

# City of Rochester, New Hampshire

## Zoning Board of Adjustment

### Variance Application

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE
CASE NO. _____
DATE FILED _____
_____
ZONING BOARD CLERK

Applicant: Easter Seals New Hampshire, Inc.

E-mail: cmiller@eastersealsnh.org; mcarrier@sheehan.com Phone: Miller: 603-621-3423; Carrier: 603-627-8103

Applicant Address: 555 Auburn Street, Manchester, NH 03103

Property Owner: Easter Seals New Hampshire, Inc.

Property Owner Address: 555 Auburn Street, Manchester, NH 03103

Variance Address: 215 Rochester Hill Road, Rochester, NH, 03867

Map Lot and Block No: Map 243, Lot 39

Description of Property: 140 acres, one existing single-family home

Proposed use or existing use affected: Proposed low income senior housing complex

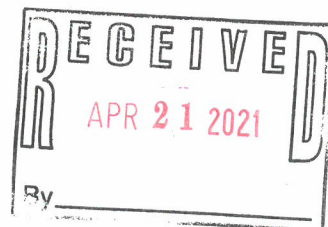
The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 19, Table 19-A

and asks that said terms be waived to permit construction of a senior housing complex featuring a sloped roof that exceeds the

maximum permissible building height (35 feet) by 5 feet and 3/4 inches.

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. **I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.**

Signed: Chris Miller Date: 4/21/21





# City of Rochester, New Hampshire

## Zoning Board of Adjustment

### Variance Criteria

1) Granting the variance would not be contrary to the public interest because:

See attached.

2) If the variance were granted, the spirit of the ordinance would be observed because:

See attached.

3) Granting the variance would do substantial justice because:

See attached.

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:

See attached.

5.) Unnecessary Hardship:

- a. Owning to special **conditions of the property that distinguish it from other properties in the area**, denial of the variance would result in an unnecessary hardship because:
  - i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

See attached.

- And:
- ii. The proposed use is a reasonable one because:

See attached.

- b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

See attached.

## Attachment to Easter Seals New Hampshire, Inc.'s Variance Application

### **I. Background**

Easter Seals New Hampshire, Inc. (the “Applicant”), owner of the property located at 215 Rochester Hill Road, Tax Map 243, Lot 39 (the “Property”), respectfully requests a variance from the thirty-five foot maximum building height requirement (the “Height Restriction”) set forth in Chapter 275, Section 19, Table 19-A of the City of Rochester Zoning Ordinance (the “Ordinance”).

Prior to delving into the analysis of the variance criteria, the Applicant wishes to provide the Board with some background concerning the Property and the Applicant’s proposed use, and respectfully suggests that this information may assist the Board in its analysis. The Property is approximately 140 acres in size, and is currently occupied by a fairly large single-family home—the historic Champlin House (the “Champlin House”). The Property was previously owned by the Homemakers of Strafford County (the “Homemakers”). In or around 2003, a previous owner of the Property—the Homemakers of Strafford County—received approval to construct a large Planned Unit Development on the Property (the “PUD”). The PUD was intended to be an all-purpose senior housing environment which included individual cottages, apartments, and an assisted living facility. A depiction of the PUD is attached hereto as Exhibit A. In anticipation of the PUD, the Homemakers outfitted the Property with oversized sewer and water capacity. Unfortunately, the PUD never came to fruition.

Currently, the Applicant facilitates a robust senior day programming operation out of the Champlin House. The Champlin House also serves as the Applicant’s headquarters for service and professional staff who provide in-home services to elderly individuals in the region. While the Applicant’s current operations to date have been successful, there remains a significant need for low-income housing—and in particular, low-income senior housing—in the region. The Applicant hopes to address that need, at least in part, by constructing low-income, supportive senior housing on the Property which could be serviced by the ongoing operations at the Champlin House. Given the size of the Property, the presence of a robust senior services operation on the site, and the existence of the oversize sewer and water capacity, the Property is uniquely well-suited for the construction of a low-income, supportive senior housing facility.

