

Planning & Zoning Community Development Conservation Commission **Historic District Commission** Arts & Culture Commission

PLANNING & DEVELOPMENT DEPARTMENT

City Hall - Second Floor 31 Wakefield Street
Rochester, New Hampshire 03867-1917
RECEIVED 31 Wakefield Street (603) 335-1338 - Fax (603) 335-7585

Web Site: www.rochesternh.net



AUG 2 4 2016

APPLICATION FOR A VARIANCE

TO:	BOARD OF ADJUSTMENT CITY OF ROCHESTER	DO NOT WRITE IN THIS SPACE
	OIT OF ROOFIEGIER	CASE NO. 2014 27
	332-6242	DATESFILED 8-24-16 ZONING BOARD CLERK
Name of a	applicant Wissler Properties, LLC, c/o Dwig	ht Wissler, Managing Member
Address_	20 Farmington Rd. Rochester, NH 03867	
Owner of	property concerned <u>c/o Dwight Wissler</u> (If the same as applic	
Address_		
	(If the same as applicant, write "sa	me")
Location_	18 Farmington Rd.	
Map No	Lot No	Zone_ GRD
Descriptio	n of propertyVolkswagen of Rochester	
Proposed	use or existing use affected Addition of	7,000 square foot paved parking area
(pervious	pavement) to replace an existing gra	vel parking lot.
Section 1	ersigned hereby requests a varian 1854 and asked that said terms be waive se in the Granite Ridge District.	ed to permit Parking lot construction as
If applicat		equests a waiver from the requirement to
enjoyment	t of his land under the strict terms of tor a variance. Signed	mstances exist which prevent the proper he Zoning Ordinance and thus constitute
	(Application	ant) Continue on Page 2

Continue on Page 2

(Page 2)

CRITERIA FOR VARIANCE

Case # <u>2016-27</u> Date: 8-24-14

A Variance is requested by Wissler Properti	ies,LLC c/o Dwight Wissler
from Section 42	
of the Zoning Ordinance to permit: Parking lo	
Granite Ridge District.	
at_Volkswagen of Rochester Map_	
Facts supporting this request:	
1) The proposed use would not diminish surro	unding property values because:
See Attached Narrative	
2) Granting the variance is not contrary to the	public interest because:
See Attached Narrative	
3.) Denial of the variance would result in unner following special circumstances of the property	
See Attached Narrative	
4.) Granting the variance would do substantial	liustice because:
See Attached Narrative	
5.) The use is not contrary to the spirit of the o	ordinance because:
See Attached Narrative	
Name	Date: 8-24-16

Macintosh HD:Users:jaredrose:Desktop:Variance App Page 2.doc



BERRY SURVEYING & ENGINEERING

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

August 24, 2016

AUG 2 4 2016

City of Rochester Zoning Board of Adjustment Attention: Chairman Torr 31 Wakefield Street Rochester, NH 03867

Re:

Wissler Properties, LLC

c/o Dwight Wissler, Managing Member

20 Farmington Rd Rochester, NH

Tax Map 221, Lot 162

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

On behalf of Wissler Properties, LLC c/o Dwight Wissler, Berry Surveying & Engineering (BS&E) is filing an application for a variance on Tax Map 221, Lot 162, located on Farmington Road, to permit the expansion of a parking lot for primary use. The parking lot "use" does not appear on Table 18-D, Industrial—Storage—Transport-Utility Uses and therefore the applicant is seeking a Variance to this table of uses to allow the expansion of an existing parking lot for primary use.

Background, General Narrative & Proposal:

Wissler Properties, LLC initially purchased Lot 1, Tax Map 216 on April 17, 2012 and purchased the business which is now being operated as Wissler Auto Group, LLC, DBA Volkswagen of Rochester. Wissler Properties, LLC also purchased Lot 162, Tax Map 221 on January 24, 2014 for the express purpose of expanding the business. An application was made to the Planning Board for a minor site plan review at some point and permission was granted for a gravel / crushed stone parking lot on which 10 vehicles could be parked.

The applicant has submitted an Application for Site Plan Review to the Planning Board for the conversion and rehabilitation of the gravel / crushed stone parking lot to a paved parking lot, to add lights for operation and safety, and conduits for electrical supply to the lights. The current use of Lot 162 is considered to be residential although the residential structure on the property is not being used for that purpose.

Both parcels are located within the Granite Ridge District and Vehicle Sales, both new and used, and Vehicle Service is an allowed within the district. Parking in support of this allowed use is considered an Accessory Use. Because there is no Vehicle Sales or Service structure on Lot 162, the proposed Parking Lot would be considered a Primary Use.

Specific Variance Request & Criteria for Approval:

The request is for a Variance to allow a parking lot located on Lot 162 as a primary use, not found in Table 18-D, to allow the conversion and rehabilitation of the gravel / crushed stone parking lot to become a porous pavement parking lot with lighting.

