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APPLICATION FOR APPEAL  
TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2016-36

DATE FILED 11-23-16

ZONING BOARD CLERK R. J. [Signature]

Phone No 603-969-9459

Name of applicant Alexx Monastiero, Real Estate Advisors

Address 76 Exeter Road Newmarket, NH

Owner of property concerned Same  
(if the same as applicant, write "same")

Address Same  
(if the same as applicant, write "same")

Location of property 24 Jeremiah Lane

Map No. 223 Lot No. 21 Zone A

Description of property N/A  
(give length of lot lines frontage side rear lines)

Proposed use or existing use affected Reduced frontage for allowed uses

APPEAL OF AN ADMINISTRATIVE DECISION

The undersigned alleges that an error has been made in the decision determination or requirement

of Jim Grant on 11/15/16 date  
name of enforcement officer  
to Alexx Monastiero, Real Estate Advisors in relation to Article 42.33

Section C (3) of the Zoning Ordinance and hereby appeals said decision.

Signed [Signature]  
(Applicant)



***City of Rochester, New Hampshire***  
**Department of Building, Zoning and Licensing Services**

11/15/2016

Alexx M Monastiero  
Vice President  
Real Estate Advisors  
76 Exeter Road  
Newmarket, NH 03857

Alexx,

The purpose of this letter is to act as my formal decision of the frontage requirement as it applies to Conservation Subdivisions.

42.33 Conservation Subdivisions

c. General Provisions

3. Dimensions. See the TABLE 19-A Dimensional Standards - Residential Districts for dimensional regulations for conservation subdivision lots.

Table 19-A DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS is lacking any reference to any other criteria after "Two Family". As such, it holds all two families, regardless to what type of residential subdivision they are located in, to the standards that are indicated in its row on the chart. **Therefore 150' minimum is required.**

Jim Grant  
City Of Rochester NH  
Building, Zoning, and Licensing Services  
Director / Electrical Inspector  
31 Wakefield Street  
Rochester, NH 03867  
Tel: 603.332.3508  
Fax: 603.509.1912  
Jim.Grant@RochesterNH.Net  
www.RochesterNH.net

11/22/2016

Members of the City of Rochester Zoning Board,

Real Estate Advisors is seeking an appeal from administrative decision from the decision made by the zoning administrator on November 15<sup>th</sup>, 2016 (exhibit A attached). Real estate advisors sent to Jim Grant the following materials for his review prior to this decision stating our interpretation of the zoning ordinance (exhibit B and C attached) we request that the board review these documents for concrete information as to why we believe the zoning administrators decision was made in error. For simplicity, we have summarized our interpretation of the zoning ordinance and have examined the zoning administrators letter in the document attached to this letter, please consider this our project narrative.

I thank you for your time in reviewing this matter.



Alexx Monastiero

Real Estate Advisors, Inc.

## Main Document for Zoning Board

11/22/2016

Note: Black writing is the zoning administrator letter and City of Rochester ordinances. Red is comments by the applicant, Real Estate Advisors.

“Alexx,

The purpose of this letter is to act as my formal decision of the frontage requirement as it applies to Conservation Subdivisions.

### 42.33 Conservation Subdivisions

#### c. General Provisions

3. Dimensions. See the TABLE 19-A Dimensional Standards - Residential Districts for dimensional regulations for conservation subdivision lots.”

The regulations for two family is stated in the conservation subdivision ordinance as follows under section G:

***g. Allowed Uses. All uses permitted in the zoning district within which the conservation subdivision is located are permitted in the conservation subdivision under the same terms. Two family, three family, four family dwellings, and townhouses are permitted in conservation subdivisions provided:***

- 1. at least half of the proposed units are single family dwellings;*
- 2. a system of street blocks or a modified grid is used;*
- 3. the units are carefully integrated into the development (such as placing the units on larger lots at intersections, fronting on greens, or on alternating or cross streets);*
- 4. the architectural designs provide for a harmonious fit with single family dwellings*
- 5. the development standards under Section 42.5 - Residential Zoning Districts shall apply;*
- 6. none of these multifamily uses are located within 200 feet of the project boundary; and*
- 7. each unit shall be considered equivalent to one house lot for density purposes*

Note: We meet all the above

There are no frontage requirements listed above because each unit shall be equivalent to one house lot for density purposes which is why the table 19-A states “Single Family Dwelling-Conservation Subdivision” as the only controls beyond the single family dimensional controls are listed in 1-7 above. See table 19-A below:

Residential Districts	Minimum Frontage	Maximum Lot Coverage	Standards, Notes, and references
<b><u>Agricultural</u></b>			
Single Family, Conventional Subdivision, municipal water and sewer	150	35	See section 42.19-Dimensional Standards
Single Family, Conventional Subdivision, municipal water OR sewer	150	35	See section 42.19-Dimensional Standards
Single Family, Conventional Subdivision, neither municipal water nor sewer	150	35	See section 42.19-Dimensional Standards
Two Family	150	40	See section 42.19-Dimensional Standards
Single Family Dwelling-Conservation Subdivision	60	35	See section 42.33-Conservation Subdivision
All other uses	150	40	-



Note (above): Under conventional subdivisions single family and duplexes both require 150' frontage, supporting that 60' should be the requirement for both single family and duplexes in the conservation subdivision zone

"Table 19-A DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS is lacking any reference to any other criteria after "Two Family". As such, it holds all two families, regardless to what type of residential subdivision they are located in, to the standards that are indicated in its row on the chart. ***Therefore 150' minimum is required.***"

"it holds all two families, regardless to what type of residential subdivision they are located in"  
*For this statement to be true, the following is required:*

In every other table (18-A through 18-E and 19-B) in the "standards, notes, and references" section of the table there are multiple zoning references where appropriate. If there were other controls in table 19-A that were supposed to apply to the conservation subdivision they would have had to reference "see 42.33 conservation subdivision" just like the dimensions for the single family-conservation subdivision do. For example, if the 150' frontage required for duplexes was meant to also apply to duplexes for a conservation subdivision it would have had to have listed "see 42.33 conservation subdivision" in the "standards, notes, and references" section in order to apply.

