rooms	7		Cost to Cure Ovr Comment												
Fireplace(s)	0		OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
W.S.Flues	0		Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION															
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value									
ATC	ATTIC	95	238	95	31.29	7,446									
BMT	BASEMENT	0	908	227	19.60	17,792									
CRL	CRAWL SPACE UNDER DWELLI	0	137	0	0.00	0									
FFL	1ST FLOOR	1,045	1,045	1,045	78.38	81,908									
HST	HALF STORY	204	408	204	39.19	15,990									
OFF	OPEN PORCH	0	50	0	36.06	1,803									
STG	FRAME SHED BULKHEAD/FRAM	0	238	0	23.78	5,660									
TQS	3/4 STORY	446	594	446	58.85	34,958									
UNFIN	UNFINISHED AREA ADJ	-95	-95	-95	0	-7,446									
WDDK	WOOD DECK	0	95	0	22.55	2,142									
Ttl Gross Liv / Lease Area		1,695	3,618	1,922		160,253									

UNFIN
(35 sf)

14

ATC
51G
(238 sf)

17

17

HST
FEL
CRL
(119 sf)

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HST
FEL
BMT
(289 sf)

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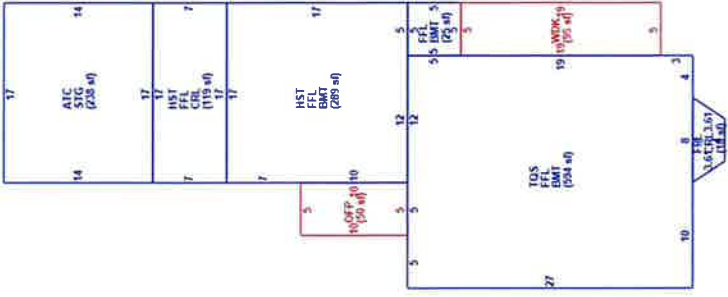
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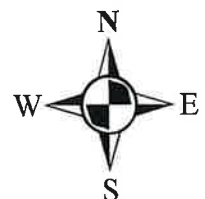
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This is a detailed plat map of a portion of the City of Springfield, Massachusetts. The map shows several streets: CHESTNUT STREET, SPRINGFIELD STREET, LAFAYETTE STREET, and a portion of STATE STREET. Various lots are shown, each with a number and an acreage. Lot 170 is highlighted in yellow. The map also shows lot dimensions and bearings.

Lot Number	Acreage
93	0.17 AcC
94	0.19 AcC
91	0.16 AcC
92	0.15 AcC
64	0.26 AcC
65	0.16 AcC
161	0.15 AcC
162	0.27 AcC
163-1	0.18 Ac
163-2	0.07 Ac
163	0.11 Ac
164	0.20 AcC
165	0.18 Ac
166	0.18 Ac
167	0.14 AcC
168	0.14 AcC
169	0.21 AcC
170	0.21 AcC
171	0.25 AcC
50	0.15 Ac
56	0.12 AcC
57	0.11 AcC
58	0.11 AcC
59	0.11 AcC
60	0.23

Department 2



MULTIFAMILY PROPERTY DISCLOSURE RIDER
(To be used in conjunction with Property Disclosure - Residential)



New Hampshire Association of REALTORS® Standard Form

1. **SELLER:** Rebecca Drew

2. **PROPERTY LOCATION:** 55 Lafayette Street, Rochester, NH 03867

3. **GENERAL INFORMATION:**

- a. Number of city/town approved units: 2
- b. Number and type of appliances included in sale: Washer, Dryer, Fridge and Stove on the 1st floor. Stove and fridge up
- c. Number and location of washer / dryer hookups: One on the main floor
- d. Number and type of electrical service entrances: 2
- e. Number and type of heating systems (note ages): 1 Main floor is oil heat. Top floor is elec base bnd heat.
- f. Any rented water heaters, burners or other equipment or appliances? ☐ Yes ☒ No If yes, please explain: _____
- g. Any other leases or contracts for services on the building? ☐ Yes ☒ No If yes, please specify: _____
- h. Is a municipal certificate of compliance required? ☐ Yes ☐ No If yes, list date of expiration: _____
- i. Are there any outstanding state or local lead based paint abatement orders or code enforcement orders? _____
If yes, please explain: _____
- j. Smoke detectors: Locations _____ Hard-wired? ☐ Yes ☐ No

