

City of Rochester, New Hampshire

Department of Building, Zoning and Licensing Services

31 Wakefield Street \* Rochester

(603) 332-3508 \* E-

NOV 2 3 2016

### APPLICATION FOR A VARIANCE

TO:	BOARD OF ADJUSTMENT CITY OF ROCHESTER	case no. 2014-35	
	pplicantLISA & ALLEN LITTLEFIELD EDGAR GAGNON	DATE FILED 11 - 23 - 16 ZONNG BOARD CLERK	
Address115 SALMON FALLS ROAD			
Owner of property concernedSAME (If the same as applicant, write "same")			
AddressSAME(If the same as applicant, write "same")			
Location115 & 107 SALMON FALLS ROAD			
Map No. 2	10 Lot No144	ZoneAG	
Description of property. EXISTING RESIDENCE WITH DETACHED GARAGE. PROPOSAL IS TO KEEP EXISTING RESIDENCE ON LOT 144, REVISE THE LOT LINE BETWEEN 144 & 143 SO THAT THE GARAGE IS ON 143.			
Proposed use or existing use affected. REDUCTION IN LOT AREA AND FRONTAGE ON LOT 144 ONLY. WATER AND SEWER IS PROVIDED TO BOTH LOTS.			
The undersigned hereby requests a variance to the terms of Article TABLE, 19-A Section and asked that said terms be waived to permit AREA + FRONTAGE REDUCTION.			
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.  Signed  (Applicant)  LAGO/3/ O yohoo. Com			

# **CRITERIA FOR VARIANCE**

Case # 2016-35

Date: 11-23-16

A Variance is requested by <u>Lisa and Allen Littlefield and Edger Gagnon</u>			
from Section Table 19-A Subsection			
of the Zoning Ordinance to permit: A Lot Line Revision between Tax Map 210, Lot 144 and 143, which requires a variance to allow Lot 143 to have a reduced frontage and land area			
at 107 & 115 Salmon Falls Road Map 210 Lot 144 & 143 Zone AG			
Facts supporting this request:			
1) The proposed use would not diminish surrounding property values because:			
See Narrative and Criteria by Berry Surveying & Engineering			
2) Granting the variance is not contrary to the public interest because:			
See Narrative and Criteria by Berry Surveying & Engineering			
3.) Denial of the variance_would result in unnecessary hardship to the owner because of the following special circumstances of the property:  See Narrative and Criteria by Berry Surveying & Engineering.			
4.) Granting the variance would do substantial justice because:			
See Narrative and Criteria by Berry Surveying & Engineering			
5.) The use is not contrary to the spirit of the ordinance because:			
See Narrative and Criteria by Berry Surveying & Engineering			
Name_Christopher R. Berry Date: 11-22-16			

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# **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road Barrington, NH 03825 Phone: (603) 332-2863 Fax: (603) 335-4623 www.BerrySurveying.Com

November 22, 2016

crberry@metrocast.net

City of Rochester Zoning Board of Adjustments 31 Wakefield Street Rochester, NH 03867

Re:

Lisa G. & Allen W. Littlefield and Edgar J. Gagnon. Variance request for Reduction in Frontage and Land Area

To allow a Lot Line Revision between 115 & 107 Salmon Falls Road

Rochester, NH

Tax Map 210, Lot 144 Agricultural Zone

Mr. Chair and Members of the Rochester Zoning Board of Adjustments,

On Behalf of Lisa & Allen Littlefield and their father Edgar J. Gagnon, Berry Surveying & Engineering (BS&E) is submitting two variance request to Table 19-A Dimensional Standards, to allow a lot line revision between Tax Map 210, Lot 144 and Tax Map 210, Lot 143. Variance Requests are for:

- Table 19-A Agricultural Zone, Single Family with Water and Sewer, Lot Area required to be 20,000 Square Feet, where the proposal provides for 16,823 Square Feet.
- Table 19-A Agricultural Zone, Single Family with Water and Sewer, Minimum Road Frontage Required to be 150 feet, where the proposal provides for 95.69 feet.

#### **Background and General Narrative:**

The applicant own both lots which are located in the Agricultural Zone. Currently on Tax Map 210, Lot 143, there is a single family home on two acres of land, where Lisa and Allen reside. On Tax Map 210, Lot 144 there is a single family home, and a detached oversized garage, known by the applicants as the "shop." The single family home on this lot is where Edgar resides.

Edgar purchased the home from Terry Ramsey, and later purchased a second lot from Mr. Ramsey. This second lot is where the "shop" now sits. The abutting parcel was later purchased by Lisa and Allen.

In planning the estate for Edgar, it was decided that a lot line revision was required so that the "shop" could be located on Lisa and Allen's property, and the Edgars residence could be sold free of the encumbrance of the "shop" There is a very clear, natural distinction between the two parcels being created. There is a fence between them, there is a distinctly separate driveway, and there is a small retaining feature along the western edge of the driveway for the shop, further separating them.