Accordingly, the Applicant hopes to (1) sell 120 of the Property’s 140 acres to the Society for the Protection of New Hampshire Forests, which would add to the abutting 180 acres that the Society already owns for a total of 300 acres of conservation land; and then (2) construct up to eighty units of low-income, supportive senior housing on the remaining 20 acres of the Property.<sup>1</sup> A depiction of the Applicant’s current proposal is attached hereto as Exhibit B. As is evident from a review of Exhibit A and Exhibit B, the Applicant’s proposal is modest in comparison to the previously approved PUD.

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<sup>1</sup> As the Applicant’s plans are not yet finalized, it is possible that the number of units will ultimately change.

Ultimately, the Applicant hopes to provide a significant number of one- and two-bedroom units within a single, compact building in order to lessen the impact of the project. Specifically, the Applicant's proposal is intended to:

1. Comply with applicable setback requirements;
2. Construct a building which is architecturally complimentary to the Champlin House;
3. Avoid unnecessary tree removal, preserve open space, and add to existing conservation land;
4. Provide good quality housing to low-income seniors, including by maximizing interior ceiling height in order to offset the relatively small size of the proposed units (roughly 650 square feet);
5. Preserve the potential for future installation of solar energy panels; and
6. Perhaps most importantly, keep construction costs low in order to, in turn, keep unit pricing low and in line with the aspiration for an affordable housing outcome.

For the reasons set forth in more detail below, in order for the Applicant to achieve all of these goals, it is necessary for the proposed building to feature a sloped roof that exceeds, slightly, the applicable maximum building height limitation.

Specifically, the Property is located in the Agricultural District, where the Ordinance restricts building height to a maximum of thirty-five feet. See Ordinance, at Table 19-A. By this application, the Applicant seeks a variance to exceed the Height Restriction by five feet and  $\frac{3}{4}$  inches in order to construct a senior housing complex featuring a sloped roof with a mid-point height of 40 feet and  $\frac{3}{4}$  inches.<sup>2</sup> See Exhibit C, Sloped Roof Design.

## **II. The Variance Criteria**

The Applicant's requested variance satisfies all of the variance criteria set forth in Section 275-4.1(B) of the Ordinance, as follows:

### **a. Granting the variance would not be contrary to the public interest.**

The New Hampshire Supreme Court, in Chester Rod & Gun Club v. Town of Chester, 152 N.H. 577 (2005), has held that "to be contrary to the public interest or injurious to the public rights of others, the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives." In Harborside Associates v. Parade Residence Hotel, 162 N.H. 508, 514 (2011), the Court also noted that "[m]ere conflict with the terms of the

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<sup>2</sup> The proposed sloped roof will be 48 feet and 10½ inches at its peak. The Applicant refers in this request to the mid-point height of the proposed roof because the Ordinance defines the term "BUILDING HEIGHT" as follows: The vertical distance from the finished grade to the top of the highest roof beams on a flat or shed roof, to the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs." Ordinance, at § 275-2.2 (emphasis supplied).



ordinance is insufficient. The New Hampshire Supreme Court has determined that a variance violates an ordinance's basic zoning objectives under two circumstances: (1) where granting the variance would "alter the essential character of the neighborhood"; or (2) where granting the variance would "threaten the public health, safety, or welfare." Harborside, 162 N.H. at 514.

A decision to grant the Applicant's requested variance would not alter the essential character of the neighborhood. Put simply, the Applicant's proposal to construct a building with a height of approximately forty feet will not be so aesthetically different from a building with a height of thirty-five feet that it can be said to alter the essential character of the neighborhood. In fact, because it would be consistent with the architecture of the Champlin House, the proposed sloped roof is actually more consistent with the essential character of the neighborhood than the flat roof the Applicant might need to incorporate in order to achieve its above-listed goals while staying within the thirty-five-foot height limit. Because the Applicant hopes to preserve the Champlin House and to continue its operations out of that building in harmony with the proposed new units (a campus-like approach), the Applicant would very much like for the new building to compliment the Champlin House in look and style.

