



City of Rochester, New Hampshire

Department of Building Safety
31 Wakefield Street * Rochester, NH 03867
(603) 332-3508 * Fax (603) 509-1912

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No (603) 365-6480

DO NOT WRITE IN THIS SPACE

CASE NO. 2016-19

DATE FILED 07-20-16
[Signature]
ZONING BOARD CLERK

Name of applicant William C Spowell

Address 22 COACH RD, STRATHAM, NH 03885

Owner of property concerned JOAN & EDWARD McNALLY
(If the same as applicant, write "same")

Address 143 INDIGO HILL RD, SOMERSWORTH, NH 03878
(If the same as applicant, write "same")

Location 56 WHITEHOUSE RD

Map No. 256 Lot No. 10 Zone AGRICULTURAL

Description of property 300' x 600', 4 ACRE, VACANT PARCEL

Proposed use or existing use affected SUBDIVISION OF EXISTING PARCEL
INTO 2, 2 ACRE BUILDING LOTS.

The undersigned hereby requests a variance to the terms of Article 42.19,
Section TABLE 19-A and asked that said terms be waived to permit THE SUBDIVISION OF THE
EXISTING LOTS INTO 2 LOTS, 1 WITH 150' OF FRONTAGE; 1 WITH LESS THAN 150' OF
FRONTAGE

If applicable in this case, the undersigned also requests a waiver from the requirement to
provide a certified plot plan, (see attached request sheet) Yes X No _____

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 [Signature]
(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2016-19

Date: 7/20/2016

A Variance is requested by WILLIAM C. SPWELL

from Section 42.19 Subsection a(1) TABLE 19-A

of the Zoning Ordinance to permit: THE SUBDIVISION OF THE EXISTING

4 ACRE PARCEL INTO 2, 2 ACRE BUILDINGS LOTS WITH 1 LOT WITH
LESS THAN ALLOWABLE FRONTAGE

at 56 WHITEHOUSE RD Map 256 Lot 10 Zone

Facts supporting this request:

1) The proposed use would not diminish surrounding property values because:

THE RESULTING WILL BE CONSISTENT WITH THE
SURROUNDING AREA

2) Granting the variance is not contrary to the public interest because:

LOT HAS BEEN HISTORICALLY AS A "SUBDIVIDABLE"
LOT WITH 300' OF ROAD FRONTAGE

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: THE CURRENT OWNER PURCHASED

THE PROPERTY, WHICH HAD BEEN HISTORICALLY CONVEYED AS HAVING
300' OF FRONTAGE, WITH EXPECTATION OF BEING ABLE TO SUBDIVIDE THE LOT.

4.) Granting the variance would do substantial justice because: THE PARCEL HAS BEEN

HISTORICALLY CONVEYED AS HAVING 300' OF FRONTAGE. THE RECORDED
SURVEY SHOWS 300' OF FRONTAGE, THE TAX MAP SHOWS 300' OF FRONTAGE

5.) The use is not contrary to the spirit of the ordinance because: ALTHOUGH THE SUBDIVISION

WILL PERMIT A LOT WITH LESS THAN THE REQUIRED FRONTAGE, THE DIFFERENCE
IS INSIGNIFICANT AND THE RESULTING LOTS WILL HAVE TWICE THE REQUIRED AREA

Name William C. Spwell Date: 7/20/16

July 20, 2016

Zoning Board of Adjustment
City of Rochester
31 Wakefield St.
Rochester, NH 03867

Zoning Board Members:

I have an agreement to purchase the property located at 56 Whitehouse Road from the McNallys. My intent in purchasing this property is to subdivide it into two (2), two (2) acre parcels. The property is in the Agricultural Zone and as such each parcel would require 150 feet of road frontage and a minimum lot size of 1 Acre. The property is currently unimproved.

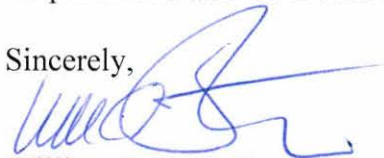
My initial investigation of the subdivision process has revealed that although the property has historically been conveyed as having 300 feet of frontage, the actual distance between the front property corner markers is only 299.8 feet. See enclosed letter from Tritech Engineering. Accordingly, the property cannot be subdivided into two (2) lots without a variance to the frontage requirement for one of the lots. One lot would have the required 150 feet of frontage and one lot would have only 149.8 feet of frontage (0.20 feet or approximately 2 ½ inches short of the required frontage).

The property has historically been conveyed as a four (4) acre parcel with 300 feet of road frontage on Whitehouse Road as shown on the "Survey for Chester W. Bryson" dated November 7, 1967. As the property has been historically conveyed as having 300 of frontage, the McNallys purchased the property thinking they were purchasing 300 feet of frontage and the property was subdividable.