The proposed lot line revision (enclosed) modifies Tax Map 210, Lot 144, so that it does not contain the required amount of frontage by approximately 55 feet and is short in land area by approximately 3,200 Square Feet. Both lots now have municipal water and sewer services at the street, and can be hooked up as required. Though the lot line revision requires relief for lot 144, it brings the frontage for lot 143 into conformance. Lot 144 is the first lot inside the Agricultural Zone, which is peculiar given its proximity and similarity to the abutting parcels which are in the R1 Zone. The R1 Zone requires 100 feet of frontage

and 10,000 Square Feet of land area for single family homes. From a planning perspective, this revision takes the existing house, and finishes the R1 Zone in general conformity with the neighborhood. It then takes and places the "shop" an item commonly found in the AG zone, and places it on an appropriately sized parcel, with a fitting, logical position next to the 2 acre lot.

#### Specific Variance Request & Criteria for Approval:

- Table 19-A Agricultural Zone, Single Family with Water and Sewer, Lot Area required to be 20,000 Square Feet, where the proposal provides for 16,823 Square Feet.
- Table 19-A Agricultural Zone, Single Family with Water and Sewer, Minimum Road Frontage Required to be 150 feet, where the proposal provides for 95.69 feet.
- 1.) "Granting the variance would not be contrary to the public interest."
  - a. The public interest in frontage and land mass is to ensure that there is no overcrowding between lots and neighbors. In this case, there is NO change which will affect the density of the neighborhood. There are three buildings now, and there will be when the lot line revision is complete.
- 2.) "Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance"
  - a. The spirit of the ordinance allows for certain uses within certain zones, and then tries to apply frontages and land masses that are consistent with those uses. In typical New England planning fashion, the ordinance attempts to apply order around existing housing stock which was built and sold at a time when zoning did not apply. In this case, because of the special circumstance of the existing structures, the intent of the ordinance is met. The single family house, closest to the R1 Zone is kept on its own lot with a usable land area and usable frontage.
- 3.) "Granting the variance would do substantial justice."
  - a. It will allow for the property to be logically sold and divided as it is logically laid out on the ground.
- 4.) "Granting the variance will not result in diminution of surrounding property values"
  - a. To leave the shop with this particular single family home, given its proximity and obvious separation, could limit the number of buyers interested in the home and could affect its value and thus surrounding property values. There is no constructive difference in the proposal, whereas no surrounding properties will be affected by the change, and therefore, there will be no diminution in surrounding values.
- 5.) "Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:
  - a. "The following special conditions of the property distinguish it from the other properties in the area;"
    - i. This property is special in that it does contain a home with a small one car garage, which is distinctly separate from this larger offset garage. Due to the fact that they are separated by a fence, a topographic break, and separate driveway, this garage (shop) is not used and likely not to be used as a residential garage, and therefore belongs with a lot that is larger and will utilize it as a small out building for agricultural or craft purposes. The more appropriate position for this to take place is with the house located on lot 143. Other properties in the R1



#### BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825 (603) 332-2863 / (603) 335-4623 FAX www.BerrySurveying.Com Tax Map 210, Lot 144

zone, and in close proximity do not contain this additional building and therefore this property is special. Literal enforcement would require the shop to stay with the incongruent parcel of land, which will cause a detriment to the estate and thus a hardship.

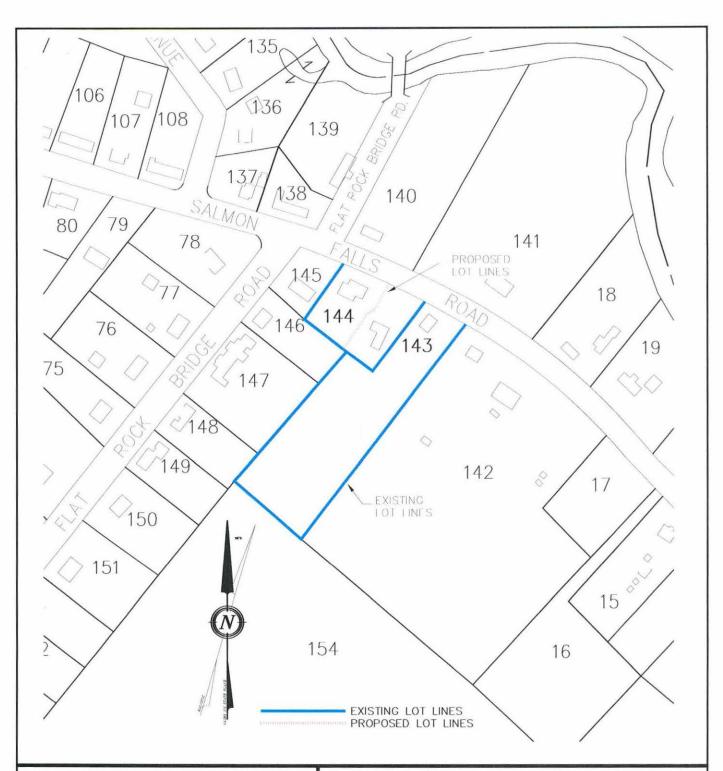
- b. "No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:
  - i. In this case, there is no relationship between the frontage and land area requirements whereas the lots are built out. This revision will not create any additional building lots, and so the amount of total land area is not modified per unit / structure, and the total frontage afforded to the total number of units remains constant. These lots are now serviced by municipal water and sewer and therefore land mass is not required for sewage disposal.
- "The proposed use is a reasonable one because:"
  - i. This use is a reasonable one whereas noting about the infrastructure changes, and therefore creates no imposition on any abutting land owner or the municipality as a whole.

