



City of Rochester, New Hampshire

Zoning Board of Adjustment

NOTICE OF PUBLIC HEARING

Dear Abutter:

You are hereby notified of a **Public Hearing** to be held at **7:00 p.m.** on **Wednesday, March 13, 2019** in the City Hall Council Chambers concerning the following:

2019-04 Lambert's Auto & Truck Recyclers Inc. applicant seeks a *Special Exception* according to section 22.a.8 of the City Zoning Ordinance to permit a 980 square foot addition to the business, whose use was lawfully established prior to the adoption of the current Zoning Ordinance.

Location: 2 Salmon Falls Road, Rochester, NH 03868, MLB 205-218-0000 in the Highway Commercial Zone.

If you are planning to attend the meeting and have paperwork, you wish to have reviewed, or if you are not planning to attend the meeting, you may comment by letter, fax or email (julia.libby@rochesternh.net). However, for the Board to consider your comments you **MUST submit them **NO LATER than 12:00, noon on the Monday before the meeting (February 11, 2019).****

The project application is available for review by the public in the Department of Building, Zoning, Licensing Services, or you can view the entire application on the City's website www.rochesternh.net. Click on *Government*, then *Zoning Board of Adjustment*, then *Zoning Board Projects*. Look under the map and lot number shown above.

Please feel free to contact this department with any questions or if you have any disability, requiring special provisions for your participation.

Office Hours are between 8:00 a.m. to 5:00 p.m. Monday through Friday.

Julia Libby, Building, Zoning & Licensing Secretary

cc: file



City of Rochester, New Hampshire

Department of Building, Zoning and Licensing Services
31 Wakefield Street * Rochester, NH 03867
(603) 332-3508

Special Exception Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2019-04

DATE FILED 2/19/19

Julia Libby
ZONING BOARD CLERK

Applicant: Lamberts Auto & Truck Recyclers Inc.

E-mail: Realizique@aol.com Phone: 603 948-1900

Applicant Address: 2 Salmon Falls Rd Rochester NH 03868

Property Owner: Scott Smedeker

Property Owner Address: 290 Lords Mill Rd Epsom NH 03234

Variance Address: 2 Salmon Falls Rd Rochester NH 03868

Map Lot and Block No: 205 - 218

Description of Property (give length of lot lines):

frontage	sides	rear
<u>225</u>	<u>1800/2400</u>	<u>900</u>

Proposed use or existing use affected: 980 SF addition to existing structure
22-a.8

The undersigned hereby requests a special exception as provided in Article 42, Section A of the

Zoning Ordinance to permit a 980 sq ft addition to the business
whose use was lawfully est. prior to adoption of
current zoning.

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] Date: 2-19-19

42.22 Special Exception Sheet

(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 42.22, 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.
- (3) 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: There is no change from existing use
- (2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood. Yes ☒ No
Reasoning: There is no change from existing 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: Ample on site parking, no change to access to public way, No change to business operations
- (4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operation of the proposed use or structure. Yes ☒ No ☐ Reasoning: Adequate utilities currently exist
- (5) The proposed use or structure is consistent with the spirit of the ordinance and the intent of the Master Plan. Yes ☒ No ☐ Reasoning: no change to current acceptable use

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



February 19th, 2019

To Whom It May Concern:

We are looking to add an addition to an existing building to contain and sort non-hazardous materials for our non-ferrous department; which consists of scrap copper, brass, aluminum, etc., so it can be handled in a more organized way. Doing so will make our tasks more efficient and will even create the need for us to hire more staff. We are currently doing the same task in a building that is no longer efficient for our needs, as we are a growing company. The new building will create no impact to residents or any abutters. There will be no need for additional parking as we have ample available on site.

Thank you for your consideration.

Any use that was lawfully established prior to the adoption of this chapter and which now may require a special exception, is now permitted and may continue in the same manner and to the same extent as conducted prior to the adoption of this chapter. However, special exception approval shall be secured from the ZBA before the use or structure or building in which the use is conducted may be intensified, enlarged, expanded, moved, or significantly altered.

9. Expiration. A special exception shall become null and void after three years from the date of approval unless a building permit is issued, a plat is recorded, or other appropriate action is taken pursuant to the special exception within that timeframe.

