



City of Rochester, New Hampshire  
Department of Building, Zoning & Licensing Services  
31 Wakefield Street \* Rochester, NH 03867  
(603) 332-3508 \* Fax (603) 509-1912  
Web Site: www.rochesternh.net

131-07

11-19-14A10-30 RCVD

## APPLICATION FOR SPECIAL EXCEPTION

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2014-20

DATE FILED 11/19/14

[Signature]  
ZONING BOARD CLERK

Phone No. 1-201-694-7243

Name of applicant Michael D'Amico

Address 407 McDaniel Shore Drive Barrington, NH 03825  
(if same as applicant, write "same")

Owner of Property Concerned Lawrence McManus  
(if same as applicant, write "same")

Address 112 Gates St, Portsmouth, NH 03801  
(if same as applicant, write "same")

Location of property ~~Beverly Rd~~ 717 Columbus Ave

Map No. 0131 0067 0000 Lot No. 7 Zone NMU

The undersigned hereby requests a special exception as provided in Section 42.22

Table  
Article 18C of the Zoning Ordinance

To allow a food Vendor "N" Trailer in a NMU Zone

Description of Property 260.95' 323.26' X 234.46 299.95'  
(give length of the lot lines) Frontage Sides Rear

Proposed use or existing use affected Nothing but cleanup will be done to the property. The trailer will use electric (no generator) and will need no construction.

Signed [Signature] Date 11/4/14  
(Applicant)

## 42.22 Special Exceptions

### (a) General Provisions

- (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 42.23, 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.
- (2) 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.

### (b) 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: The lot is currently abandoned and overgrown and doesn't look too appealing for the town. My business is going to bring life that busy corner.
- (2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood  
YES ☐ NO ☒ Reasoning: I will not be operating at hours that will disturb the neighborhood. There will be no obnoxious sound or odors from a generator that most food trucks use.
- (3) There will be undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off street parking  
YES ☐ NO ☒ Reasoning: There are three points of access, ample parking, and wide roads with turning lanes to avoid hazards entering and ~~exiting~~ exiting.
- (4) Adequate and appropriate facilities and utilities will be provided to insure the Proper operation of the proposed use or structure  
YES ☒ NO ☐ Reasoning: The truck ~~is~~ is setup to ensure all sanitation and safe preparation of food will be met.
- (5) The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan  
YES ☒ NO ☐ Reasoning:

**Please check Section 42.22 of the Rochester Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.**

To Town of Rochester,

I am requesting a special exemption to start my mobile food business on 7 Gonic Road. I believe that my business will be great for the location for a number of reasons. I am a very hard working, honest people person who will provide a great food experience for all of my customers. I have a new, unique product that will create quite a buzz around the town. Next, I am very conscious of all food preparation and food safety when it comes to storing, preparing, and serving food. My truck is a brand new facility that is both visually appealing and clean, but also friendly to the neighborhood (no generator needed). Lastly, I believe that my business will fill the void of the property. Currently, the lot is growing weeds and small shrubs and sits at a crucial point for people driving through the town. It's a focal point when driving both North and South on 125, and is presently an ugly site. I think that the presence of my food truck, combined with cleaning up the property, will benefit the beauty of the town, attract new visitors to the town, and provide people with a great, new eating experience.

I hope that you will consider my request and I can begin moving forward with the property.

Thank you for your time and consideration,

Michael D'Amico

NorthEast Pie Company

(201) 694-7243



Planning and Development  
Conservation Commission  
Historic District Commission  
Arts and Culture Commission

**PLANNING & DEVELOPMENT DEPARTMENT**  
City Hall - Second Floor  
31 Wakefield Street,  
Rochester, New Hampshire 03867-1917  
(603) 335-1338 - Fax (603) 335-7585  
Web Site: [www.rochesternh.net](http://www.rochesternh.net)

October 8, 2014

Michael D'Amico  
North East Pie Company  
407 McDaniel Shore Drive  
Barrington, NH 03825

**RE: 717 Columbus Avenue  
Map 131 Lot 7 Neighborhood-Mixed Use Zone**

Dear Mr. D'Amico,

I have reviewed your letter of intent received on October 6, 2014 to use the property located at the above address to operate a food truck. I have reviewed your proposed project with other staff members. We have determined that a Special Exception would be required from the Zoning Board of Adjustments because this is not an allowed use in the Neighborhood Mixed Use Zone. For your convenience I have enclosed the application packet.