The spirit and intent of the requirements in the Agricultural Zone is to control density. By granting this variance, one lot would have less than the required frontage by approximate 2 ½ inches, but each lot would have approximately twice the required lot area.

I feel that this request for variance is in keeping with the intent of the Zoning Requirements and the Board should grant the variance to Section 42.19 a (1) Table 19-A.

Sincerely,

A handwritten signature in blue ink, appearing to read 'William C. Stowell', is written over the word 'Sincerely,'.

William C. Stowell
Applicant

TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603.742.8107
FACSIMILE 603.742.3830

July 20, 2016

Mr. James Grant, Building Inspector
City of Rochester
31 Wakefield Street
Rochester, NH 03867-1917

Subject: Variance Application
McNally Property
56 Whitehouse Road
Rochester Tax Map 256, Lot 10
Rochester, New Hampshire
Job No. 16127

Dear James;

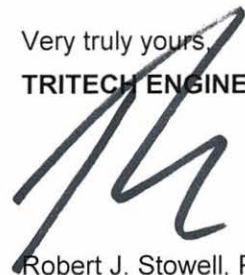
In June of 2016, Trittech Engineering Corporation was hired to conduct a boundary survey of property at 56 Whitehouse Road, Map 256, Lot 10, owned by Edward & Joan McNally. Items that were reviewed during our research included: the City of Rochester Tax Maps, the plan entitled "Survey for Chester W. Bryson, Rochester N.H.", by W.L. Kimball, November 7, 1967, recorded in the Strafford County Registry of Deeds in Pocket 4, Folder 4, Plan #3, and the deed chains of Map 256, Lot 10 and abutting parcels back to 1858.

We also made field measurements between iron pipes shown on the above referenced plan. The distance between these pipes are shown as 300.0' on said plan.

Our conclusion is that the iron pipes shown on the above referenced plan and located on site, define the property boundaries for Tax Map 256 Lot 10. Our field measurement determined that these pipes are 299.80 feet apart. Variations in measurement is to be expected due to changes in surveying equipment, surveying methods and site conditions over the past 50 years. In our opinion, the pipes were intended to represent a frontage of 300.0', and our measurements show a slight technical difference.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.



Robert J. Stowell, P.E., L.L.S.
President

RJS/mas
Enclosures

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1 of 1

COMMERCIAL

TOTAL ASSESSED: 444,500

MAP

BLOCK

LOT

LOT2

LOT3

CARD

Rochester

1733!



Patriot
Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
56		WHITEHALL RD, ROCHESTER

OWNERSHIP

Owner 1:	GAGNE LORRAINE R REVOC TRUST
Owner 2:	% GAGNE LR TRUSTEE
Owner 3:	
Street 1:	3077 APPLEBLOSSOM TRAIL
Street 2:	
Twn/City:	SPRINGHILL
St/Prov:	FL
Postal:	34606

PREVIOUS OWNER

Owner 1:	GAGNE ROBERT G & LORRAINE R -
Owner 2:	-
Street 1:	3077 APPLEBLOSSOM TRAIL
Twn/City:	SPRINGHILL
St/Prov:	FL
Postal:	34606

NARRATIVE DESCRIPTION

This Parcel contains 1.38 AC of land mainly classified as DAY CARE CTR with a(n) OFFICE Building Built about 1991, Having Primarily VINYL Exterior and ASPH SHINGLE Roof Cover, with 2 Units, 0 Baths, 6 HalfBaths, 0 3/4 Baths, 0 Rooms Total, and 0 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int
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PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	R1	RESIDENC	100	U	2	CITY SEWER
o				t	9	CITY WATER
n				l	4	NONE
Census:				Exmpt		
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	4	MEDIUM

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infru	Neigh Mod	Infr 1	%	Infr 2	%	Infr 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
352	DAY CARE C		1.38		PRIMARY A SITE		1.0	0	65,000.	1.000	3400									89,700						89,700	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
352	337,600	17,200	1.380	89,700	444,500		27774
							GIS Ref
							GIS Ref
							Insp Date
Total Card	337,600	17,200	1.380	89,700	444,500	Entered Lot Size	
Total Parcel	337,600	17,200	1.380	89,700	444,500	Total Land: 1.38	
Source:	Market Adj Cost	Total Value per SQ unit /Card:	100.36	/Parcel:	100.36	Land Unit Type: AC	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2015	352	FV	337,600	17200	1.38	89,700	444,500	444,500	Year-end	10/1/2015
2014	352	FV	337,600	17200	1.38	89,700	444,500	444,500	Year End Roll	9/29/2014
2013	352	FV	342,700	17200	1.38	89,700	449,600	449,600	Year End Roll	9/4/2013
2012	352	FV	342,700	17200	1.38	89,700	449,600	449,600	Year End Roll	9/20/2012
2011	352	FV	342,700	17200	1.38	89,700	449,600	449,600	Year End Roll	9/27/2011
2010	352	FV	378,500	17200	1.38	66,500	462,200	462,200	roll	8/26/2010
2009	352	FV	395,400	17200	1.38	71,500	484,100	484,100	Year End Roll	9/24/2009
2008	352	FV	423,000	19600	1.38	71,500	514,100	514,100		8/25/2008