10. Procedures. See Section 42.4 – ZBA and Building Code Board of Appeals.

b. **Base Criteria.** The Zoning Board of Adjustment shall approve a special exception if, and only if, it reasonably determines that all of the following criteria are met (in addition to those criteria/conditions articulated for specific uses in Section 42.22-c, below, or in addition to those articulated elsewhere in this chapter for departures from standards):

1. Location. The specific site is an appropriate location for the proposed use or structure;
2. Neighborhood. The proposed use would not be detrimental, injurious, obnoxious, or offensive to the neighborhood;
3. Traffic. The proposed use would not create an undue hazard or nuisance to vehicular or pedestrian traffic;
4. Public Facilities. Adequate and appropriate facilities and utilities would be provided to ensure the proper operation of the proposed use or structure; and,
5. Master Plan. The proposed use or structure is consistent with the spirit of this chapter and the intent of the Master Plan.

c. **Conditions for Particular Uses.** For each individual use or departure from standards listed below, all of the specific conditions attached to that use must be met along with the base criteria articulated in Section 42.22-b, above.

1. Adult Oriented Establishments

Adult-oriented uses shall exist and be operated in accordance with the following requirements

- A. Purpose. In the development and execution of this section, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the use and enjoyment of adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or

EXTERIOR INFORMATION

Type: N32 - SVC GARAGE	Rating:
Sty Ht: 1 - 1	Rating:
(Liv) Units: 1	Rating:
Total: 2	Rating:
Foundation: 1 - CONCRETE	Rating:
Frame: 01 - WOOD	Rating: SAME
Prime Wall: 21 - CONC BLOCK	Rating:
Sec Wall: 26 - WOOD	Rating:
Roof Struct: 1 - GABLE	Rating:
Roof Cover: 5 - MH METAL	Rating:
Color: BLUE	Rating:
View / Desir: A - AVERAGE	Rating:

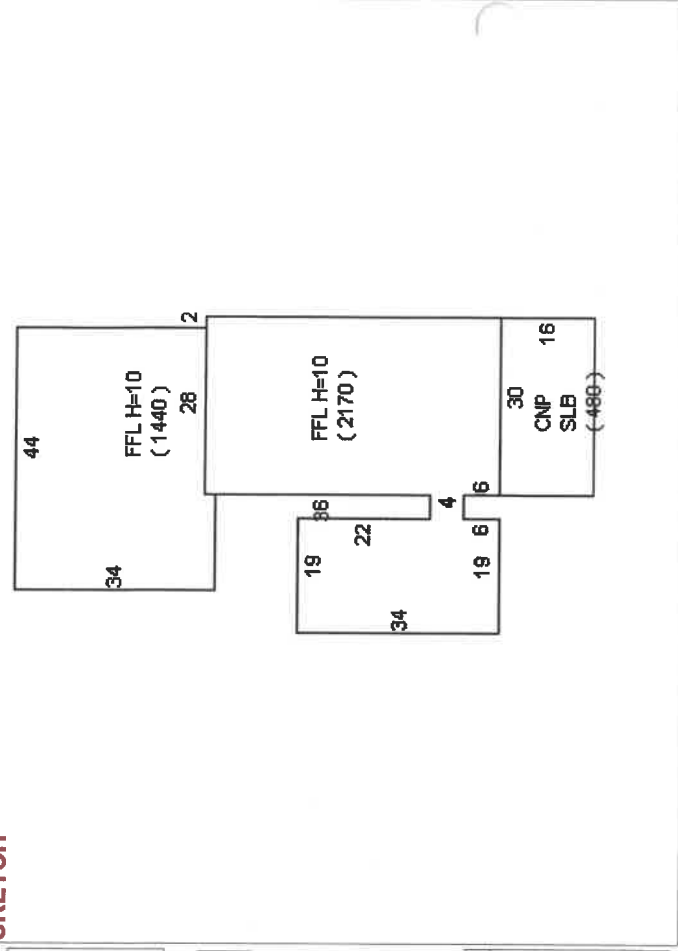
BATH FEATURES

Full Bath	Rating:
A Bath:	Rating:
3/4 Bath:	Rating:
A 3QBth	Rating:
1/2 Bath: 1	Rating: SAME
A HBth:	Rating:
Other Fix:	Rating:

COMMENTS

LAMBERT S AUTO SALVAGE.