The administrative decision was made in error, which is supported by the following:

- There is no reference in Table 19-A, agriculture zone, two family to the conservation subdivision ordinance 42.33 under references standards and notes which is required.
- 150' frontage is in complete conflict with the objectives of the conservation subdivision ordinance 42.33 A (3), see below:
  - "L. promote innovative site design"
  - "M. reduce costs for the developer and maintenance costs for the City by reducing infrastructure"
  - "P. provide a mix of housing types"
  - "R. promote efficiency in road and utility layout"
- The Zoning Administrator does not address threeplexes and fourplexes in his notice of decision
- There is a separate set of rules/regulations in the conservation subdivision ordinance 42.33 G (1-7) to allow for duplexes, triplexes, and fourplexes which the applicant meets all.
- 150' Frontage is required for both single family and duplexes in the agriculture zone for conventional subdivisions, supporting that there should be the same road frontage for both single family and duplexes in the conservation subdivision zone (60').
- The conservation subdivision ordinance states the following under 42.33 G (7) "7. each unit shall be considered equivalent to one house lot for density purposes"
- The requirement of a maximum of 35% lot cover controls the size of the lot no further frontage is required to meet the 35% maximum lot cover rule

Jim- The red is my comments and the black is quotes from the zoning ordinance.

When one goes to table 18-A to see "Residential Uses" under "Dwelling, Two Family" the "Criteria/Conditions" section of the table references only two places "42.21 Conditional Uses & 42.33 Conservation subdivision" this is because all of the criteria for a "dwelling, two family" are found in the conservation subdivision ordinance under section G. which lists the 7 requirements (seen below) to build a duplex, threeplex, or fourplex. 42.33 talks about dimensional requirements for "Lots" and does not differentiate between the uses on the lots, and the table that it refers to does not define uses on the lots and therefore the "single family" portion of the statement is not applicable.

The intent of the conservation subdivision ordinance is ***"Conservation Subdivision (or "Open Space Subdivision" or "Cluster Subdivision"): A subdivision in which a substantial portion of land which would otherwise be buildable is permanently preserved as open space. (See Section 42.33 – Conservation Subdivisions.)" "Definitions" page 14.***

#### 42.33 Conservation Subdivisions

##### a. Purpose

2. Development of Choice. Through density bonuses, cost savings, flexibility in design, and other advantages, it is the City's desire that conservation subdivisions will be the development pattern of choice in the R2 and AG Districts.

We are in the agricultural zone

##### c. general provisions

3. Dimensions. See the TABLE 19-A Dimensional Standards - Residential Districts for dimensional regulations for conservation subdivision lots.

When you go to Table 19-A you find "Single Family-Conservation subdivision" the important factor here is the dash between single family and conservation subdivision this means that one must deal with "single family" and "conservation subdivision" separately as they are related but independent from each other. Since this is the only dimensional control within table 19-A and it is clearly identified for the entire conservation subdivision, you must go to the conservation subdivision ordinance to find any further non-dimensional controls for duplexes, threeplexes, and fourplexes, see below:

g. Allowed Uses. All uses permitted in the zoning district within which the conservation subdivision is located are permitted in the conservation subdivision under the same terms. Two family, three family, four family dwellings, and townhouses are permitted in conservation subdivisions provided:

Based on the above, duplexes are allowed based on the following requirements:

1. at least half of the proposed units are single family dwellings;
2. a system of street blocks or a modified grid is used;
3. the units are carefully integrated into the development (such as placing the units on larger lots at intersections, fronting on greens, or on alternating or cross streets);

4. the architectural designs provide for a harmonious fit with single family dwellings
5. the development standards under Section 42.5 - Residential Zoning Districts shall apply;
6. none of these multifamily uses are located within 200 feet of the project boundary; and
7. each unit shall be considered equivalent to one house lot for density purposes

The applicant is in compliance or will be in compliance with all of these throughout the planning board process.

We believe when the ordinance when read in its entirety it is clear that duplexes are allowed based on the clear controls in table 18-A, 19-A (60' frontage and 35% maximum lot cover), and section 42.33.



Jim,

October 13, 2016

I am hoping that you and your attorney can review our interpretation and either approve it or deny it and provide some evidence as to why you interpret the zoning differently (in which case we would move forward with a variance) as we discussed this morning. The deadline for filing a variance is next Wednesday October 19<sup>th</sup> so we would hope to hear back from you as soon as possible so that we may file in time.

Our interpretation and evidence to support that interpretation is as follows:

The Conservation Subdivision Ordinance Section 42.33 of the Rochester Zoning Ordinances states the following when determining the density for development in a conservation subdivision: ***"Divide by the minimum permitted lot size for a conventional single family subdivision in the district; calculate proportionally if the tract lies in two zoning districts. (See Table of Dimensions in Section 42.19)"*** Therefore, only single family lot size dimensional requirements are used to calculate the density for the conservation subdivision and therefore single family dimensions can be the only ones that apply as said in the conservation subdivision ordinance ***"each unit shall be considered equivalent to one house lot for density purposes."*** In order to determine the lot size, density, and other dimensional requirements in a conservation subdivision one must go to the table of dimensions. "Table 19-A" as the ordinance directs.