**\*\* Please consult with the Building, Zoning, & Licensing Services Department at 332-3508 for any permits that are required. You should also contact the Fire Department at 335-7545 to discuss anything they may require.**

Please feel free to contact the office if you have any questions.

Sincerely,

Michelle Mears,  
Staff Planner

CC:

J. Grant, BZLS  
J. Marsh, Economic Dev.  
File

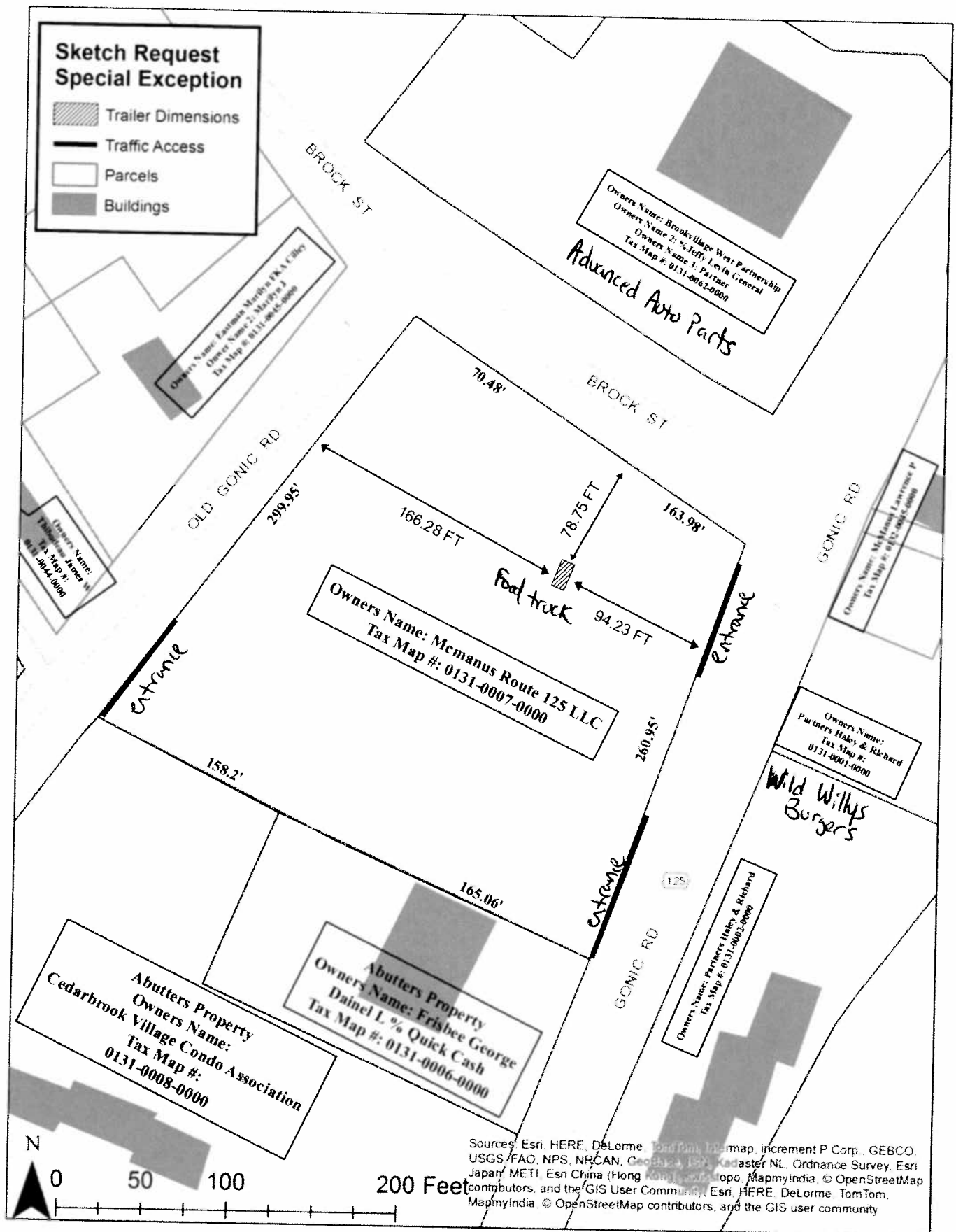
Enclosures:

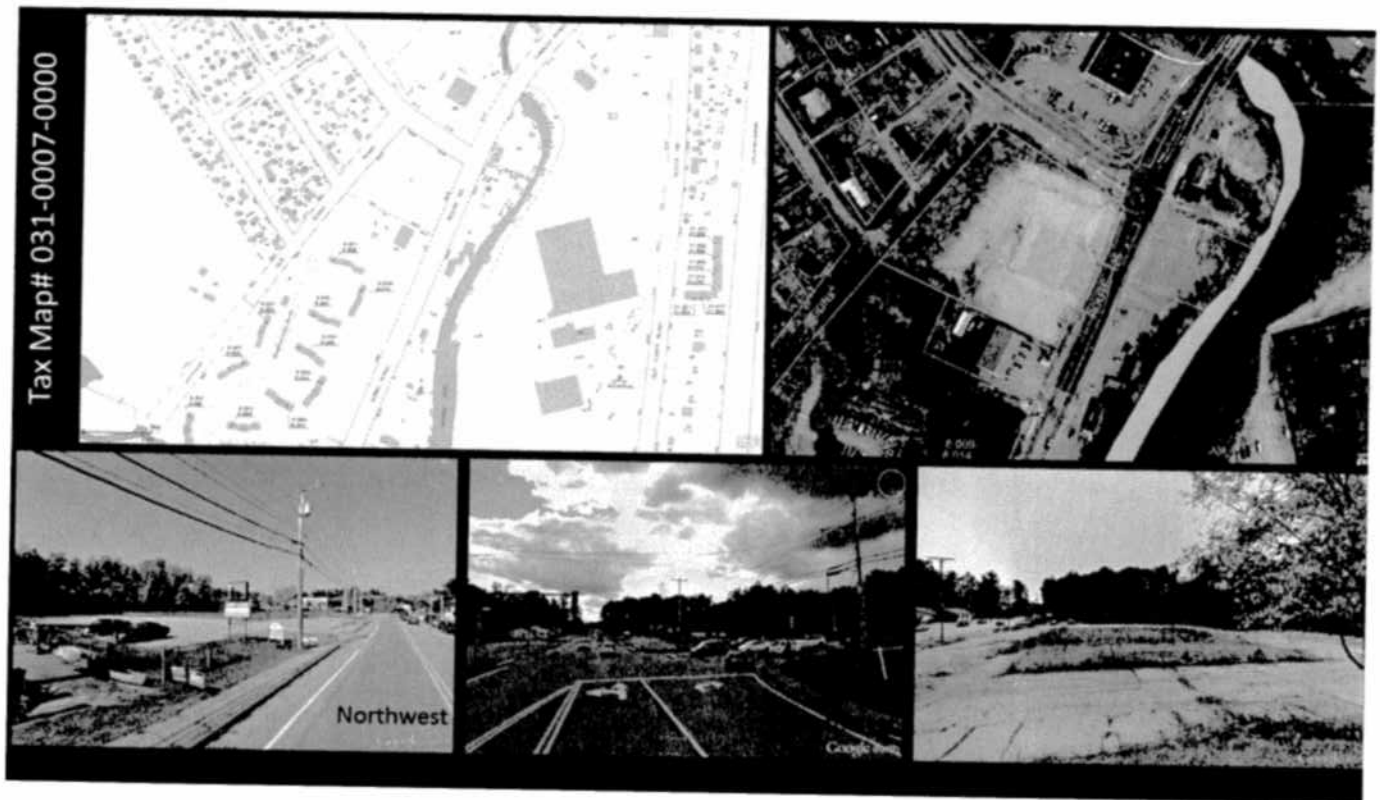
Special Exception App.  
Special Exception Checklist  
Sample Sketch