SKETCH



OTHER FEATURES

1st Res Grid	Desc:	# Units
Level	FY LR DR D K FR RR BR FB HB L O	
Other		
Upper		
Lvl 2		
Lvl 1		
Lower		
Totals	RMS:	BRS:
		Baths:
		HB 1

GENERAL INFORMATION

Grade: D- - POOR	Location:
Year Blt: 1947	Eff Yr Blt:
Alt LUC:	Alt %:
Jurisdct:	Fact:
Const Mod:	
Lump Sum Adj:	

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

REMODELING

Exterior:	No Unit	RMS	BRS	FL
Interior:				
Additions:				
Kitchen:				
Baths:				
Plumbing:				
Electric:				
Heating:				
General:				

DEPRECIATION

Phys Cond: PR - Poor	66 %
Functional:	%
Economic:	%
Special:	%
Override:	%
Total:	66 %

INTERIOR INFORMATION

Avg Ht/FL: 10	66 %
Prim Int Wall: 6 - AVERAGE	%
Sec Int Wall:	%
Partition: T - TYPICAL	%
Prim Floors:	%
Sec Floors:	%
Bsmnt Flr:	
Bsmnt Gar:	
Electric: 3 - TYPICAL	
Insulation: 2 - TYPICAL	
Int vs Ext: SAME	
Heat Fuel: 1 - OIL	
Heat Type: 1 - FORCED W/A	
# Heat Sys: 1	
% Heated: 60	% AC:
Solar HW: NO	Central Vac: NO
% Com Wal	% Sprinkled

REMODELING

Exterior:	No Unit	RMS	BRS	FL
Interior:				
Additions:				
Kitchen:				
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DEPRECIATION

Phys Cond: PR - Poor	6
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Abutters List Report

Rochester, NH
February 19, 2019

Subject Property:

Parcel Number: 0205-0218-0000
CAMA Number: 0205-0218-0000
Property Address: 2 SALMON FALLS RD

Mailing Address: SNEDEKER SCOTT
2 SALMON FALLS RD
ROCHESTER, NH 03868

Abutters:

Parcel Number: 0205-0001-0000
CAMA Number: 0205-0001-0000
Property Address: 8 AMAROSA DR

Mailing Address: HOAG BENJAMIN & CHRISTOPHER &
KNIGHT KATHERINE
49 DUMAS AVE
HAMPTON, NH 03842-3646

Parcel Number: 0205-0215-0000
CAMA Number: 0205-0215-0000
Property Address: 135 MILTON RD

Mailing Address: SAKS IMANT J & BEVERLY M
137 MILTON RD
ROCHESTER, NH 03868-8708

Parcel Number: 0205-0216-0000
CAMA Number: 0205-0216-0000
Property Address: 131 MILTON RD

Mailing Address: MANVILLE ELLIOT & SJANE
131 MILTON RD
ROCHESTER, NH 03868-8708

Parcel Number: 0205-0216-0000
CAMA Number: 0205-0216-000A
Property Address: 131 MILTON RD

Mailing Address: MANVILLE ELLIOT & SJANE
131 MILTON RD
ROCHESTER, NH 03868-8708

Parcel Number: 0205-0218-0000
CAMA Number: 0205-0218-0000
Property Address: 2 SALMON FALLS RD

Mailing Address: SNEDEKER SCOTT
2 SALMON FALLS RD
ROCHESTER, NH 03868

Parcel Number: 0205-0218-0001
CAMA Number: 0205-0218-0001
Property Address: 127 MILTON RD

Mailing Address: LAMBERT DONALD R II
127 MILTON RD
ROCHESTER, NH 03868-8708

Parcel Number: 0205-0219-0000
CAMA Number: 0205-0219-0000
Property Address: 14 SALMON FALLS RD

Mailing Address: GREAT AMERICAN PROPERTIES LLC
64 PLEASANT ST
CHICHESTER, NH 03258

Parcel Number: 0205-0221-0000
CAMA Number: 0205-0221-0000
Property Address: 22 FOREST AVE

Mailing Address: ADJUTANT MICHAEL A & REGINA L
11 WINKLEY FARM LN
ROCHESTER, NH 03867

Parcel Number: 0205-0222-0000
CAMA Number: 0205-0222-0000
Property Address: 26 FOREST AVE