Likewise, a decision to grant the Applicant's requested variance would not threaten the public health, safety, or welfare. Quite to the contrary, the Applicant's requested variance would permit the Applicant to address the region's need for low-income, supportive senior housing while at the same time preserving open space, potentially incorporating solar energy in the future, and providing quality but still affordable housing units for low-income seniors. All of these factors would benefit the public health, safety, and welfare. Absent the variance, the Applicant would be required to sacrifice one of these goals in a manner that, as described in more detail below in Section (e)(2), would negatively impact the public health, safety, or welfare. For example, the Applicant would be required to (a) build a structure that is architecturally dissimilar to the Champlin House; (b) build more costly units, given the need to pass on higher construction costs; (c) construct fewer or lower quality units; or (d) preserve less open space.

**b. The spirit of the Ordinance would be observed by granting the variance.**

"The requirement that the variance not be contrary to the public interest is related to the requirement that [it] be consistent with the spirit of the ordinance." Harborside, 162 N.H. at 514 (citations omitted; brackets in original). As set forth in more detail above, granting the variance would be consistent with the spirit of the Ordinance because it would not alter the essential character of the neighborhood and would—far from *threatening* the public health, safety, or welfare—actually *benefit* the public health, safety, and welfare.

**c. Granting the variance would do substantial justice.**

The standard for determining whether substantial justice will be done provides that a loss to an individual that is not outweighed by a gain to the general public is an injustice; it is also

appropriate to consider, when analyzing this factor, whether the proposed use is consistent with the present use. Harborside, 162 N.H at 515.

Here, a decision to grant the requested variance would result in a loss not only to the Applicant, but also to the general public because it would thwart the Applicant's efforts to address the region's need for low-income senior housing in a manner that is architecturally consistent with the Champlin House while preserving open space and providing quality but affordable housing options. The general public would only be harmed by a denial of the requested variance, in that the Applicant would be forced to construct a building that is, in one or more ways, *less* consistent with the general purposes of the Ordinance than its current proposal. And, notably, a decision to grant the variance would result in no discernible loss to any member of the public. As noted above, the Applicant's proposal to construct a building with a height of approximately forty feet will not be so aesthetically different from a building with a height of thirty-five feet that it can be said to result in any sort of loss to the public. This reality is heightened by the fact that the proposed forty-foot building will likely be no more visible than a thirty-five-foot building from most, if not all, of the abutting residential lots given the existence of trees which the Applicant expects will operate as a natural buffer.

Finally, the Applicant's proposed use is consistent with the present use in that it is architecturally sympathetic to the architecture of the Champlin House.

**d. The values of surrounding properties will not be diminished if the variance is granted.**

Given the existence of a natural wooded buffer between the proposed building site and adjacent abutting lots, as well as the minimal difference between a building that is approximately forty feet in height and a building that is approximately thirty-five feet in height, the Applicant does not anticipate that a decision to grant the requested variance would have any impact on the values of surrounding properties.

**e. Unnecessary hardship:**

**1. Owing to special conditions of the Property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:**

**a. No fair and substantial relationship exists between the general public purposes of the Ordinance provision and the specific application of that provision to the property because:**

A number of special conditions distinguish this Property from other properties in the area:

- First, it is significantly larger than the majority of the other lots in the area, which presents the opportunity to not only address the need for low-income senior housing, but to do so in a manner that preserves an ample amount of natural open space (much of which, per the

Applicant's proposal, will be protected going forward by the Society for the Protection of NH Forests).

- Second, there is an existing, historic structure on the lot—the Champlin House—which has its own architectural features and style.
- Finally, the Property features previously installed oversize sewer and water capacity which was installed in connection with a previous approval.

The purpose of the Height Restriction is, on information and belief, to avoid the obstruction of views and to ensure that newly constructed structures are aesthetically consistent with nearby existing structures. Owing to the conditions referenced above, no fair or substantial relationship exists between the general public purposes of the Height Restriction and the specific application of that restriction to the Property for several reasons.

First, given the size of the Property, the location of the proposed structure, the Applicant's plans to sell 120 acres of the Property to the Society for the Protection of NH Forests, and the existence of a natural buffer between the proposed building site and abutting residential lots, no abutter's views could conceivably be meaningfully more obstructed by a forty-foot tall building than they would be by a thirty-five-foot-tall building.