Conservation subdivisions are allowed in multiple districts, the dimensional controls for frontage and lot size for all residential districts can be seen in a condensed version of table 19-a (below). It is clear that in the R-1 and R-2 districts there is no need to clarify what the ***"permitted lot size for a conventional single family subdivision in the district,"*** but in the Agricultural district there are three (3) types of single family development so it is unclear what a conventional single family subdivision would be. Because of this the zoning ordinances clarify what dimensional controls should be used for this district by adding the "Single Family Dwelling-Conservation Subdivision section" to table 19-A see below:

RESIDENTIAL DISTRICTS	Lots			Standards
Residential-1 (R-1)	Minimum Lot Area	Minimum Frontage	Minimum Lot Area/Dwelling Unit	
Single Family	10,000	100	-	Section 42.19 - Dimensional Standards
All other Uses	10,000	100	-	

RESIDENTIAL DISTRICTS	Lots			Standards
Residential-1 (R-2)	Minimum Lot Area	Minimum Frontage	Minimum Lot Area/Dwelling Unit	
Single Family	6,000	60	-	Section 42.19 - Dimensional Standards



Two Family	9,000	80	-	Section 42.19 - Dimensional Standards
Three & Four Family	12,000 & 15,000	80	-	Section 42.19 - Dimensional Standards
Multifamily	30,000	100	5,000 or 7,500	Section 42.19 - Dimensional Standards
All other Uses	9,000	80	-	

RESIDENTIAL DISTRICTS	Lots			Standards
AGRICULTURAL	Minimum Lot Area	Minimum Frontage	Minimum Lot Area/Dwelling Unit	
Single Family, Conventional Subdivision, municipal water & sewer	20,000	150	-	Section 42.19 - Dimensional Standards
Single Family, Conventional Subdivision, municipal water OR sewer	30,000	150	-	Section 42.19 - Dimensional Standards
Single Family, Conventional Subdivision, neither municipal water nor sewer	45,000	150	-	Section 42.19 - Dimensional Standards
Two Family	150% of single	150	-	Section 42.19 - Dimensional Standards
<b>Single Family Dwelling-Conservation Subdivision</b>	6,000	60	-	Section 42.33 - Conservation Subdivision
All other Uses	45,000	150	500 or 7500	

In the Residential "Agricultural" district it is very clear what dimensions should be used for a single family house in a conservation subdivision. There is also an "all other uses" section of the zoning for the districts. "All other uses" must be defined as all permitted uses that are non-residential uses as all allowed residential uses in the districts are defined in table 19-a. The only other permitted residential uses are those defined in "Accessory uses" Section 42.23 of the Rochester Zoning Ordinances. All other uses (non-residential) can be found in tables 19-B, 19-C, 19-D, and 19-E.

The conservation subdivision states **"3. Dimensions. See the TABLE 19-A Dimensional Standards - Residential Districts for dimensional regulations for conservation subdivision lots."** When one goes to the residential table 19-A under agricultural the only dimension for conservation subdivision lots is for single families. This makes sense when you read further on in the conservation subdivision ordinance 42.33 G (7). ***"each unit shall be considered equivalent to one house lot for density purposes."*** So duplexes are only required 60' of frontage as stated in table 19-A but the logical person says what about triplexes and fourplexes which are also allowed in conservation subdivisions? There is a dimensional control in table 19-A which is the maximum lot coverage (See table 19-A) the allowed maximum lot coverage for the conservation subdivision lot is 35% so in theory a fourplex lot could have 60' of frontage but in reality it would be unlikely that a developer could have 60' of frontage and only 35% lot coverage and still place a fourplex on the lot. Similarly, a duplex has to have a minimum of 60' of frontage, but the ultimate control of the frontage and lot size is that the lot have a maximum of 35% coverage. This is further supported by the fact that conservation subdivisions are permitted in the R-1 district but when one goes to the R-1 district under table 19-A there are no dimensional controls for a duplex. This is because it was not necessary to provide those controls for the conservation subdivision because every lot whether it be a duplex, triplex, or fourplex is controlled only by the dimensions of the single family lot as the conservation subdivision allows.

This is supported by the intent of the conservation subdivision which is to ***"Conservation Subdivision (or "Open Space Subdivision" or "Cluster Subdivision"): A subdivision in which a substantial portion of land which would otherwise be buildable is permanently preserved as open space. (See Section 42.33 – Conservation Subdivisions.)"*** The conservation subdivision allows condensed development in order that more land can be preserved. It wouldn't make any sense to require 150' of frontage for a duplex as it would force the developer to abandon the idea of conserving as much space as possible in order to encroach on the space so that they may have enough frontage to meet the requirement.

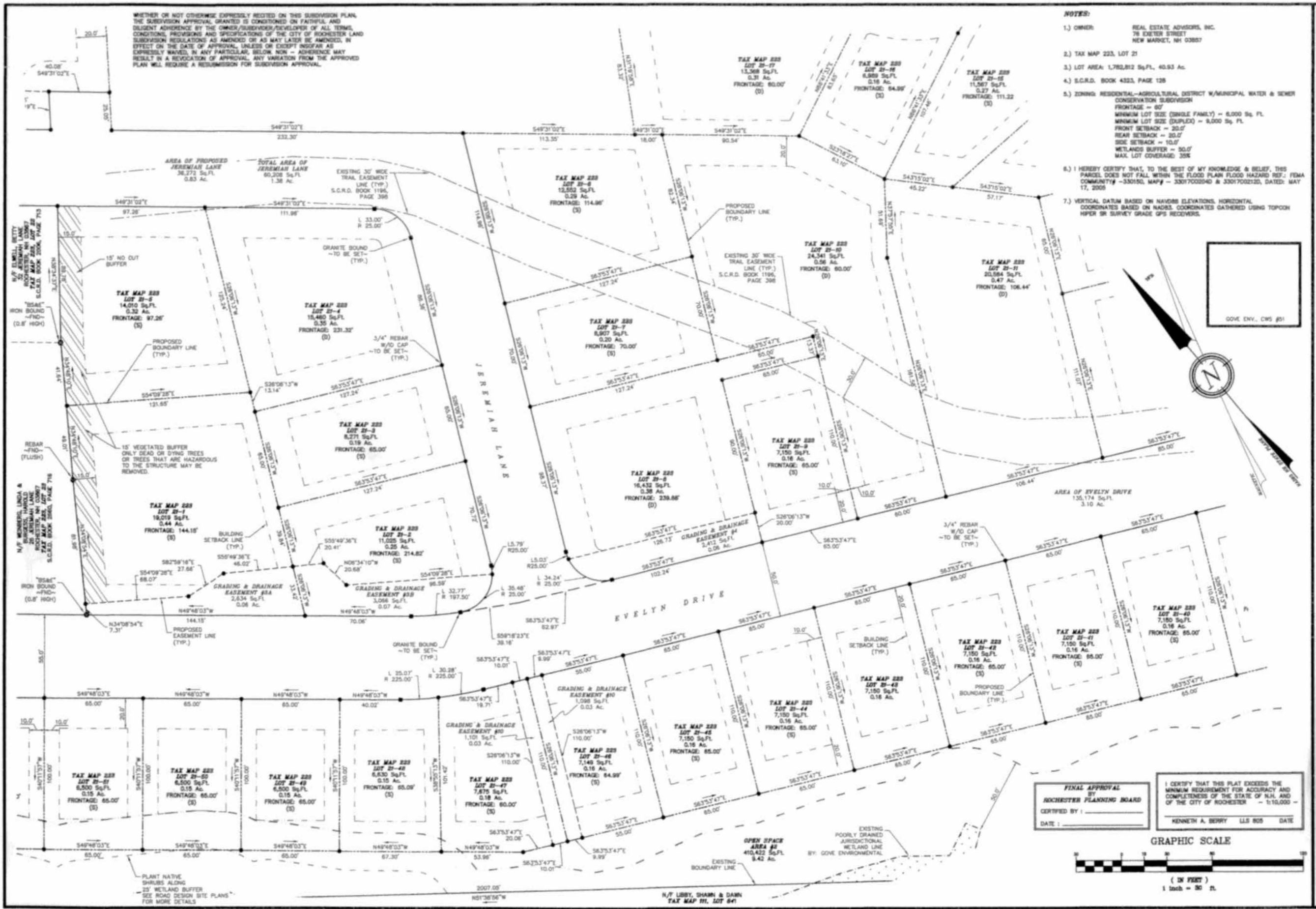
Furthermore, in every other table (18-A through 18-E and 19-B) in the "standards, notes, and references" section of the table there are multiple zoning references where appropriate. If there were other controls in table 19-A that were supposed to apply to the conservation subdivision they would have had to reference "see 42.33 conservation subdivision" just like the dimensions for the single family-conservation subdivision do. For example, if the 150' frontage required for duplexes was meant to also apply to duplexes for a conservation subdivision it would have had to have listed "see 42.33 conservation subdivision" in the "standards, notes, and references" section in order to apply.