Mailing Address: TJD FAMILY TRUST % DROUIN
TIMOTHY J TRUSTEE
260 WALNUT ST
ROCHESTER, NH 03867-4270

Parcel Number: 0205-0223-0000
CAMA Number: 0205-0223-0000
Property Address: 30 FOREST AVE

Mailing Address: GAGNON PAUL J & ADAMS STEPHANIE
CHRISTINE
32 FOREST AVE
ROCHESTER, NH 03868-8613



www.cai-tech.com

2/19/2019

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 1 of 2

2/20/19 Deadline
3/13/19 ZBA meeting

Special Exception Application Checklist

- ☒ It must be determined that your proposed use is not permitted without a special exception.
- ☒ Complete the application form.
- ☒ Complete the 42.22 Special Exceptions sheet, addressing the five questions. If the special exception is for a garage, you must also complete the Garage Setbacks sheet.
- ☐ A narrative touching the five criteria and explaining what you are requesting a special exception for.
- ☐ If the applicant is not the property owner, he/she must supply a note signed by the property owner stating his/ her knowledge of the application being submitted to the Zoning Board of Adjustment. The property owner will receive a copy of the public hearing notice be certified mail along with the abutters.
- ☒ A sketch including the following:
 - ☐ Measurements of the distances from any existing structure to the lot lines. If the proposed structure is not attached to the building you will need the distance between buildings.
 - ☐ Dimensions of the lot. A certified plot plan of your property is required by the Zoning Board. If you do not have a certified plot plan you may request a waiver (see zoning clerk)
 - ☐ If for a garage, all appropriate information on proposed garage
- ☐ Photographs, if you have them.
- ☒ Abutter's list. **This information must be obtained from the Zoning Clerk in the Building, Zoning, and Licensing Office. The applicant must pay the cost of the certified fee for each abutter, applicant and any other applicable person.** (See Zoning Clerk for current fee) \$4.00
- ☐ Application fee of \$175.00. Check made payable to City of Rochester, including abutters' fees.
- ☐ One PDF form of your application packet is due as well as paper 10 paper copies.

All of the above information must be completed and submitted to the Building, Zoning Department on or before the deadline date, or the application will be considered incomplete and will be postponed until the next scheduled meeting, or until all the requirements have been met.

NOTE: All applications will be allowed one postponement of the hearing in their application, and shall notify the Building, Zoning, and Licensing office in writing of their intent to postpone hearing at least two days prior to the meeting at which their application is to be considered. If the applicant requests a second postponement of the hearing, the application will be considered to have been withdrawn and the applicant must file a new application with the Board in order to receive a hearing. The provisions of this paragraph shall not apply to any postponement requested by an applicant as a result of the inability of the Zoning Board of Adjustment to provide the applicant with a five-member board for the hearing on the application.

The applicant or their representative MUST attend the Zoning Board of Adjustment meeting to present their case, or no action will be taken.

If you have any questions with any of these requirements, please contact the Zoning Clerk, Julia Libby.