4. **RENT SCHEDULE:**

Unit #	Lease (Y/N) or Vacant?	Length of Tenancy	Lease Expires?	Monthly Rent (See Below)	Is Rent Current?	Amount of Security Deposit	Tenant Pays (Check) See Legend Below				Landlord Pays (Check) See Legend Below			
A	Y	4 years	mth to mth	800	Y	800	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S
B	Y	1 year	mth to mth	500	Y	500	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S	☐ H ☐ HW ☐ E ☐ W ☐ S
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Monthly Rent: If vacant please enter most recent rent.

Legend: H = Heat, HW = Hot Water, E = Electric, W = Water, S = Sewer

Have any tenants given notice or have you served notices to quit or started eviction proceedings against any tenants? _____

Comments: _____

SELLER(S) INITIALS RD / _____

BUYER(S) INITIALS _____ / _____

MULTIFAMILY PROPERTY DISCLOSURE RIDER
(To be used in conjunction with Property Disclosure - Residential)



New Hampshire Association of REALTORS® Standard Form

PROPERTY LOCATION: 55 Lafayette Street, Rochester, NH 03867

5. ADDITIONAL PROPERTY INCOME (laundry, storage, garage rental, etc.): N/A

6. EXPENSE INFORMATION:

- a. Annual real estate taxes and year: 3696.00
- b. Annual hazard insurance: 1952.00
- c. Annual snow removal expense: 0 done by Seller
- d. Annual lawn mowing, yard maintenance expense: _____
- e. Annual fuel consumption paid by landlord: # Gallons, cu.ft: Natural gas. Cost: approx 50 mth
- f. Annual electric costs paid by landlord: 0
- g. Annual trash removal expense: approx 150-20 every quarter
- h. Other expenses: _____

7. ADDITIONAL INFORMATION:

- a. Attachment regarding expenses, rents, lease information or additional information? ☐ Yes ☒ No
- b. Additional comments:

8. ACKNOWLEDGEMENTS:

SELLER ACKNOWLEDGES THAT HE/SHE HAS PROVIDED THE ABOVE INFORMATION AND THAT SUCH INFORMATION IS ACCURATE, TRUE AND COMPLETE TO THE BEST OF HIS/HER KNOWLEDGE. SELLER AUTHORIZES THE LISTING BROKER TO DISCLOSE THE INFORMATION CONTAINED HEREIN TO OTHER BROKERS AND PROSPECTIVE PURCHASERS.

DocuSigned by:

2/1/2021 | 1:50 PM PST

Rebecca Drew

SELLER **Rebecca Drew**

DATE

SELLER

DATE

BUYER ACKNOWLEDGES RECEIPT OF THIS PROPERTY DISCLOSURE RIDER AND HEREBY UNDERSTANDS THE PRECEDING INFORMATION WAS PROVIDED BY SELLER AND IS NOT GUARANTEED BY BROKER/AGENT. THIS DISCLOSURE STATEMENT IS NOT A REPRESENTATION, WARRANTY OR GUARANTY AS TO THE CONDITION OF THE PROPERTY BY EITHER SELLER OR BROKER. BUYER IS ENCOURAGED TO UNDERTAKE HIS/HER OWN INSPECTIONS AND INVESTIGATIONS VIA LEGAL COUNSEL, HOME, STRUCTURAL OR OTHER PROFESSIONAL AND QUALIFIED ADVISORS AND TO INDEPENDENTLY VERIFY INFORMATION DIRECTLY WITH THE TOWN OR MUNICIPALITY.

BUYER

DATE

BUYER

DATE

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DONNELLY MARILYN F & TIMOT... 4 FAIRWAY DR DOVER, NH 03820		
SUNSET HARBOR LLC 81 SOUTH RD NORTH HAMPTON, NH 03862-2...		
SUNSET HARBOR LLC 81 SOUTH RD NORTH HAMPTON, NH 03862		
KWOK CHUN CHAM P O BOX 1443 ROCHESTER, NH 03866-1443		
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