WHETHER OR NOT OTHERWISE EXPRESSLY RECITED ON THIS SUBDIVISION PLAN, THE SUBDIVISION APPROVAL GRANTED IS CONDITIONED ON FAITHFUL AND DILIGENT ADHERENCE BY THE OWNER/SUBDIVIDER/DEVELOPER OF ALL TERMS, CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION REGULATIONS AS AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON THE DATE OF APPROVAL, UNLESS OR EXCEPT INsofar AS EXPRESSLY WAIVED IN ANY PARTICULAR, BELOW. NON-ADHERENCE MAY RESULT IN A REVOCATION OF APPROVAL. ANY VARIATION FROM THE APPROVED PLAN WILL REQUIRE A RESUBMISSION FOR SUBDIVISION APPROVAL.

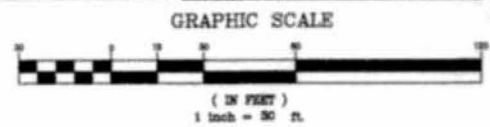
- NOTES:**
- 1.) OWNER: REAL ESTATE ADVISORS, INC.  
78 EXETER STREET  
NEW MARKET, NH 03857
  - 2.) TAX MAP 223, LOT 21
  - 3.) LOT AREA: 1,782,812 Sq. Ft., 40.53 Ac.
  - 4.) S.C.R.D. BOOK 4323, PAGE 128
  - 5.) ZONING: RESIDENTIAL-AGRICULTURAL DISTRICT W/MUNICIPAL WATER & SEWER CONSERVATION SUBDIVISION  
FRONTAGE = 60'  
MINIMUM LOT SIZE (SINGLE FAMILY) = 6,000 Sq. Ft.  
MINIMUM LOT SIZE (DUPLIC) = 8,000 Sq. Ft.  
FRONT SETBACK = 20.0'  
REAR SETBACK = 20.0'  
SIDE SETBACK = 10.0'  
WETLANDS BUFFER = 20.0'  
MAX. LOT COVERAGE: 35%
  - 6.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN HAZARD REF.: FEMA COMMUNITY# -330150, MAP# - 3301700225, DATED: MAY 17, 2009
  - 7.) VERTICAL DATUM BASED ON NAVD83 ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING TOPOCON HIPER SR SURVEY GRADE GPS RECEIVERS.



GOVE ENV. CWS #01

**FINAL APPROVAL**  
BY  
**ROCHESTER PLANNING BOARD**  
CERTIFIED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF ROCHESTER - 1:10,000 -  
KENNETH A. BERRY LLS 805 DATE \_\_\_\_\_



REVISION	DATE	DESCRIPTION

SUBDIVISION DETAIL PLAN  
FOR  
STUART ACRES  
REAL ESTATE ADVISORS INC.  
24 JEREMIAH LANE  
ROCHESTER, N.H.  
TAX MAP 223, LOT 21

**BERRY & SURVEYING ENGINEERING**  
335 SECOND CROWN POINT ROAD  
BARRINGTON, NH 03825 603-332-2863  
SCALE: 1 IN. EQUALS 30 FT.  
DATE: SEPTEMBER 20, 2016  
FILE NO.: DB 2015 - 114

SHEET 11 OF 105

WHETHER OR NOT OTHERWISE EXPRESSLY NOTED ON THIS SUBDIVISION PLAN, THE SUBDIVISION APPROVAL GRANTED IS CONDITIONED ON FAITHFUL AND DILIGENT ADHERENCE BY THE OWNER/DEVELOPER/PLANNING BOARD OF ALL TERMS, CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION REGULATIONS AS AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON THE DATE OF APPROVAL, UNLESS OR EXCEPT OTHERWISE AS OTHERWISE NOTED. IN ANY PARTICULAR, NEITHER NOW - ADHERENCE MAY RESULT IN A MODIFICATION OF APPROVAL. ANY VARIATION FROM THE APPROVED PLAN WILL REQUIRE A RESUBMISSION FOR SUBDIVISION APPROVAL.