Phone: (603)332-3976

E-mail: julia.libby@rochesternh.net

IRON PIPE OR ROD FOUND

ABUTTING LINE

EXISTING UTILITY POLE

EXISTING TREELINE

EXISTING FENCE

100-YEAR FLOOD ELEVATION

APPROXIMATE EDGE OF RIVER

DRAINAGE AREA BOUNDARY

STREAMWATER FLOW DIRECTION

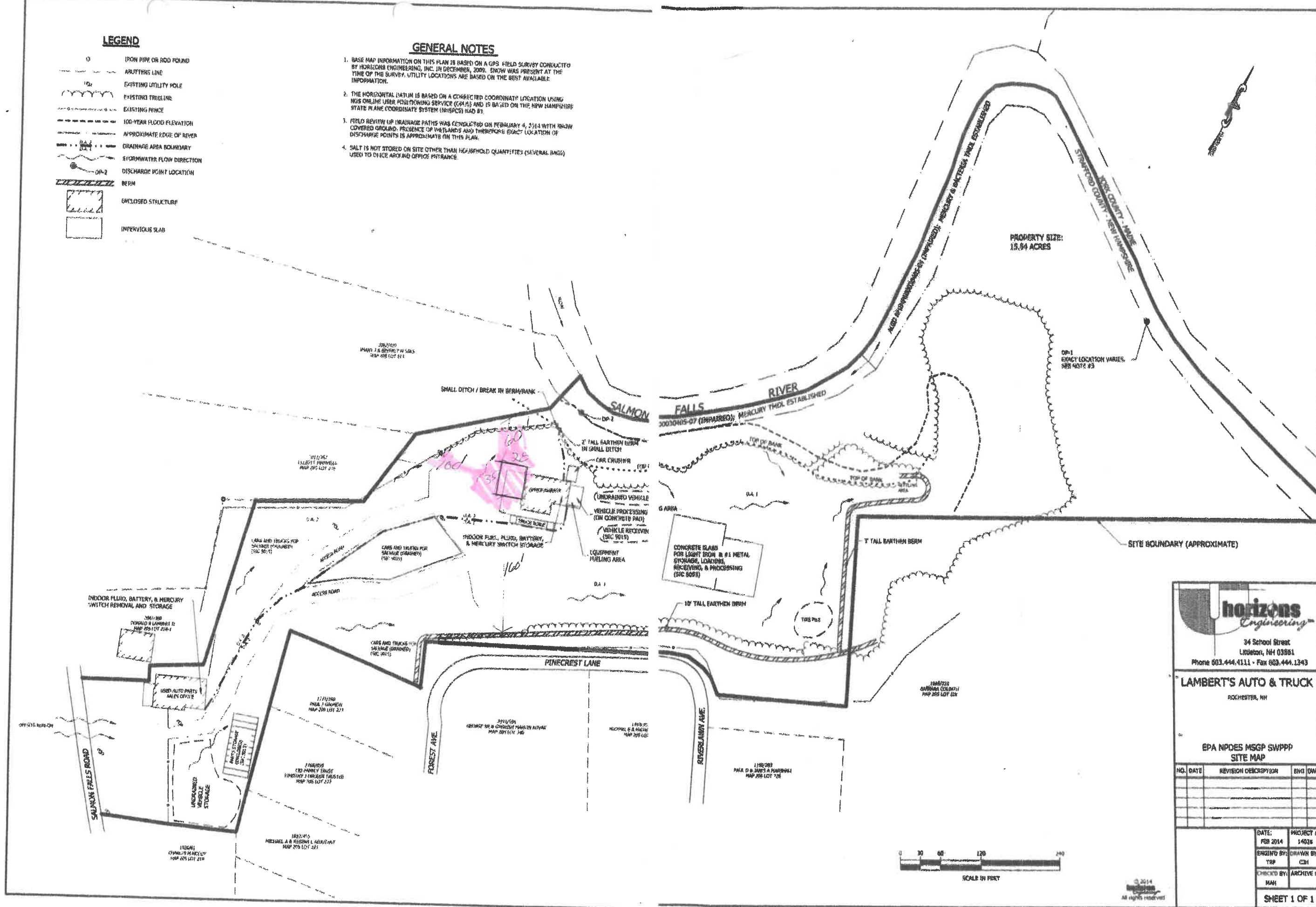
DISCHARGE POINT LOCATION

BEHM

ENCLOSED STRUCTURE

IMPERVIOUS SLAB

1. BASE MAP INFORMATION ON THIS PLAN IS BASED ON A GPS FIELD SURVEY CONDUCTED BY INNOVACOR SURVEYING, INC. IN DECEMBER, 2009. SNOW WAS PRESENT AT THE TIME OF THE SURVEY. UTILITY LOCATIONS ARE BASED ON THE BEST AVAILABLE INFORMATION.
2. THE HORIZONTAL DATUM IS BASED ON A CORNER FOR COORDINATE LOCATION USING NOS ONLINE POSITIONING SERVICE (NPOS) AND IS BASED ON THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM (NHSPCS) NAD 83.
3. FIELD REVIEW OF DRAINAGE PATHS WAS CONDUCTED ON FEBRUARY 4, 2014 WITH RAINFALL COVERED AREAS. PRESENCE OF WETLANDS AND THEREFORE EXACT LOCATION OF DISCHARGE POINTS IS APPROXIMATE ON THIS PLAN.
4. SALT IS NOT STORED ON SITE OTHER THAN HOUSEHOLD QUANTITIES (SEVERAL BAGS) USED TO DANCE AGAINST OTHER PESTIFICE.





February 25, 2019

2 Salmon Falls Rd

Rochester, NH

1 inch = 300 Feet



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