Thank you for your time and attention to this matter. We hope you look favorably upon these two requests.

BERRY SURVEYING & ENGINEERING

Christopher R. Bern Principal, President





TAX MAP PLAN
LAND OF
LISA G & ALLEN W. LITTLEFIELD
& EDGAR J. GAGNON
107 & 115 SALMON FALL67
TAX MAP 210, LOT 143 & 144

SCALE: 1 IN. EQUALS 200 FT.

DATE: NOVEMBER 17, 2016

FILE NO.: DB 2016-107

RESIDENTIAL TOTAL ASSESSED: 103,800 1 of 1 U143 0000 UZIU !7226! CARD LOT LOT2 LOT3 MAP BLOCK Rochester IN PROCESS APPRAISAL SUMMARY PROPERTY LOCATION Direction/Street/City Use Code **Building Value** Yard Items Land Size Land Value Total Value No Alt No Legal Description **User Acct** 56.300 2.000 47,500 103,800 SALMON FALLS RD, ROCHESTER 101 115 34329 **GIS Ref** DWNERSHIP Unit#: Owner 1: GAGNON EDGAR J & GIS Ref Owner 2: LITTLEFIELD LISA G & **Total Card** 56,300 2.000 47,500 103,800 **Entered Lot Size** Datriot Owner 3: LITTLEFIELD ALLEN W III **Total Parcel** 56 300 2.000 47.500 103.800 Total Land: 2 Street 1: 115 SALMON FALLS RD Insp Date Properties Inc Total Value per SQ unit /Card: 113.82 /Parcel: 113.82 Source: Market Adj Cost Land Unit Type: AC Street 2: USER DEFINED Parcel ID 0210-0143-0000 Twn/City: ROCHESTER PREVIOUS ASSESSMENT Prior Id # 1: St/Prov: NH Cntry Own Occ: Y Yrd Items Land Size Land Value Total Value | Asses'd Value Notes Date Tax Yr Use Cat Bldg Value Prior Id # 2: Postal: 03868-8622 Type: 47,500 103,800 103,800 Year End Roll 9/8/2016 2016 101 FV 56,300 0 PRINT Prior Id #3: FV 0 47,500 103,800 103,800 Year-end 2015 101 56,300 2. 10/1/2015 REVIOUS OWNER Time Date Prior Id # 1: 103,800 Year End Roll 2014 101 FV 56,300 0 2. 47,500 103,800 9/29/2014 Owner 1: GAGNON EDGAR J REV LIV TRUST & -11/30/16 10:02:32 Prior Id # 2: 2013 101 FV 60,800 0 63,500 124,300 124,300 Year End Roll 9/4/2013 Owner 2: GAGNON LISA A -LAST REV 2012 101 FV 60.800 63.500 124,300 124,300 Year End Roll 9/20/2012 Prior Id #3: Street 1: 115 SALMON FALLS RD 2011 101 FV 60.800 0 2. 63.500 124,300 124,300 Year End Roll 9/27/2011 Date Time Prior Id # 1: Twn/City: ROCHESTER FV 0 2. 115,200 115,200 roll 101 51,700 63,500 8/26/2010 2010 11/28/16 14:52:08 Prior Id # 2: St/Prov: NH Cntry 125,300 Year End Roll 2009 101 FV 61,800 0 2. 63,500 125,300 9/24/2009 Prior Id # 3: leona Postal: 03868-8622 TAX DISTRICT 7226 ASR Map: SALES INFORMATION PAT ACCT. ARRATIVE DESCRIPTION Grantor Legal Ref Date Sale Code Sale Price V Tst Verif Assoc PCL Value Notes Type Fact Dist: his Parcel contains 2. AC of land mainly classified as GAGNON EDGAR J 4185-620 12/11/2013 Trust 2.667 No No Reval Dist: INGLE FAM with a(n) COTTAGE Building Built about 1940, GAGNON EDGAR J 3652-672 6/10/2008 Fam/Friends 2.667 No No 1 aving Primarily VINYL Exterior and ASPH SHINGLE Roof Year 2264-298 4.000 No No 4 GAGNON EDGAR J 12/20/2000 Trust over, with 1 Units, 1 Baths, 0 HalfBaths, 0 3/4 Baths, 5 Rooms LandReason 6/4/1984 No RAND ROBERT A & 1134-557 No otal, and 1 Bdrms BldReason: NASO LEONA M & 1001-351 8/5/1977 No No THER ASSESSMENTS PALUMBO THOMAS 976-173 11/6/1975 No No Com. Int Descrip/No Amount JOHNSON RUSSELL 968-362 7/25/1975 No No BUILDING PERMITS **ACTIVITY INFORMATION** Number Descrip Amount C/O Last Visit Fed Code F. Descrip Comment Date Result By Name ROPERTY FACTORS 10/26/2016 M-16-395 Installing gas pip MANUAL 12/15/2014 OWN ADD CHG LA **LEONA** % Code Descrip Code Descip Item 6/27/2016 E-16-194 **ELECTRIC** 500 O 12/19/2013 DEED CHANGE VK VERNA AGRICULT 100 U SEPTIC 6/27/2016 P-16-86 **PLUMBING** 500 O 11/27/2012 OWN ADD CHG VK VERNA t WELL 5/26/2016 B-16-262 ADDITION 20.000 O 4/29/2011 MEAS+INSPCTD NM NANCY GAS 1 8/19/2009 OWN ADD CHG GN GAYE Census Exmp 6/30/2009 OWN ADD CHG VB **VERNA** Flood Haz: VB VERNA 6/23/2008 OWN ADD CHG RO ROCHESTER Торо LEVEL VB 6/20/2008 DEED CHANGE **VERNA** Street PAVED 12/12/2007 OWN ADD CHG VB **VERNA** Traffic **MEDIUM** Sign: VERIFICATION OF VISIT NOT DATA AND SECTION (First 7 lines only) Depth / LT Base Neigh Neigh Appraised Alt Spec Infl 1 Infl 2 % Fact Use Value Description No of Units Unit Type Unit Price Neigh % Infl 3 Notes Land Type Adj Value Influ Mod Class **PriceUnits** Factor Value Code Land 101 SINGLE FAM PRIMARY A SITE 0 45,000 1.000 1010 45,000 45,000 1.0 **EXCESS ACEXCESS** 1.0 2,500 1.000 1010 2,500 2,500 101 SINGLE FAM Total SF/SM: 87120.00 Prime NB Desc RESIDENTIAL 47,500 Spl Credit otal AC/HA: 2.00000 Parcel LUC: 101 SINGLE FAM Total: Total: 47,500