- 1.) "The proposed use would not diminish surrounding property values because:"
 A vegetation buffer will remain and be enhanced between abutting lots, 160 & 162. The parking lot has existed for two years with no known diminishment after the granting of the minor site plan review. The balance of abutting lands are already being operated as commercial properties.
- 2.) "Granting the variance is not contrary to the public interest because:"

 The granting of this variance allows growth of business current on the abutting land. The proposal before the Planning Board will ensure that the runoff is being treated by the Porous Pavement and Infiltration Bed ensuring that there will be no downstream effects.
- 3.) "Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property:"

This parcel of land is one of two remaining residential properties that are sandwiched between commercial properties within the Granite Ridge District and this parcel is no longer being used for residential purposes. Due to the location of a stream and wetland soils, the existing parking lot to be converted is the only reasonable expansion of the parking capabilities of this long standing business. Due to real estate investment and financing considerations, the owner does not wish to merge the two properties.

- 4.) "Granting the variance would do substantial justice because:"
 It will allow for a reasonable expansion of an existing long-standing business. Granting this variance will allow conversion and rehabilitation to a porous pavement parking lot with lighting for operations and safety. This also allows the owner to keep separate ownership of two investments without having to merge the properties.
- 5.) "The use is not contrary to the spirit of the ordinance because:"

As a Commercial District property parking lot space is essential, specifically for the abutting land use. Within the Granite Ridge Zone, 42.8 k, the Planning Board is allowed to make adjustments in the requirements presumably for the reasonable development of businesses within the zone. One of the purposes of the zone is "Maximize the development areas on the parcels with the district through creation of flexible dimensional requirements," It is also to "Minimize traffic impacts to Route 11 through implementation of a service road and shared intersection with Route 11." The proposal before the Planning Board continues the temporary suspension of the deeded driveway curb cut for Lot 162 and access for the proposed paved parking lot and existing driveway will be through Lot 1.

Thank you for your time and attention to this these matters of allowing the expansion of a parking lot for primary use in a Granite Ridge Development Zone.

BERRY SURVEYING & ENGINEERING

Christopher R. Berry Principal, President Kenneth A. Berry, PE, LLS

Principal, VP - Technical Operations.





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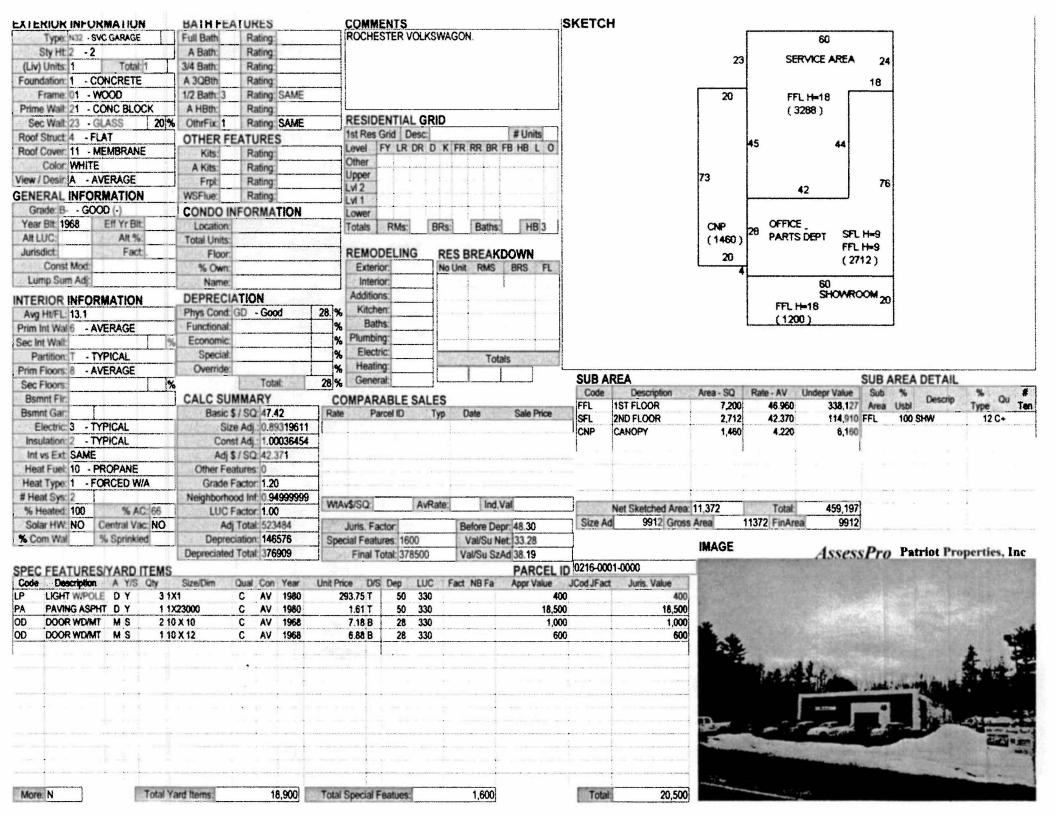
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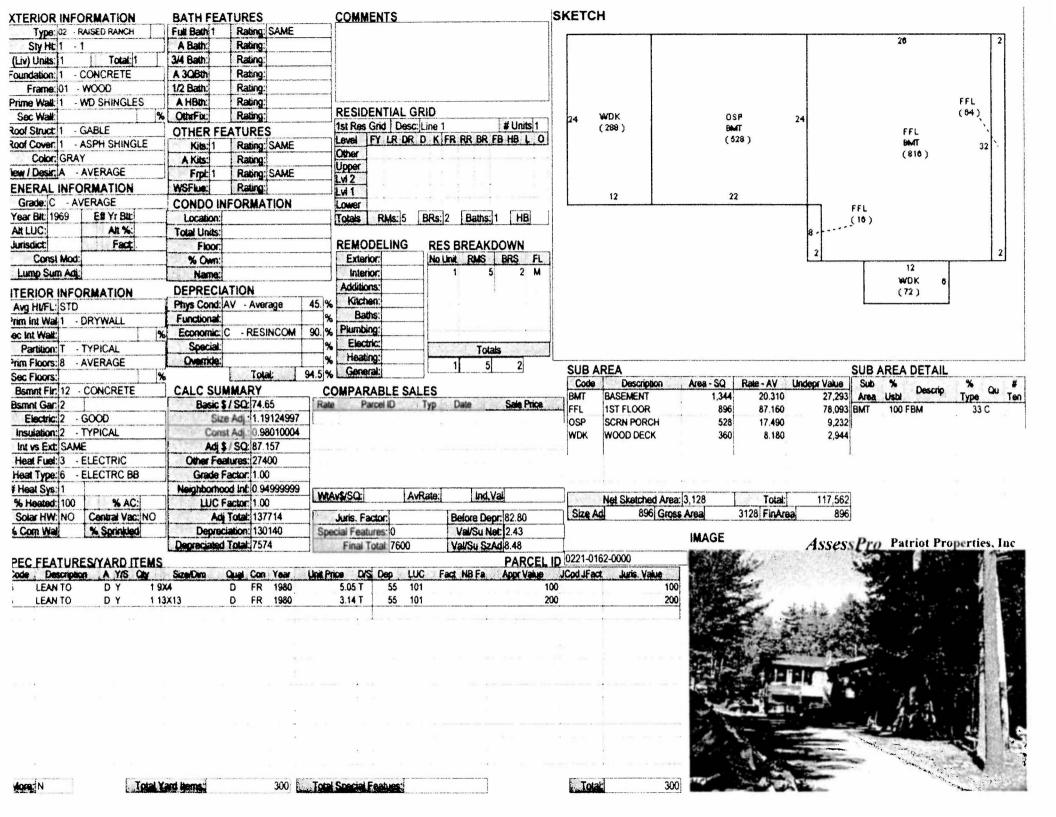
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Principal, VP - Technical Operations.