RECEIVED

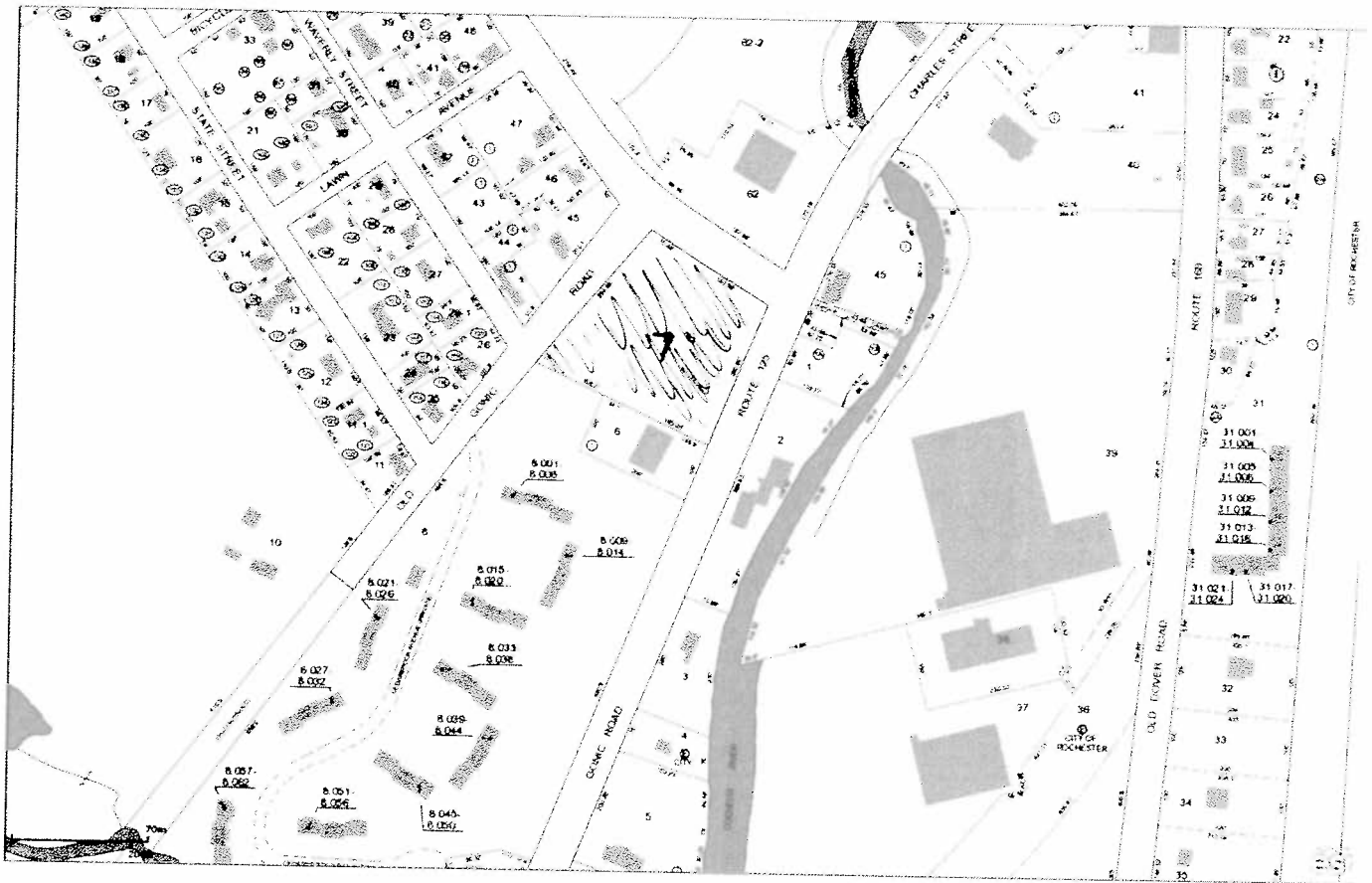
NOV 19 2014

CODE ENFORCEMENT





**RECEIVED**  
NOV 19 2014  
CODE ENFORCEMENT



RECEIVED  
NOV 19 2014  
CODE ENFORCEMENT

Year	FV	176	178,700	178,700	Year End Roll	Period
2014	390	0	176	178,700	178,700	9/29/2014
2013	390	0	176	178,700	178,700	9/4/2013
2012	390	0	176	178,700	178,700	

REVIEW OWNER

Owner 1: MCMANUS LAWRENCE P.

PRINT

Prior Id # 2

Prior Id # 3

Time

Date

Parcel 2:  
Street 1: 40 PLEASANT ST  
W/City: PORTSMOUTH  
S/P: NH  
County: Croy  
Parcel: 03801-4516

Parcel Description  
Parcel contains 1.76 AC of land mainly classified as COM  
E.V. LAND

SALES INFORMATION										TAX DISTRICT				PAT ACCT.			
Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes	ASR Map	ASR Plan					
MCMAHUS, LAURENCE	2060-037																
2011	390	FV	0	176	178,700				178,700	Year End Roll	9/20/2012	Prior Id # 1:					
2010	390	FV	0	176	178,700				178,700	Year End Roll	9/27/2011	Prior Id # 2:					
2009	325	FV	16300	176	178,700				178,700	roll	8/26/2010	Prior Id # 3:					
2008	325	FV	307,000	176	198,600				483,800	Year End Roll	9/24/2009	Prior Id # 1:					
2007	325	FV	307,000	176	198,600				521,900		8/25/2008	Prior Id # 2:					
2007	325	FV	16300	176	198,600				521,900	Year End Roll	9/26/2007	Prior Id # 3:					