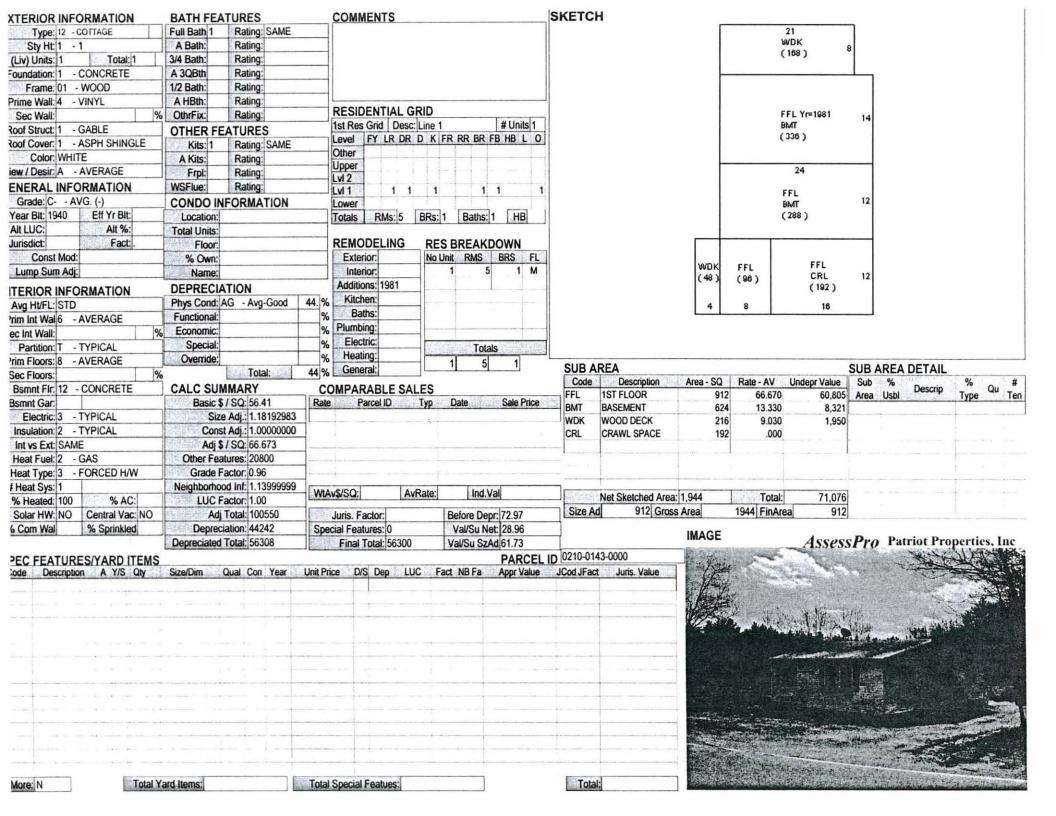
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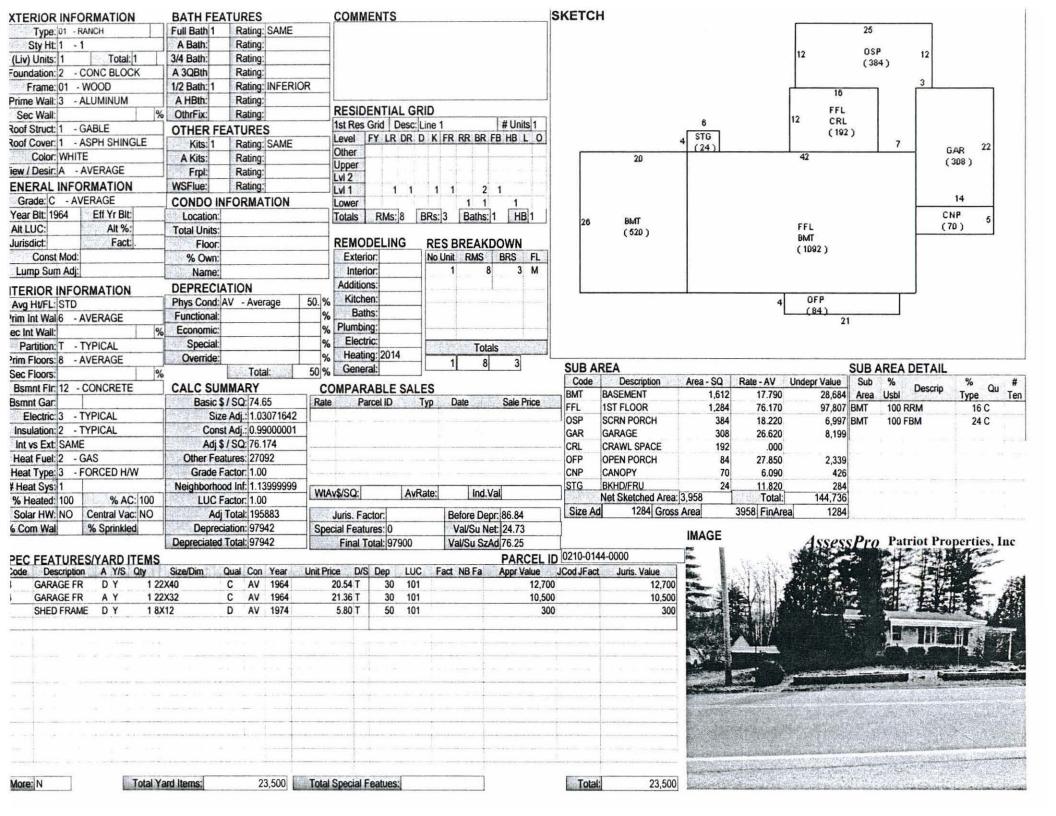
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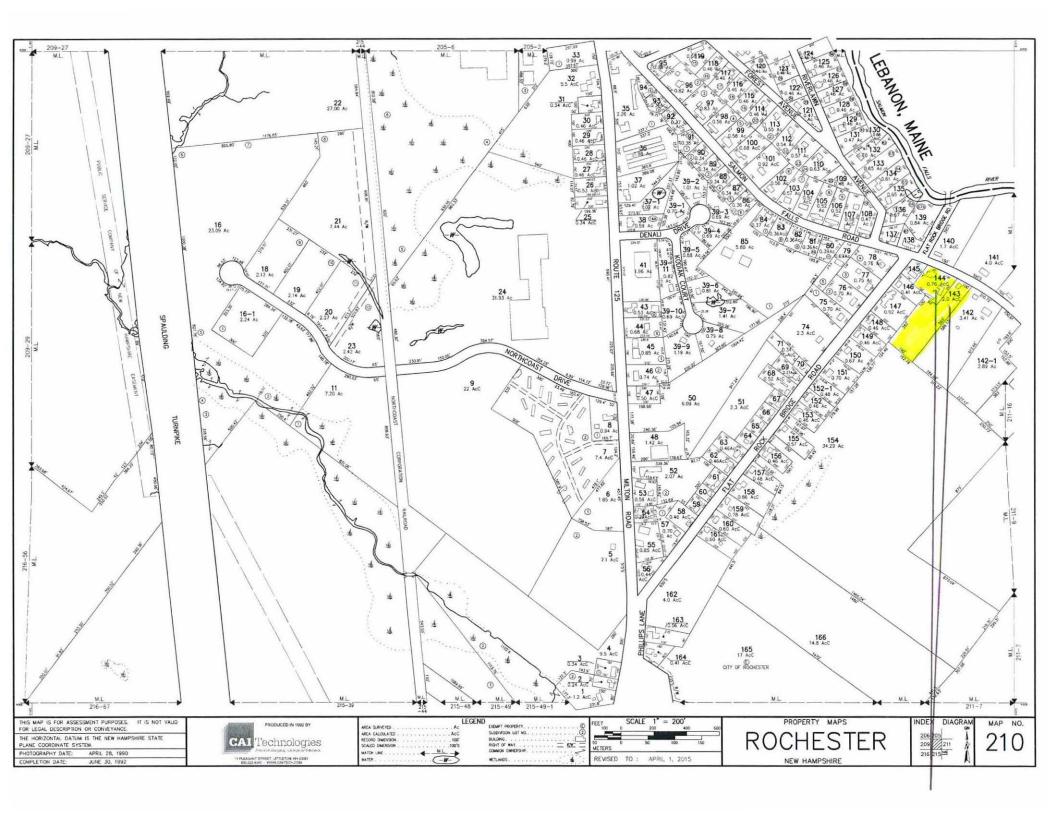
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TOTAL ASSESSED: 164,800 RESIDENTIAL 1 of 1 U144 UUUU UZIU 172271 CARD BLOCK LOT LOT2 LOT3 MAP Rochester IN PROCESS APPRAISAL SUMMARY PROPERTY LOCATION Land Value **Total Value** Land Size No Alt No Direction/Street/City Use Code **Building Value** Yard Items Legal Description **User Acct** 101 97,900 23,500 0.760 43,400 164,800 SALMON FALLS RD. ROCHESTER 107 21569 GIS Ref **WNERSHIP** Unit#: Owner 1: GAGNON EDGAR J & GIS Ref Owner 2: LITTLEFIELD LISA G & 23.500 0.760 43,400 164,800 **Total Card** 97.900 **Entered Lot Size Natriot** Owner 3: LITTLEFIELD ALLEN W III 97.900 23,500 0.760 43,400 164,800 Total Parcel Total Land: 0.76 Street 1: 107 SALMON FALLS RD Insp Date Properties Inc Total Value per SQ unit /Card: 128.35 /Parcel: 128.35 Source: Market Adj Cost Land Unit Type: AC Street 2: USER DEFINED Parcel ID 0210-0144-0000 Twn/City: ROCHESTER PREVIOUS ASSESSMENT Prior Id # 1: Cntry Own Occ: Y St/Prov: NH Yrd Items Land Size Land Value Total Value Asses'd Value Notes Date Tax Yr Use Cat Bldg Value Prior Id # 2: Postal: 03868-8622 Type: 2016 101 FV 97,900 23500 .76 43,400 164.800 164,800 Year End Roll 9/8/2016 