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
GAGNE ROBERT G	4245-972	2	9/29/2014	Trust	2,667	No	No	4		
GAGNE ROBERT G	3214-1016	1	6/29/2005	Fam/Friends		No	No	4		
GAGNE ROBERT G	3158-844	2	3/8/2005	Fam/Friends		No	No	4		
GAGNE ROBERT G	2333-4	2	6/26/2001	Fam/Friends	4,000	No	No	4		
GAGNE ROBERT G	2326-292	2	6/13/2001	Fam/Friends	4,000	No	No	4		
GAGNE ROBERT G	1938-692	1	7/14/1997	Convenience	4,000	No	No	4		
GAGNE ROBERT G	1830-622	1	10/18/1995	Fam/Friends	4,000	No	No	4		
GAGNE ROBERT G	1509-154	99	5/30/1990	Valid Land	25,500	Yes	No	4		

BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment
9/26/2014	8928	PLUMBING	550	C	3/30/2015			
4/2/2010	10-252	ELECTRIC	4,200	C	3/15/2011			
7/1/1997	607	ADDITION	170,000	C				

ACTIVITY INFORMATION

Date	Result	By	Name
10/2/2014	DEED CHANGE	VK	VERNA
5/5/2011	CORRECTION	TM	TOM
7/8/2005	DEED CHANGE	VW	VIRGINIA
4/4/2005	CORRECTION	VW	VIRGINIA
3/25/2005	MEAS+INSPCTD	TM	TOM
3/25/2005	DEED CHANGE	VW	VIRGINIA
7/18/2001	NO INSP	GN	GAYE

Sign: VERIFICATION OF VISIT NOT DATA

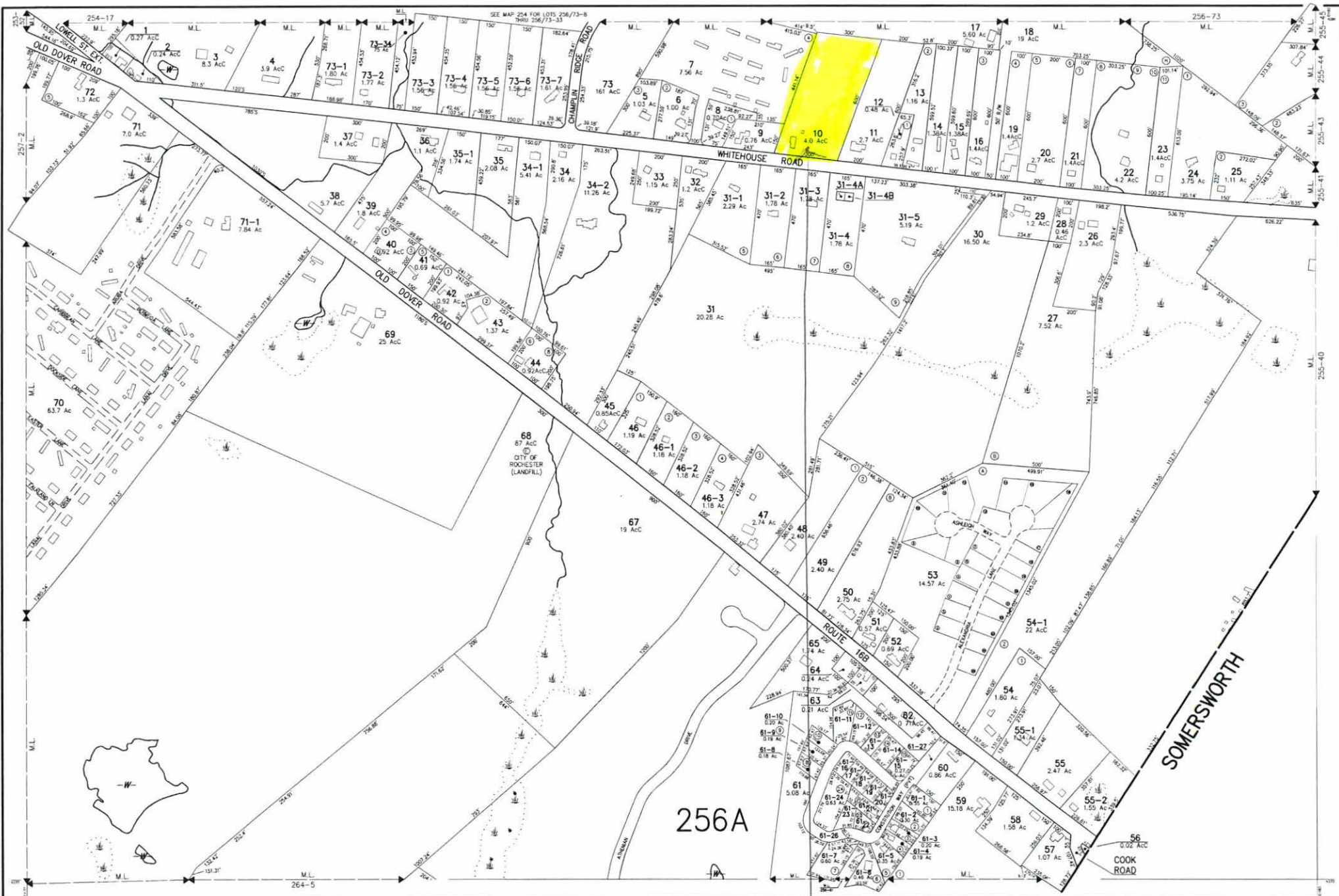
Total AC/HA: 1.38000 Total SF/SM: 60112.80 Parcel LUC: 352 DAY CARE CTR Prime NB Desc: RESIDENTIAL