#### NOTES:

- 1) OWNER: REAL ESTATE ADVISORS, INC.  
76 EAST STREET  
NEW MARKET, NH 03867
- 2) TAX MAP 223, LOT 21
- 3) LOT AREA: 1,782,812 Sq.Ft. 40.83 Ac.
- 4) S.C.R.D. BOOK 4323, PAGE 128
- 5) ZONING: RESIDENTIAL-AGRICULTURAL DISTRICT W/MUNICIPAL WATER & SEWER CONSERVATION SUBDIVISION  
FRONTAGE ~ 60'  
MINIMUM LOT SIZE (SINGLE FAMILY) ~ 8,000 Sq. Ft.  
MINIMUM LOT SIZE (DUPLEX) ~ 8,000 Sq. Ft.  
FRONT SETBACK ~ 20.0'  
REAR SETBACK ~ 20.0'  
SIDE SETBACK ~ 10.0'  
WETLANDS BUFFER ~ 50.0'  
MAX. LOT COVERAGE: 35%
- 6) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY # 330155, MAP# 33017002040 & 33017002120, DATED: MAY 17, 2006
- 7) VERTICAL DATUM BASED ON NAVD83 ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING TOPCON HIPER SR SURVEY GRADE GPS RECEIVER.

M/F DICKSON, LEO  
123 SPARKMAN STREET  
ROCHESTER, NH 03867  
TAX MAP 223, LOT 19

M/F DILLON, TROY  
PO BOX 1484  
ROCHESTER, NH 03867  
TAX MAP 223, LOT 19  
S.C.R.D. BOOK 3891, PAGE 308

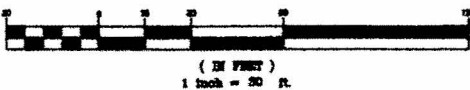
M/F HUPPE, LEO & EVELYN  
588 PORTLAND STREET  
ROCHESTER, NH 03867  
TAX MAP 223, LOT 25

M/F BENTON, JAMES & JANE  
579 PORTLAND STREET  
ROCHESTER, NH 03867  
TAX MAP 171, LOT 27  
S.C.R.D. BOOK 2042, PAGE 196

FINAL APPROVAL  
BY  
ROCHESTER PLANNING BOARD  
CERTIFIED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

I CERTIFY THAT THIS PLAN EXCEEDS THE  
MINIMUM REQUIREMENT FOR ACCURACY AND  
COMPLETENESS OF THE STATE OF N.H. AND  
OF THE CITY OF ROCHESTER - 1:10,000 -  
KENNETH A. BERRY L.L.S. 805 DATE: \_\_\_\_\_