PRINT Prior Id #3: 2015 101 FV 97.900 23500 .76 43,400 164.800 164.800 Year-end 10/1/2015 REVIOUS OWNER Date Time Prior Id # 1: 23500 .76 43,400 164,800 164,800 Year End Roll 9/29/2014 2014 101 FV 97.900 Owner 1: GAGNON EDGAR J REV LIV TRUST & -11/30/16 10:01:39 FV 23500 .76 57.800 186,200 186,200 Year End Roll 9/4/2013 Prior Id # 2: 2013 101 104,900 Owner 2: GAGNON LISA A -LAST REV FV 23500 .76 57.800 186,200 186,200 Year End Roll 9/20/2012 2012 101 104,900 Prior Id # 3: Street 1: 107 SALMON FALLS RD .76 186 200 186,200 Year End Roll 9/27/2011 Date Time 2011 101 FV 104,900 23500 57 800 Prior Id # 1: **Fwn/City: ROCHESTER** 2010 101 FV 95.500 23700 .76 57.800 177,000 177,000 roll 8/26/2010 04/26/16 16:24:56 Prior Id # 2: St/Prov: NH Cntry 195,800 Year End Roll 2009 101 FV 114,200 23800 .76 57.800 195,800 9/24/2009 nancym Prior Id #3: Postal: 03868-8622 TAX DISTRICT 7227 SALES INFORMATION PAT ACCT. ASR Map: ARRATIVE DESCRIPTION Legal Ref Date Sale Code Sale Price V Tst Verif Assoc PCL Value Туре Notes Grantor Fact Dist: his Parcel contains .76 AC of land mainly classified as 12/11/2013 Trust 2.667 No No **GAGNON EDGAR J** 4185-620 Reval Dist: INGLE FAM with a(n) RANCH Building Built about 1964, 3652-672 6/10/2008 Fam/Friends 2.667 No No GAGNON EDGAR J aving Primarily ALUMINUM Exterior and ASPH SHINGLE Year GAGNON EDGAR L 1096-509 1 3/16/1983 No No oof Cover, with 1 Units, 1 Baths, 1 