Total: 89,700 Spl Credit: Total: 89,700

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

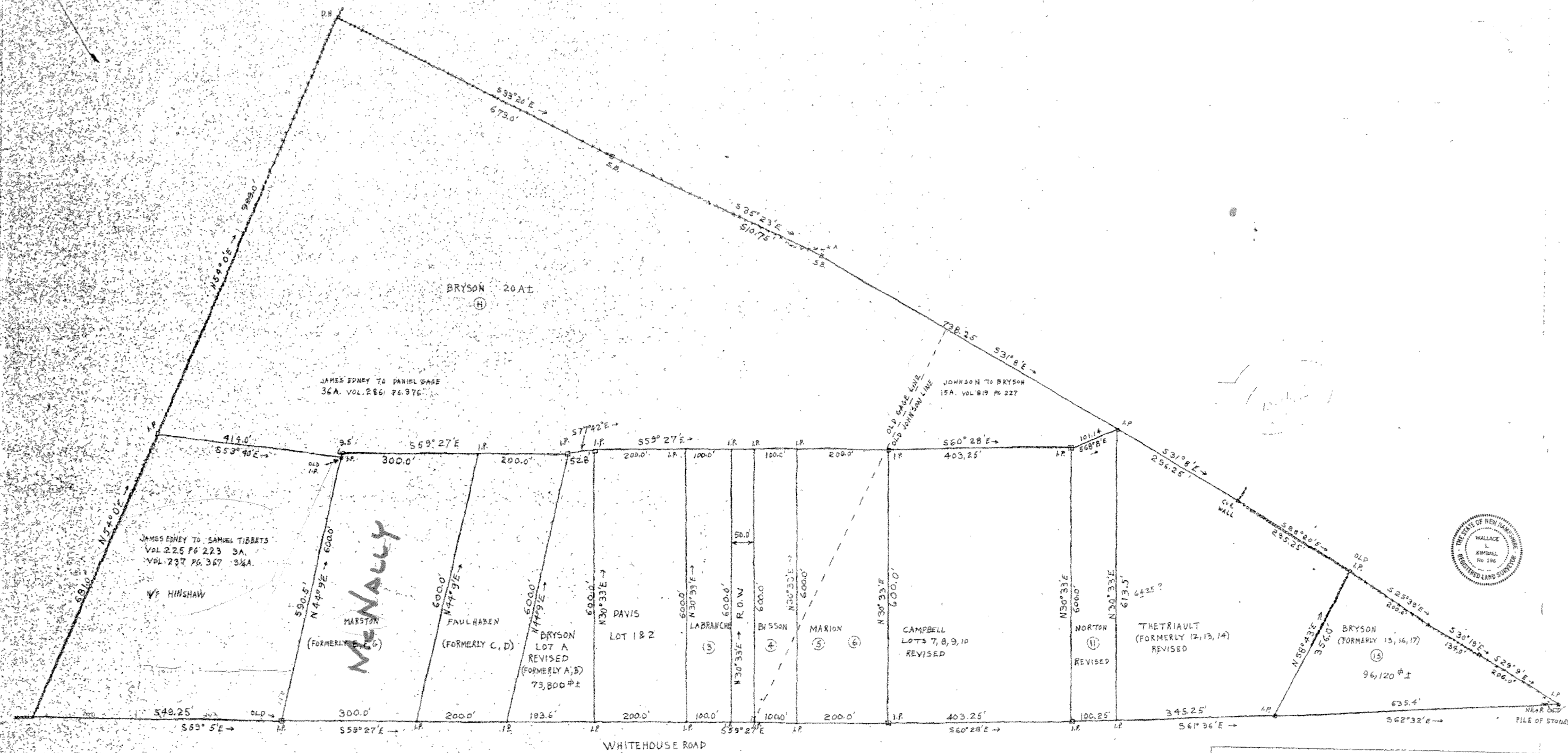
kareng

2016



<p>THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.</p> <p>THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.</p> <p>PHOTOGRAPHY DATE: APRIL 28, 1990</p> <p>COMPLETION DATE: JUNE 30, 1992</p>	<p>PRODUCED IN 1992 BY</p> <p>CAI Technologies</p> <p>11 PLEASANT STREET, LITTLETON, NH 03041</p> <p>800.333.4343 • WWW.CAITECH.COM</p>	<p>LEGEND</p> <p>AREA SURVEYED AC</p> <p>AREA CALCULATED AC</p> <p>RECORD DIMENSION 100'</p> <p>SCALED DIMENSION 1000'</p> <p>WATER LINE</p> <p>WATER</p> <p>EXEMPT PROPERTY</p> <p>SUBDIVISION LOT NO.</p> <p>BUILDING</p> <p>ROUTE OF WAY</p> <p>COMMON OWNERSHIP</p> <p>WETLANDS</p>	<p>FEET</p> <p>SCALE 1" = 200'</p> <p>0 100 200 300 400 500 600</p> <p>METERS</p> <p>0 50 100 150</p> <p>REVISED TO: APRIL 1, 2015</p>	<p>PROPERTY MAPS</p> <p>ROCHESTER</p> <p>NEW HAMPSHIRE</p>	<p>INDEX DIAGRAM</p> <p>254 255</p> <p>257</p> <p>263 264</p>	<p>MAP NO.</p> <p>256</p>
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The State of New Hampshire
Registered Land Surveyor

APPROVED ROCHESTER PLANNING BOARD

DATE April 28, 1971CHAIRMAN James E. BoyerSECRETARY

SURVEY FOR CHESTER W. BRYSON
 ROCHESTER N.H. FORMERLY LOTS OF GAGE