Second, it is reasonable for the Applicant to endeavor to design a building that compliments the Champlin House from an architectural standpoint, particularly where the Applicant anticipates for the proposed new units and the Champlin House to operate in harmony, with a campus-like feel.

Finally, owing to the Property's the size and the existence of the oversize sewer and water capacity infrastructure, the Property presents an opportunity to address the need for low income, supportive senior housing in a manner that could not be accomplished on other lots. Strict application of the Height Restriction in a manner that would limit the Applicant's ability to take advantage of those features and to utilize the Property for that purpose—all in the name of ensuring that the structure ultimately constructed is five feet shorter than proposed—would negatively impact the public and would be inconsistent with the general objectives of the Ordinance as a whole.

As noted above, in order to comply with the Height Restriction, the Applicant will have to sacrifice either (1) the quality of the units (by incorporating significantly lower ceilings); or (2) the architectural consistency between the proposed building and the Champlin House and its affordable housing goals (by incorporating a more expensive flat roof). Under these circumstances, and given that a decision not to enforce the Height Restriction would promote the overall goals of the Ordinance more than a decision to enforce it, no substantial relationship exists between the Height Restriction and the application of that restriction to the Property.

**b. The proposed use is a reasonable one because:**

The proposed use is reasonable because it is architecturally consistent with the historic Champlin House, addresses the community's need for affordable senior housing, preserves open space, and

avoids unnecessary tree removal, among other things. The use is also reasonable to the extent it makes use of the oversize water and sewer capacity that already exists on the Property. The reasonableness of the Applicant's proposal is also highlighted by the fact that it contemplates substantially less development than the previously approved PUD. Compare Exhibit A and Exhibit B.

It is also notable that the City's previously applicable rules governing Planned Unit Developments permitted such developments to be up to four stories in height, with the exception of cupolas, dormers, building towers, and similar elements. See Exhibit D, PUD Rules (select portion). Although these rules are not applicable to the Applicant's proposal, the reasonableness of the proposal is demonstrated by the fact that the proposed three-story building is shorter than what would be permitted under requirements that were presumably applied to similar proposals in the past.

- 2. In the event the Board were to find that the criteria in subparagraph (1) above are not established, an unnecessary hardship nonetheless exists because, owing to special conditions of the Property that distinguish it from other properties in the area, the Property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

Owing to the special conditions referenced above in Section e(1)(a), a sloped roof is consistent with the historic Champlin House and allows the Applicant to take advantage of the large size of the Property and the existence of the oversize water and sewer capacity in order to provide a significant number of affordable senior housing units. While the Applicant could conceivably construct affordable senior housing units in compliance with the Height Restriction, the end product would be less consistent with the purposes of the Ordinance than what the Applicant currently proposes. Specifically:

- The Applicant could satisfy the Height Restriction by constructing a building that features a flat membrane roof. This approach would be less consistent with the purposes of the Ordinance than what the Applicant has proposed because (1) the structure would not be architecturally consistent with the historic Champlin House that exists on the Property; and (2) the project would be more expensive, thereby frustrating the Applicant's efforts to provide affordable housing units.
- The Applicant could satisfy the Height Restriction by constructing fewer units, thereby less effectively addressing the regional need for affordable senior housing and failing to take advantage of the size of the Property and the existence of the oversize water and sewer capacity.

- The Applicant could satisfy the Height Restriction by incorporating noticeably lower ceilings in the proposed units which—given the small size of the proposed units—would have a disproportionately negative impact on the quality of the units. While this may seem like a small matter, the Applicant feels strongly that the goal of providing high quality housing to low income seniors outweighs the goal of constructing a building that is five feet shorter than it otherwise would have been.
- The Applicant could satisfy the Height Restriction by constructing a shorter building with a larger footprint—a more impactful project which would potentially necessitate additional tree removal and would preserve less natural open space.

Given the minor difference between a building that is forty feet in height and a building that is thirty-five feet in height, it would be unreasonable and inconsistent with the City's zoning objectives to force the Applicant to abandon its current proposal in favor of one of the less desirable approaches set forth above in order to comply with the Height Restriction. Accordingly, it would be unreasonable for the Applicant to utilize the Property in strict conformance with the Ordinance under these circumstances, and a variance is therefore necessary to enable reasonable use of it.