GRAPHIC SCALE

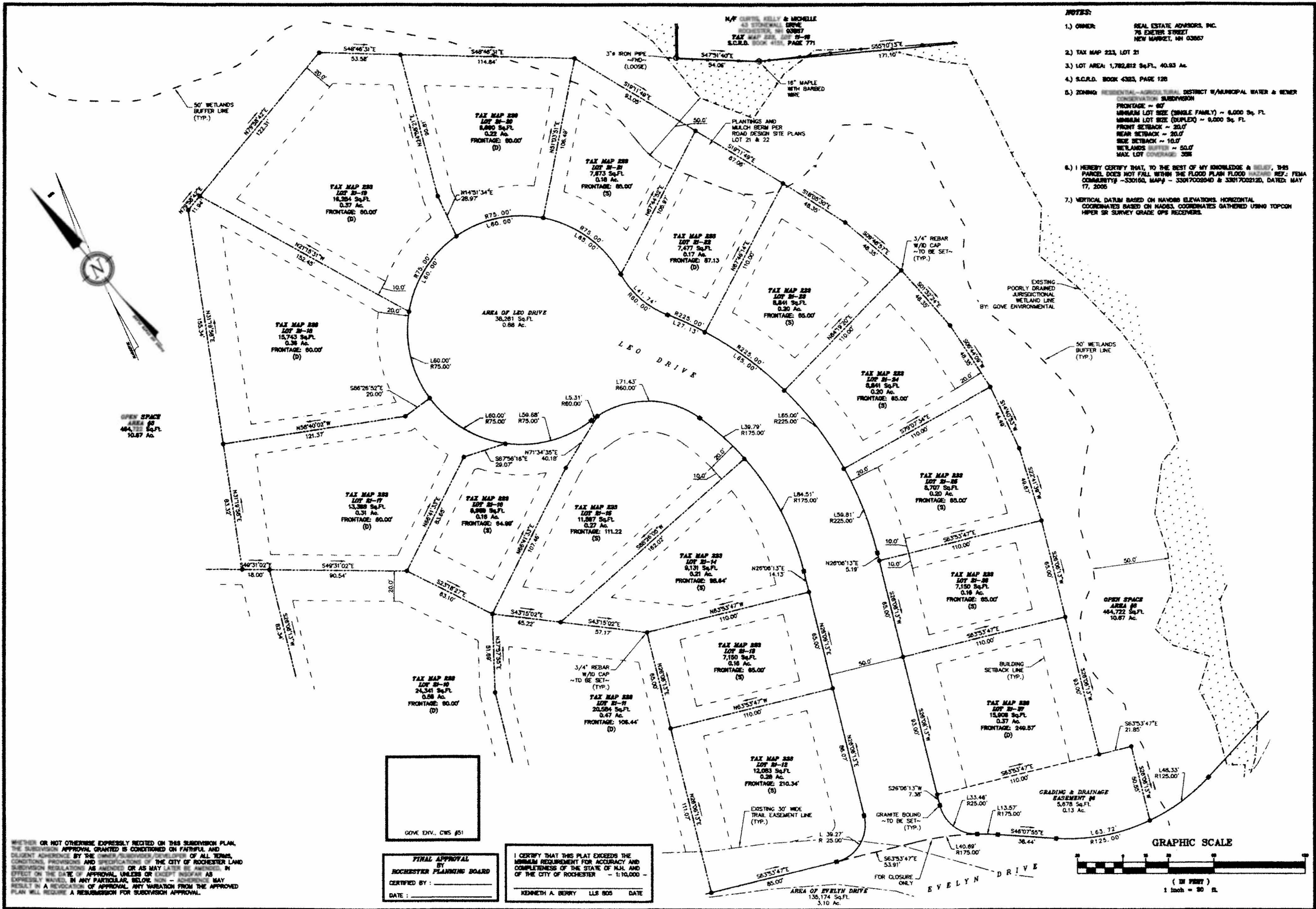


REVISION	DATE	DESCRIPTION

SUBDIVISION DETAIL PLAN  
FOR  
STUART ACRES  
REAL ESTATE ADVISORS INC.  
24 JEREMIAH LANE  
ROCHESTER, N.H.  
TAX MAP 223, LOT 21

**BERRY SURVEYING & ENGINEERING**  
335 SECOND CROWN POINT ROAD  
BARRINGTON, NH 03825 603-332-2863  
SCALE: 1 IN. EQUALS 30 FT.  
DATE: SEPTEMBER 20, 2016  
FILE NO.: DB 2015 - 114

SHEET 12 OF 105

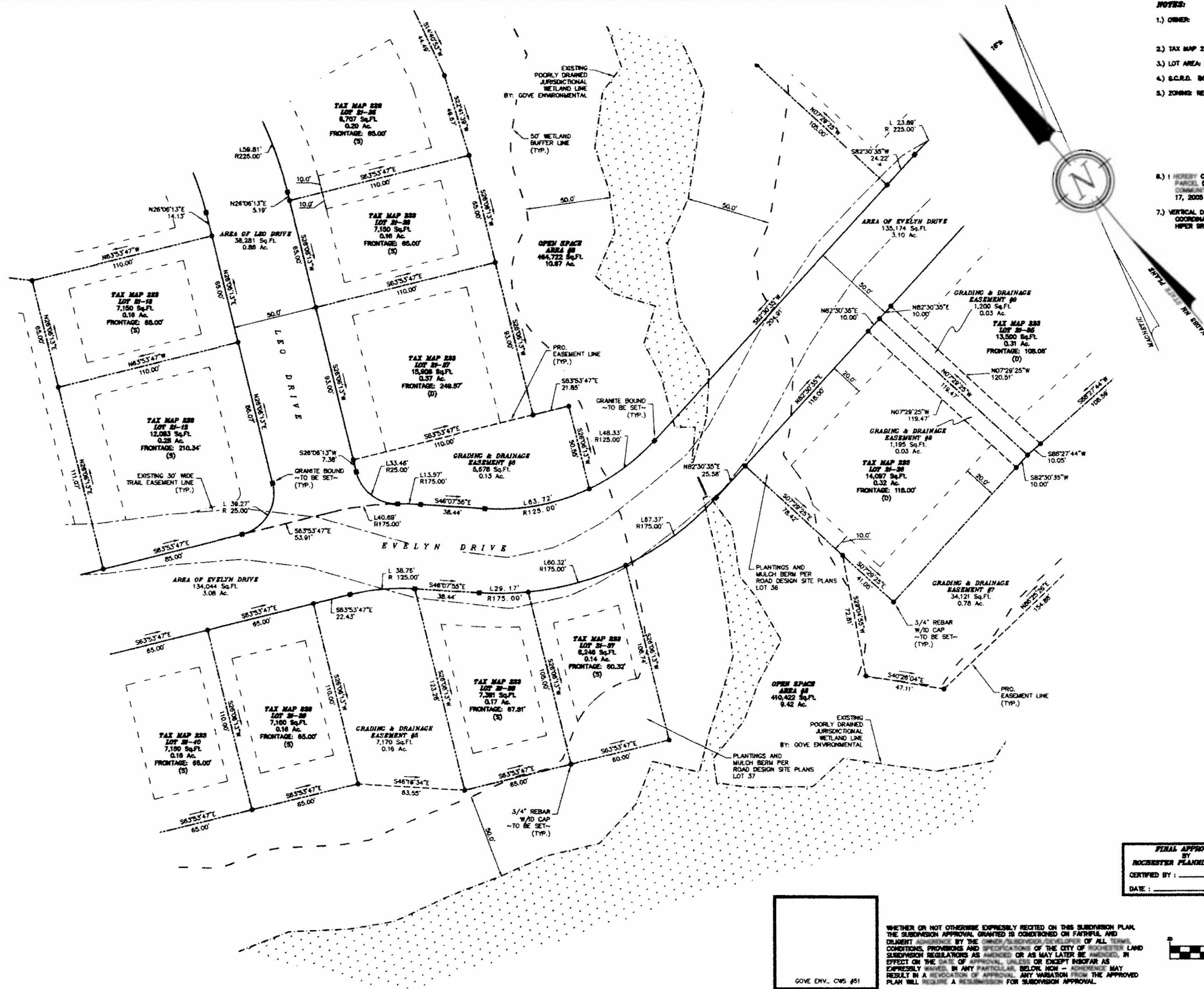


REVISION	DATE	DESCRIPTION

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- NOTES:**
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  - 2.) TAX MAP 223, LOT 21
  - 3.) LOT AREA: 1,782,812 Sq. Ft., 40.83 Ac.
  - 4.) S.C.R.D. BOOK 4323, PAGE 128
  - 5.) ZONING: RESIDENTIAL-AGRICULTURAL DISTRICT W/MUNICIPAL WATER & SEWER  
CONSERVATION SUBDIVISION  
FRONTAGE ~ 85'  
MINIMUM LOT SIZE (SINGLE FAMILY) ~ 5,000 Sq. Ft.  
MINIMUM LOT SIZE (DUPLEX) ~ 8,000 Sq. Ft.  
FRONT SETBACK ~ 25.0'  
REAR SETBACK ~ 25.0'  
SIDE SETBACK ~ 10.0'  
WETLAND BUFFER ~ 50.0'  
MAX. LOT COVERAGE: 35%
  - 6.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN HAZARD REF: FEMA COMMUNITY ~ 330165, MAP# ~ 3301700224D & 3301700212D, DATED MAY 17, 2005
  - 7.) VERTICAL DATUM BASED ON HANDED ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING TOPCON Hiper or SURVEY GRADE GPS RECEIVERS.