SITE PLAN 0216-0001-0000



SITE PAN 0221-0162-0000





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Fax: (603) 335-4623 www.BerrySurveying.Com

August 9, 2016

Abutters List

Owners of Record

Tax Map 216, Lot 001 Tax Map 221, Lot 162

Wissler Properties LLC 20 Farmington Rd Rochester, NH 03867-4304 Book 4009, Page 573 Book 4193, Page 444

Abutters

Tax Map 216, Lots 002

David S Thayer 22 Farmington Rd Rochester, NH 03867-4304 Book 4152, Page 849

Tax Map 216, Lot 028

Miles N. Cook, III Rochester Motorsports 23 Farmington Rd. Rochester, NH 03867 Book 3379, Page 464

Tax Map 216, Lot 029

21 Farmington Rd LLC 549 US Highway 1 BYP Portsmouth, NH 03801-4131 Book 4248, Page 628

Tax Map 221, Lot 069

Stephen J & Barbara J Hughes 25 Capitol Cir Rochester, NH 03867-4334 Book 4149, Page 358

Tax Map 221, Lot 070

Douglas L Brochu 23 Capitol Cir Rochester, NH 03867-4334 Book 4126, Page 811

Tax Map 221, Lot 071

Patrick R & Nancy K OConnor 21 Capitol Cir Rochester, NH 03867-4334 Book 1666, Page 509

Tax Map 221, Lot 156
Tax Map 221, Lot 157
Tax Map 221, Lot 158

Rene G & Louanne E Cardinal PO Box 316 Rochester, NH 03867-0316 Book 3951, Page 517 Book 4328, Page 128 Book 1566, Page 605

Tax Map 221, Lot 159

10 Farmington Road LLC 549 Route 1 By-Pass Portsmouth, NH 03801 Book 4173, Page 380

Tax Map 221, Lot 160

Michael V & Jean F Garzillo Rev Tst 18 Farmington Rd Rochester, NH 03867-4304 Book 3431, Page 885



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Tax Map 221, Lot 163

Karen Beranger 20 Farmington Rd. Rochester, NH 03867-4304 Book 1035, Page 370

Professionals

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

Damon Burke CWS, CSS Fraggle Rock Environmental 38 Garland Rd Strafford, NH 03884



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