### **III. Conclusion**

For all of the foregoing reasons, the Applicant believes that its requested variance from Table 19A's Height Restriction satisfies all of the applicable criteria set forth in the variance standard, and respectfully requests that the Board grant the variance accordingly.





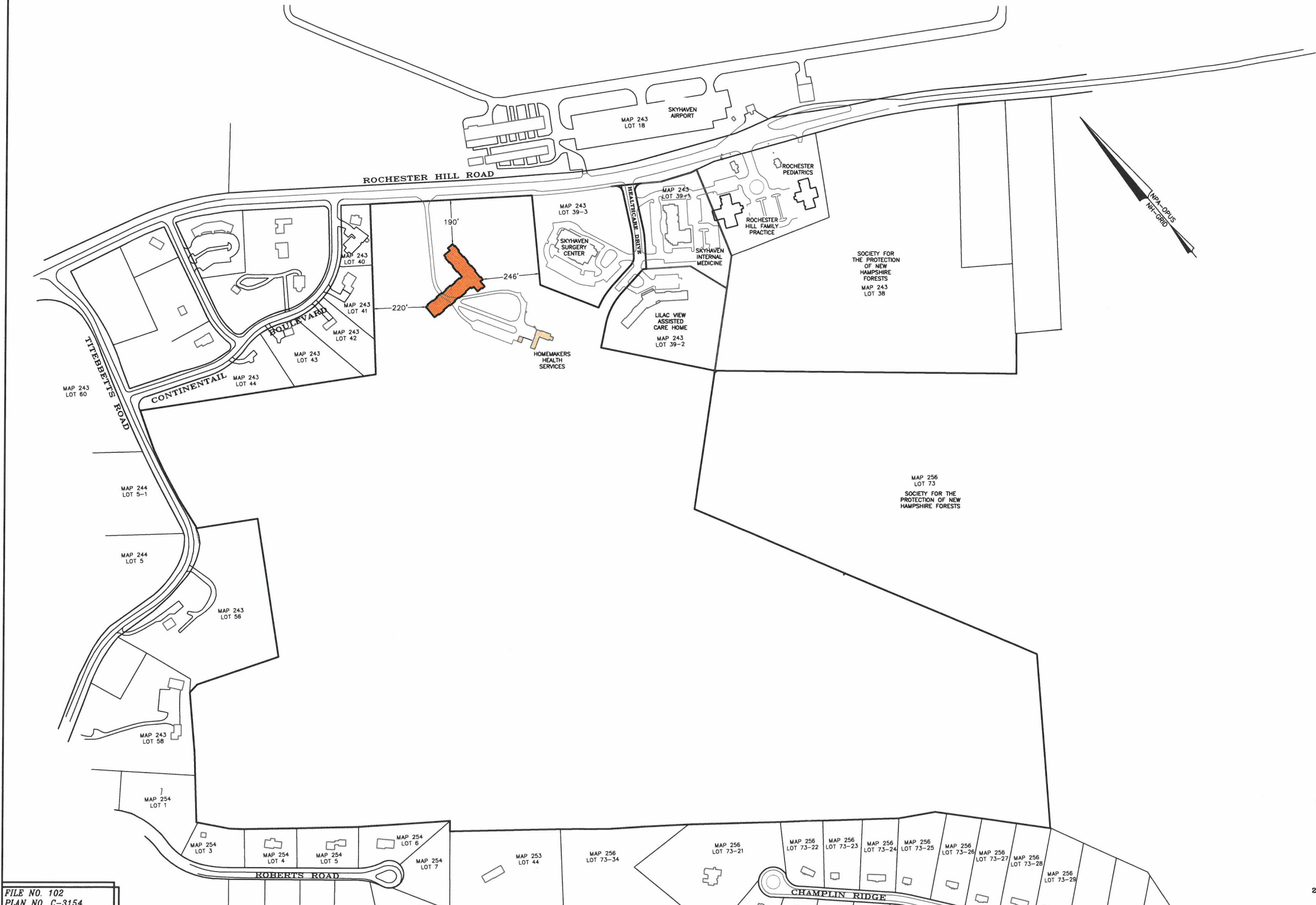
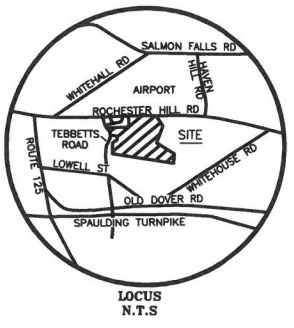
LAND SURVEYORS