REVISION	DATE	DESCRIPTION

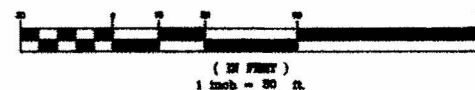
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TAX MAP 223, LOT 21

**FINAL APPROVAL**  
BY  
**ROCHESTER PLANNING BOARD**  
CERTIFIED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

I CERTIFY THAT THIS PLAN EXCEEDS THE  
MINIMUM REQUIREMENT FOR ACCURACY AND  
COMPLETENESS OF THE STATE OF N.H. AND  
OF THE CITY OF ROCHESTER - 1:10,000 -  
KENNETH A. BERRY LLS 800 DATE \_\_\_\_\_

WHETHER OR NOT OTHERWISE EXPRESSLY NOTED ON THIS SUBDIVISION PLAN,  
THE SUBDIVISION APPROVAL, GRANTED IS CONDITIONED ON FAITHFUL AND  
DILIGENT ADHERENCE BY THE SUBMITTER, PLANNING BOARD, AND ALL  
CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND  
SUBDIVISION REGULATIONS AS AMENDED OR AS MAY LATER BE AMENDED, IN  
EFFECT ON THE DATE OF APPROVAL, UNLESS OR EXCEPT INsofar AS  
EXPRESSLY WAIVED, IN ANY PARTICULAR, BELOW, WHEN - ADHERENCE MAY  
RESULT IN A REVOCATION OF APPROVAL. ANY VIOLATION FROM THE APPROVED  
PLAN WILL REQUIRE A RESUBMISSION FOR SUBDIVISION APPROVAL.

GRAPHIC SCALE



**BERRY SURVEYING & ENGINEERING**  
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**KENNETH A. BERRY**  
L.L.S. 800  
DATE: \_\_\_\_\_

SHEET 14 OF 105







2016-34  
**BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road  
Barrington, NH 03825  
Phone: (603) 332-2863  
Fax: (603) 335-4623  
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**October 18, 2016**

**Abutters List**

**Owners of Record**

**Tax Map 223, Lot 21**

Real Estate Advisors Inc  
76 Exeter St.  
Newmarket, NH 03857  
*Book 4323, Page 128*

**Abutters**

**Tax Map 223, Lot 13-9**

LESLEY UNGER-MOCHRIE  
25 BRENDA LN  
ROCHESTER, NH 03867-2474  
*Book 4133, Page 688*

**Tax Map 223, Lot 13-8**

JULIA R CARON & RYAN C BUBAR  
31 BRENDA LN  
ROCHESTER, NH 03867-2474  
*Book 4139, Page 223*

**Tax Map 223, Lot 13-7**

PAUL A MARTIN  
35 BRENDA LN  
ROCHESTER, NH 03867-2474  
*Book 4222, Page 250*

**Tax Map 223, Lot 13-14**

WILLIAM S & MARY F GARDNER  
26 BRENDA LN  
ROCHESTER, NH 03867-2474  
*Book 3417, Page 890*

**Tax Map 223, Lot 11-16**

KELLY J & MICHELLE CURTIS  
43 STONEWALL DR  
ROCHESTER, NH 03868-5916  
*Book 4151, Page 771*

**Tax Map 223, Lot 12**

LEO & EVELYN HUPPE  
589 PORTLAND ST  
ROCHESTER, NH 03867-2429  
*Book 507, Page 304*

**Tax Map 119, Lot 100**

CHAMBERLAIN INVEST PROP LLC  
P O BOX 645  
IPSWICH, MA 01938-0645  
*Book 2070, Page 652*

**Tax Map 111, Lot 84-1**

SHAWN & DAWN LIBBY  
4 HOWE ST  
ROCHESTER, NH 03867-3727  
*Book 4233, Page 278*

**Tax Map 111, Lot 84-2**

MARY E OSBORNE  
4 MOOSE LN  
ROCHESTER, NH 03867  
*Book 3750, Page 680*



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**Tax Map 111, Lot 84-3**

DAVID S & ARTHUR E BRUNELLE  
6 MOOSE LN  
ROCHESTER, NH 03867  
*Book 2178, Page 23*

**Tax Map 111, Lot 84-4**

MARY E OSBORNE  
8 MOOSE LN  
ROCHESTER, NH 03867  
*Book 1841, Page 160*

**Tax Map 111, Lot 84-5**

ROBERT GAY  
10 MOOSE LN  
ROCHESTER, NH 03867  
*Book 3190, Page 530*

**Tax Map 111, Lot 84-6**

PAULA RICHEY  
12 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 3335, Page 123*

**Tax Map 111, Lot 84-7**

WILLIAM T SABINS  
14 MOOSE LN  
ROCHESTER, NH 03867  
*Book 3553, Page 959*

**Tax Map 111, Lot 84-8**

MELISSA FOSTER  
16 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 3532, Page 773*



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**Tax Map 111, Lot 84-10**

SHARON PINEO  
20 MOOSE LN  
ROCHESTER, NH 03867  
*Book 2233, Page 321*

**Tax Map 111, Lot 84-11**

SARA RICE  
22 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 4166, Page 105*

**Tax Map 111, Lot 84-12**

KATHLEEN & JEFFREY J ONEILL  
24 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 3830, Page 0002*

**Tax Map 111, Lot 84-13**

CARRIE L & REBECCA J GALLOP  
26 MOOSE LN  
ROCHESTER, NH 03867  
*Book 4350, Page 999*

**Tax Map 111, Lot 84-14**

RUSSELL & MARIE E HARDY  
28 MOOSE LN  
ROCHESTER, NH 03867  
*Book 1308, Page 681*

**Tax Map 111, Lot 84-15**

GORDON R HILTON  
30 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 4233, Page 505*