 JOHNSON, TWOMBLY
 ALSO SHOWS FORMER EDNEY PARCEL LATER OF HINSHAW
 SURVEY BY W.L. KIMBALL, Box 24, DERRY, N.H.
 SCALE 1" = 100' NOV 7, 1967
 SUPERSEDES PLAN TITLED "PORTION OF LAND OF
 CHESTER W. BRYSON BY G. RAYSE, 1966"

Abutters List

Variance Application

Edward and Joan McNally

Tax Map 256, Lot 10

56 Whitehouse Road
Rochester, New Hampshire

Job No. 16127

Page 1 of 1

Abutters:

Map 256, Lot 7	County Ridge Coop. A N.H. Non Profit Corp. 16 County Ridge MHP Rochester, NH 03867
Map 256, Lot 9	Irene F. Lavoie Revocable Trust 231 Pembroke Hill Road Pembroke, NH 03275
Map 256, Lot 11	Stephen C. Cantelli 62 Whitehouse Road Rochester, NH 03867
Map 256, Lot 17	Scott & Donna Martin 74 Whitehouse Road Rochester, NH 03867
Map 256, Lot 31-2	Travis & Shelley King 53 Whitehouse Road Rochester, NH 03867
Map 256, Lot 31-3	Douglass & Shannan Thomas 165 Mica Point Road Barrington, NH 03825
Map 256, Lot 31-4A	Barbara A. Meske 61A Whitehouse Road Rochester, NH 03867
Map 256, Lot 31-4B	Kirk F Hetherly II 61B Whitehouse Road Rochester, NH 03867

Owner:

Map 256, Lot 10	Edward & Joan McNally 143 Indigo Hill Road Somersworth, NH 03878
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Applicant:

William C. Stowell
22 Coach Road
Stratham, NH 03885

Agent:

Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820