CIVIL ENGINEERS

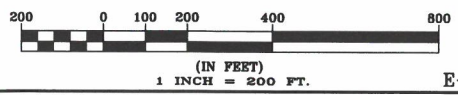


**LEGEND**  
S 88°48'34" E  
1024.14' PROPERTY LINE  
--- EXISTING EDGE OF PAVEMENT  
--- EXISTING STONEWALLS

- GENERAL SITE PLAN NOTES
1. THIS PARCELS ARE LOCATED IN THE AGRICULTURAL ZONE (AG).
  2. TOTAL PARCEL AREA: ~142.8 ACRES.
  3. THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF THE PROPOSED SENIOR HOUSING BUILDING ON THE LOT.
  4. DIMENSIONAL REGULATIONS PER ZONING ORDINANCE:  
AGRICULTURAL ZONE (AG):  
MINIMUM LOT AREA (MUNICIPAL WATER & SEWER) = 20,000 SF  
MINIMUM LOT AREA (MUNICIPAL WATER OR SEWER) = 30,000 SF  
MINIMUM LOT AREA (NEITHER MUNICIPAL WATER NOR SEWER) = 45,000 SF  
MINIMUM LOT FRONTAGE = 150 FEET  
MINIMUM YARD SETBACKS:  
FRONT = 20'  
SIDE = 10'  
REAR = 20'  
MAXIMUM LOT COVERAGE = 35%  
MAXIMUM BUILDING HEIGHT = 35'
  5. ORIENTATION: HORIZONTAL NAD83 AND VERTICAL NGVD29 DATUMS - CITY OF ROCHESTER GIS.
  6. PARCEL IS NOT LOCATED WITHIN A FLOOD ZONE (100YR FLOOD) AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS, COMMUNITY #33017C0212D #33017C0214D, #33017C0216D, DATED MAY 17, 2005 AND #33017C0218D DATED SEPTEMBER 30, 2015.



**ZONING SKETCH**  
**TAX MAP 243, LOT 39**  
**215 ROCHESTER HILL RD**  
**ROCHESTER, NH**  
PREPARED FOR:  
**EASTERSEALS NH**  
NOVEMBER 2019  
GRAPHIC SCALE



FILE NO. 102  
PLAN NO. C-3154  
DWG. NO. 19249  
F.B. NO.