HalfBaths, 0 3/4 Baths, 8 LandReason 777-365 1/26/1961 No No ooms Total, and 3 Bdrms BldReason: THER ASSESSMENTS Descrip/No Amount Com. Int. **BUILDING PERMITS ACTIVITY INFORMATION** Amount C/O Last Visit Fed Code F. Descrip Descrip Comment Date By Name Date Number ROPERTY FACTORS 5/27/2015 10635 ROOFING 4.580 CE 3/16/2016 12/19/2013 DEED CHANGE VK **VERNA** Code Descip % Item Code Descrip 6/27/2014 8140 HEATING 1.800 CE 8/25/2015 4/10/2013 OWN ADD CHG VK VERNA Z AGRICULT 100 U SEPTIC 4/25/2008 08-389 ROOFING 3,000 CE 3/25/2009 4/29/2011 MEAS+INSPCTD NM NANCY WELL 0 t **ELECTRIC** 500 CE 3/29/2006 GN GAYE 8/26/2005 1182 12/1/2009 OWN ADD CHG n GAS VB VERNA 6/30/2009 OWN ADD CHG Exmpt Census 3/25/2009 CORRECTION TG **THERESA** Flood Haz: VB VERNA 6/23/2008 OWN ADD CHG D RO ROCHESTER Торо LEVEL 6/20/2008 DEED CHANGE VB **VERNA** PAVED S Street 6/28/2006 NAME CHG GN GAYE Traffic 4 MEDIUM Sign: VERIFICATION OF VISIT NOT DATA AND SECTION (First 7 lines only) LT Depth / Base Neigh Neigh Appraised Alt Spec Unit Price Adj Neigh Infi 1 % Infl 2 Fact Use Value Notes Description No of Units Unit Type Land Type **PriceUnits** Factor Value Influ Mod Value Class Code Land 101 SINGLE FAM 0.76 PRIMARY A SITE 1.0 0 45,000. 1.268 1010 43,380 43,400 Parcel LUC: 101 SINGLE FAM Prime NB Desc RESIDENTIAL Total: 43,380 Spl Credit Total 43,400 otal AC/HA: 0.76000 Total SF/SM: 33105.60 Database: AssessPro