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JAMES GEORGE ROBERG  
32 MOOSE LN  
ROCHESTER, NH 03867-2416  
*Book 4172, Page 423*

SCOTT M LAMBERT & KERRI L BELAIR  
34 MOOSE LN  
ROCHESTER, NH 03867  
*Book 3413, Page 897*

EDWARD W & DONNA L BENTZLER  
36 MOOSE LN  
ROCHESTER, NH 03867-2465  
*Book 3363, Page 375*

SHAWN & DAWN LIBBY  
4 HOWE ST  
ROCHESTER, NH 03867-3727  
*Book 4176, Page 786*

JEFFREY R & DENISE M THOMPSON  
40 MOOSE LN  
ROCHESTER, NH 03867  
*Book 1713, Page 593*

CHRISTOPHER A DEWHURST  
42 MOOSE LN  
ROCHESTER, NH 03867  
Book 2634, Page 796



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**Tax Map 111, Lot 84-22**

WILLIAM C & HOLLY S MOORE  
44 MOOSE LN  
ROCHESTER, NH 03867  
*Book 2469, Page 238*

**Tax Map 111, Lot 84-23**

ALAN & SANDRA PLACE  
46 MOOSE LN  
ROCHESTER, NH 03867  
*Book 1218, Page 334*

**Tax Map 111, Lot 84-24**

SAMANTHA MACDOUGALL  
48 MOOSE LN  
ROCHESTER, NH 03867-2465  
*Book 4207, Page 457*

**Tax Map 111, Lot 84-25**

KIMBERLY SUTTON  
50 MOOSE LN  
ROCHESTER, NH 03867  
*Book 3169, Page 935*

**Tax Map 111, Lot 84-26**

TRAVIS & DAPHNE RACHKOSKIE  
52 MOOSE LN  
ROCHESTER, NH 03867-2465  
*Book 4020, Page 648*

**Tax Map 111, Lot 84-27**

RICHARD DESIMONE  
PO BOX 1413  
ROCHESTER, NH 03866-1413  
*Book 4324, Page 025*



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**Tax Map 111, Lot 84-28**

ADAM E TUTTLE  
56 MOOSE LN  
ROCHESTER, NH 03867-2465  
*Book 3984, Page 115*

**Tax Map 111, Lot 84-29**

DONALD E & CYNTHIA R RAND  
235 WALNUT ST  
ROCHESTER, NH 03867-4204  
*Book 3012, Page 0030*

**Tax Map 111, Lot 84-30**

JESSI HUNTER  
60 MOOSE LN  
ROCHESTER, NH 03867  
*Book 4410, Page 633*

**Tax Map 111, Lot 84-31**

ROBIN BELAIR  
62 MOOSE LN  
ROCHESTER, NH 03867  
*Book 4005, Page 114*

**Tax Map 111, Lot 84-32**

AUSTIN TREMBLAY  
64 MOOSE LN  
ROCHESTER, NH 03867-2465  
*Book 4262, Page 200*

**Tax Map 111, Lot 84-33**

RICHARD G & DIANE M STARKEY  
66 MOOSE LN  
ROCHESTER, NH 03867  
*Book 2114, Page 746*



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**Tax Map 111, Lot 84-34**

SHAWN R & DAWN J LIBBY  
4 HOWE ST  
ROCHESTER, NH 03867-3727  
*Book 4148, Page 123*

**Tax Map 111, Lot 84-35**

JASON K & BRENDA L TUTTLE  
70 MOOSE LN  
ROCHESTER, NH 03867  
*Book 1924, Page 470*

**Tax Map 111, Lot 84-36**

TERI L WHITTEN  
72 MOOSE LN  
ROCHESTER, NH 03867  
*Book 2042, Page 353*

**Tax Map 111, Lot 84-37**

PENNY LYNN BARTLETT  
74 MOOSE LN  
ROCHESTER, NH 03867-2466  
*Book 4215, Page 754*

**Tax Map 111, Lot 84-38**

CLAIRE FOGARTY  
76 MOOSE LN  
ROCHESTER, NH 03867

**Tax Map 111, Lot 84-39**

NORMA M JUNEAU  
SAMANTHA Y. JUNEAU  
78 MOOSE LN  
ROCHESTER, NH 03867-2466  
*Book 4232, Page 328*



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**Tax Map 111, Lot 83**

HAROLD E & DOROTHY F CALER, SR  
151 FRANKLIN ST  
ROCHESTER, NH 03867-2417  
*Book 840, Page 043*

**Tax Map 111, Lot 82**

JAMES A & JANE BENTON  
579 PORTLAND ST  
ROCHESTER, NH 03867-2429  
*Book 2042, Page 195*

**Tax Map 111, Lot 81**

ALFRED & CYNTHIA BENTON  
585 PORTLAND ST  
ROCHESTER, NH 03867-2429  
*Book 703, Page 191*

**Tax Map 223, Lot 25**

HUPPE LEO & EVELYN  
589 PORTLAND ST  
ROCHESTER, NH 03867-2429

**Tax Map 223, Lot 24**

METAYER FAMILY REVOC TRUST  
GERARD R & JOYCE METAYER  
21 JEREMIAH LN  
ROCHESTER, NH 03867-2429  
*Book 3985, Page 391*

**Tax Map 223, Lot 23**

WEINBERG LINDA & BURGESS HAROLD C  
36 JEREMIAH LN  
ROCHESTER, NH 03867  
*Book 2660, Page 0716*



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**Tax Map 111, Lot 75**

JOHN L & MARGARET E LEGER  
570 PORTLAND ST  
ROCHESTER, NH 03867-2428  
*Book 1289, Page 520*

**Tax Map 111, Lot 76**

SYLVIA WARREN  
576 PORTLAND ST  
ROCHESTER, NH 03867-2428  
*Book 1289, Page 520*

**Professionals**

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

Jim Gove, CESSWI  
Gove Environmental Services, Inc.  
8 Continental Dr. Bldg. 2, Unit H  
Exeter NH 03833-7507



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