LAST REV		Time	
Date	Time	Date	Time
11/19/14	09:35:42	03/13/14	14:14:12

[illegible][illegible]

AND SECTION (First 7 lines only)																										
Line	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh Infl	Neigh Infl	%	Int 1	%	Int 2	%	Int 3	%	Appraised Value	Alt Class	Spec Land	J Code	Fact Use Value	Notes	
30	COM DEV LA		1		PRIMARY A SITE		1.0	0	90 000	1 000 3008										90 000				90 000		
35	RETAIL/SVC		0.76		PRIMARY A UNDEVELOPE		1.0	0	90 000	1 297 3008										88 704				88 700		

Lot ACIHA	176000	Total SF/SM:	76665 60	Parcel LLC:	390	COM DEV LAND	Prime NB Desc:	COMMERCIAL
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claim. This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro







# 717 COLUMBUS AVE.

Print Date: 11/21/2014  
Image Date: 11/17/2012  
Level: Community



# O' Abutters List Report

Rochester, NH  
November 03, 2014

$9 \times 3.78 = 34.02$   
 $SEXP = 175.00$   
 $209.02$

Applicant

## Subject Property:

Parcel Number: 0131-0007-0000  
CAMA Number: 0131-0007-0000  
Property Address: 717 COLUMBUS AVE

Mailing Address: MCMANUS ROUTE 125 LLC  
112 GATES ST  
PORTSMOUTH, NH 03801

## Abutters:

Parcel Number: 0131-0001-0000  
CAMA Number: 0131-0001-0000  
Property Address: 716 COLUMBUS AVE

Mailing Address: PARTNERS HALEY & RICHARD  
724 COLUMBUS AVE  
ROCHESTER, NH 03867

Parcel Number: 0131-0002-0000  
CAMA Number: 0131-0002-0000  
Property Address: 724 COLUMBUS AVE

Mailing Address: PARTNERS HALEY & RICHARD  
724 COLUMBUS AVE  
ROCHESTER, NH 03867

Parcel Number: 0131-0006-0000  
CAMA Number: 0131-0006-0000  
Property Address: 725 COLUMBUS AVE

Mailing Address: FRISBEE GEORGE E & DIANE L %  
QUICK CASH  
725 COLUMBUS AVE  
ROCHESTER, NH 03867-3926

Parcel Number: 0131-0008-0000  
CAMA Number: 0131-0008-0000  
Property Address: 0 CEDARBROOK AVE

Mailing Address: CEDARBROOK VILLAGE CONDO ASSOC  
14A CEDARBROOK VILL  
ROCHESTER, NH 03867

Parcel Number: 0131-0026-0000  
CAMA Number: 0131-0026-0000  
Property Address: 9 OLD GONIC RD

Mailing Address: LAMBERT GAYDEN & MARTIN  
JENNIFER  
P O BOX 646  
BARRINGTON, NH 03825

Parcel Number: 0131-0044-0000  
CAMA Number: 0131-0044-0000  
Property Address: 22 WAVERLY ST

Mailing Address: THIBODEAU JAMES W  
22 WAVERLY ST  
ROCHESTER, NH 03867-4430

Parcel Number: 0131-0045-0000  
CAMA Number: 0131-0045-0000  
Property Address: 3 OLD GONIC RD

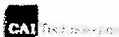
Mailing Address: EASTMAN MARILYN FKA CILLEY  
MARILYN J  
3 OLD GONIC RD  
ROCHESTER, NH 03867-4416

Parcel Number: 0131-0062-0000  
CAMA Number: 0131-0062-0000  
Property Address: 703 COLUMBUS AVE

Mailing Address: BROOKVILLAGE WEST PARTNERSHIP  
%JERRY LEVIN GENERAL  
56 KEARNEY RD  
NEEDHAM, MA 02494-2507

Parcel Number: 0132-0045-0000  
CAMA Number: 0132-0045-0000  
Property Address: 710 COLUMBUS AVE

Mailing Address: MCMANUS LAWRENCE P  
112 GATES ST  
PORTSMOUTH, NH 03802-1240



www.cai-tech.com

11/3/2014

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