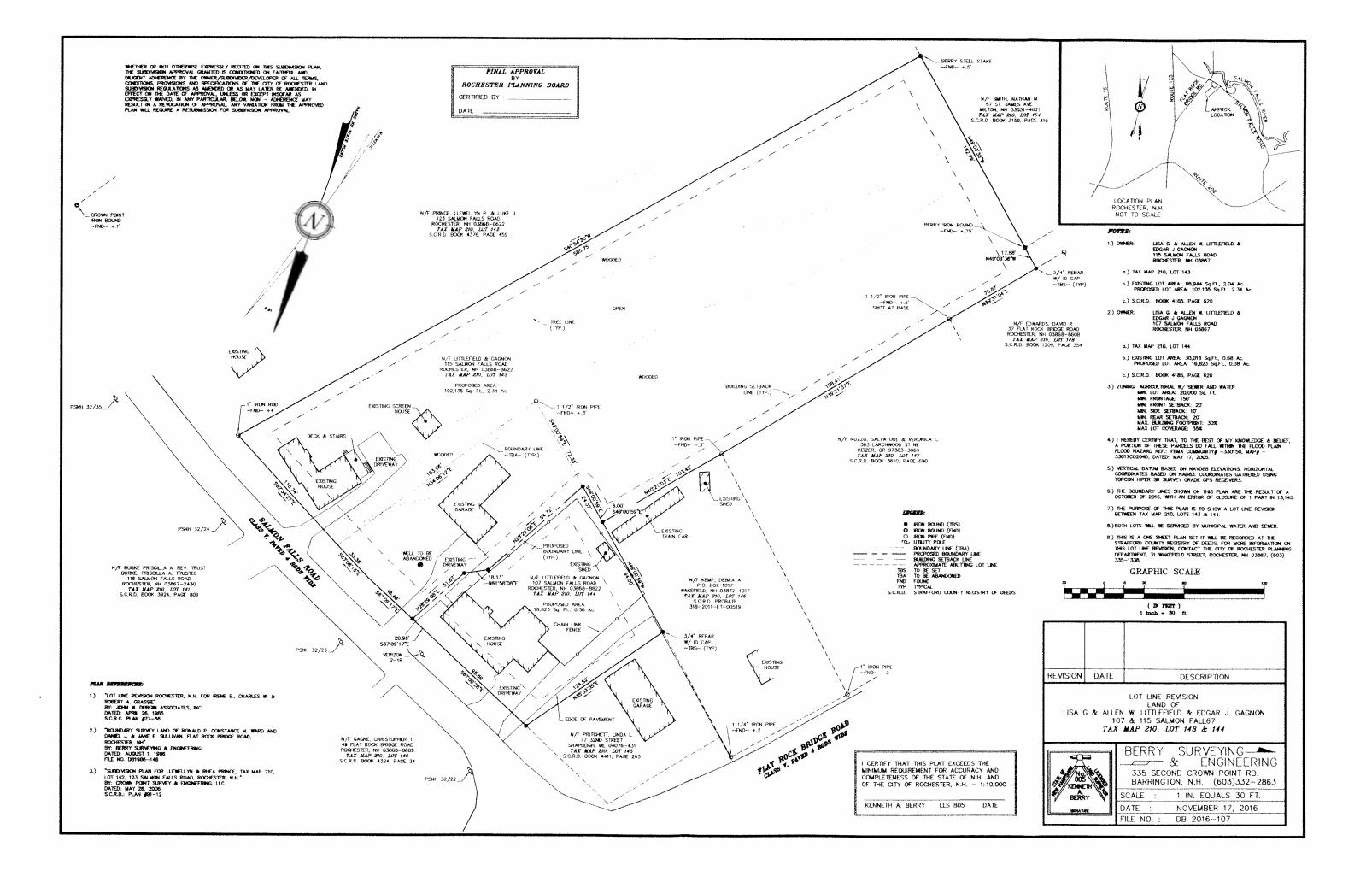


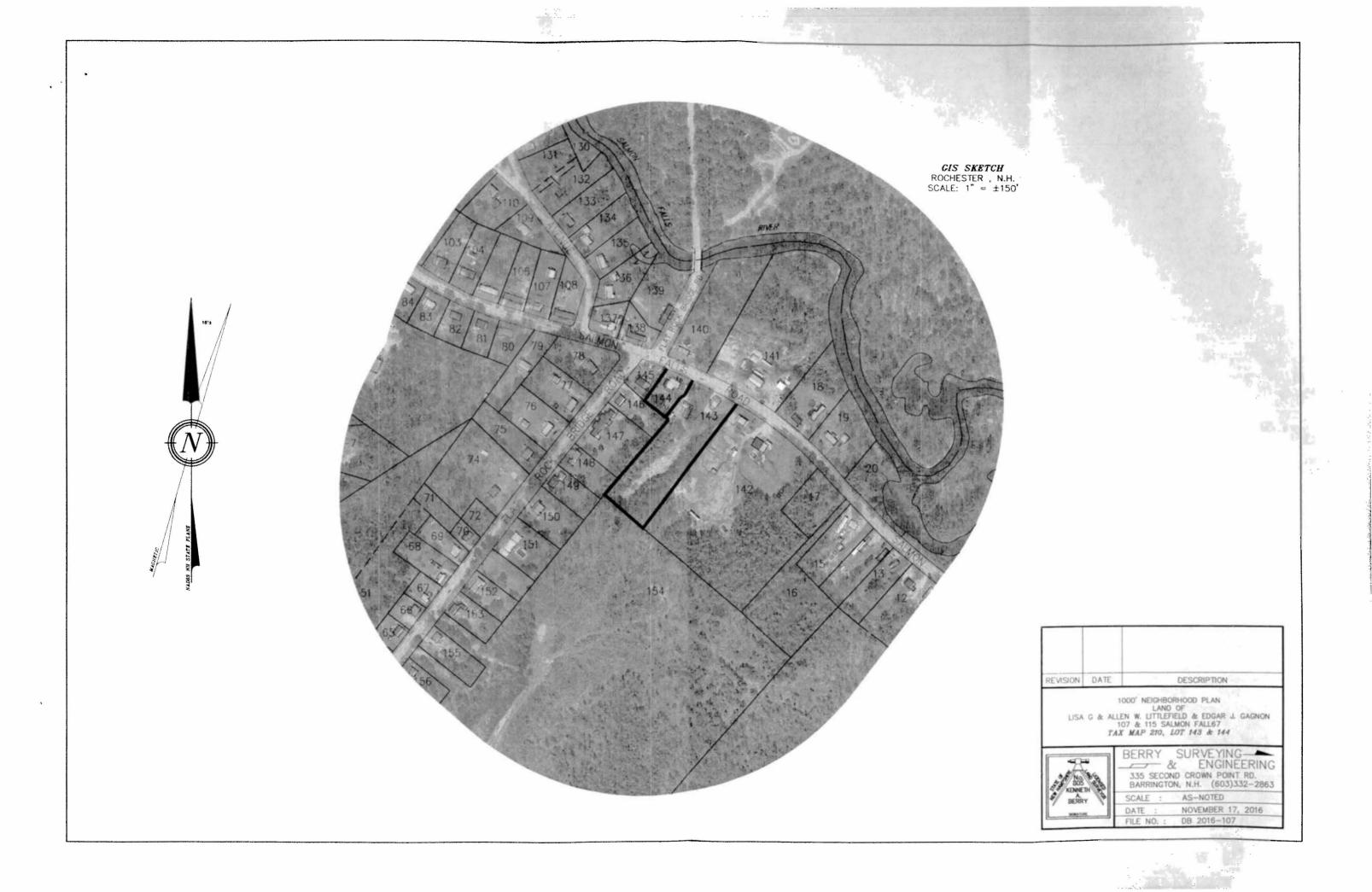
# 115 Salmon Falls Rd



# 107 Salmon Falls Rd









## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road Barrington, NH 03825 Phone: (603) 332-2863 Fax: (603) 335-4623

November 23, 2016

www.BerrySurveying.Com

**Abutters List** 

Owner of Record

Tax Map 210, Lots 143 & 144

Edgar J Gagnon & Lisa G Littlefield 115 Salmon Falls Rd Rochester, NH 03868-8622

Abutters

Tax Map 210, Lot 140

Christopher T Gagne 49 Flat Rock Bridge Rd Rochester, NH 03868-8609

Tax Map 210, Lot 141

Priscilla A Burke Rev Trst Priscilla A Burke Tstee 116 Franklin St Rochester, NH 03867-2430

Tax Map 210, Lot 142

Luke J & Llewellyn R Prince 123 Salmon Falls Rd Rochester, NH 03868-8622

Tax Map 210, Lot 145

Linda L Pritchett 77 32<sup>nd</sup> St Shapleigh, ME 04076-4031 Abutters List Littlefield, Rochester, NH

Tax Map 210, Lot 146

Debra A R Kemp PO Box 1017 Wakefield, NH 03872-1017

Tax Map 210, Lot 147

Salvatore & Veronica C Nuzzo 1363 Larchwood St NE Keizer, OR 97303-3669

Tax Map 210, Lot 148

David R Edwards 37 Flat Rock Bridge Rd Rochester, NH 03868-8608

Tax Map 210, Lot 154

Nathan M Smith 67 St James Ave Milton, NH 03851-4621

### **Professionals**

Kenneth A. Berry, PE, LLS Berry Surveying & Engineering 335 Second Crown Point Road Barrington, NH 03825



335 Second Crown Pt. Rd., Barrington, NH 03825 (603) 332-2863 / (603) 335-4623 FAX www.BerrySurveying.Com