31 Mooney Street, Alton, N.H. 603-875-3948

**NORWAY PLAINS ASSOCIATES, INC.**

2 Continental Blvd., Rochester, N.H. 603-335-3948

Drawn: 1/20/2021  
F.B. 1/8/2021  
1:15pm



LAND SURVEYORS

CIVIL ENGINEERS

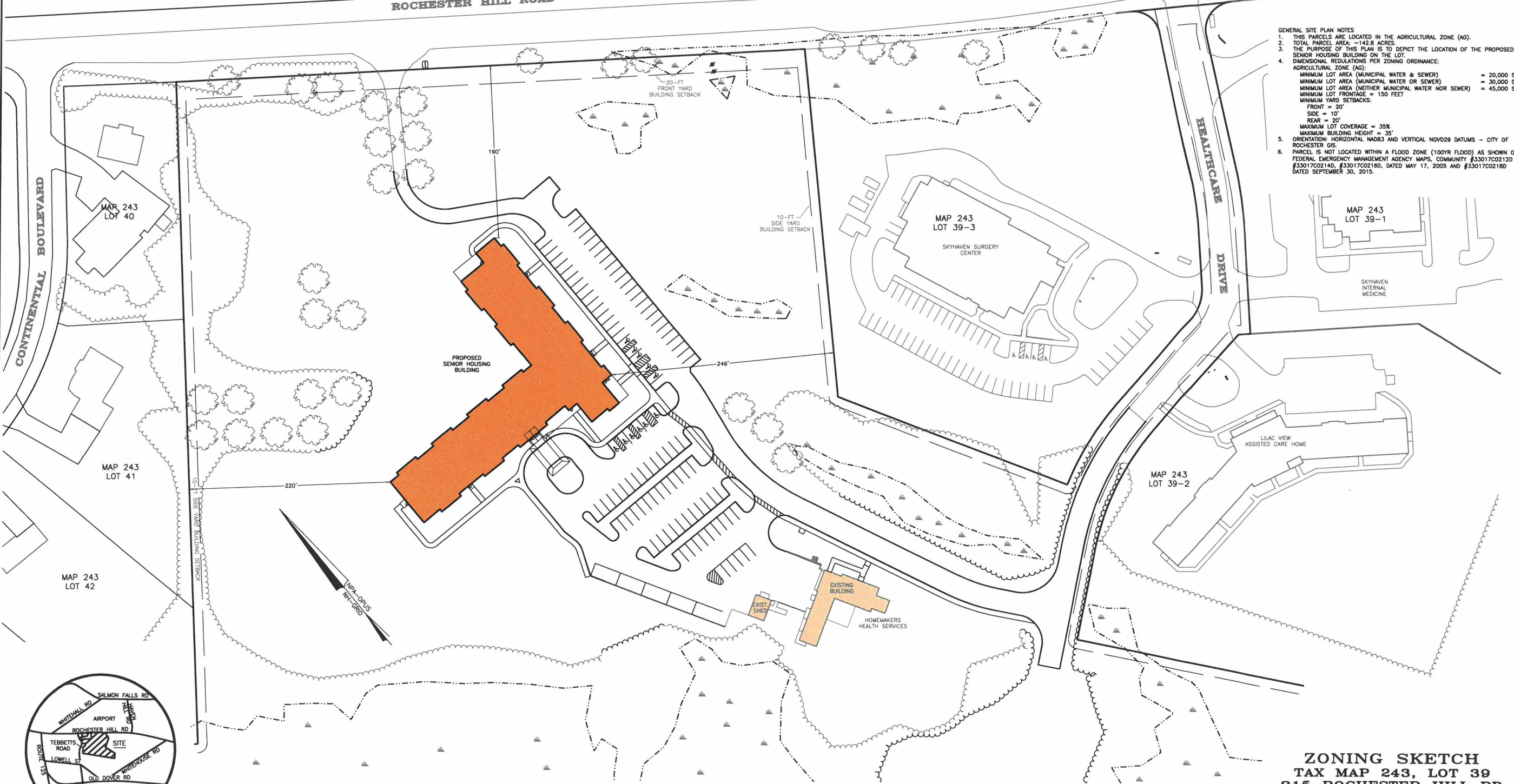
LEGEND

- PROPERTY LINE
- JURISDICTIONAL WETLANDS
- EXISTING TREE LINE
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- PROPOSED PAVEMENT WITH CURBING
- PROPOSED TREE LINE

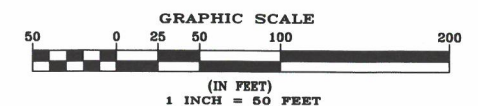
SKYHAVEN AIRPORT  
MAP 243  
LOT 18

ROCHESTER HILL ROAD

- GENERAL SITE PLAN NOTES
- THIS PARCELS ARE LOCATED IN THE AGRICULTURAL ZONE (AG).
  - TOTAL PARCEL AREA - 142.8 ACRES.
  - THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF THE PROPOSED SENIOR HOUSING BUILDING ON THE LOT.
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MAXIMUM LOT COVERAGE = 35%  
MAXIMUM BUILDING HEIGHT = 35'  
ORIENTATION: HORIZONTAL NAD83 AND VERTICAL NGVD29 DATUMS - CITY OF ROCHESTER DIS.  
PARCEL IS NOT LOCATED WITHIN A FLOOD ZONE (100YR FLOOD) AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS, COMMUNITY #33017C02120 #33017C02140, #33017C02160, DATED MAY 17, 2005 AND #33017C02180 DATED SEPTEMBER 30, 2015.



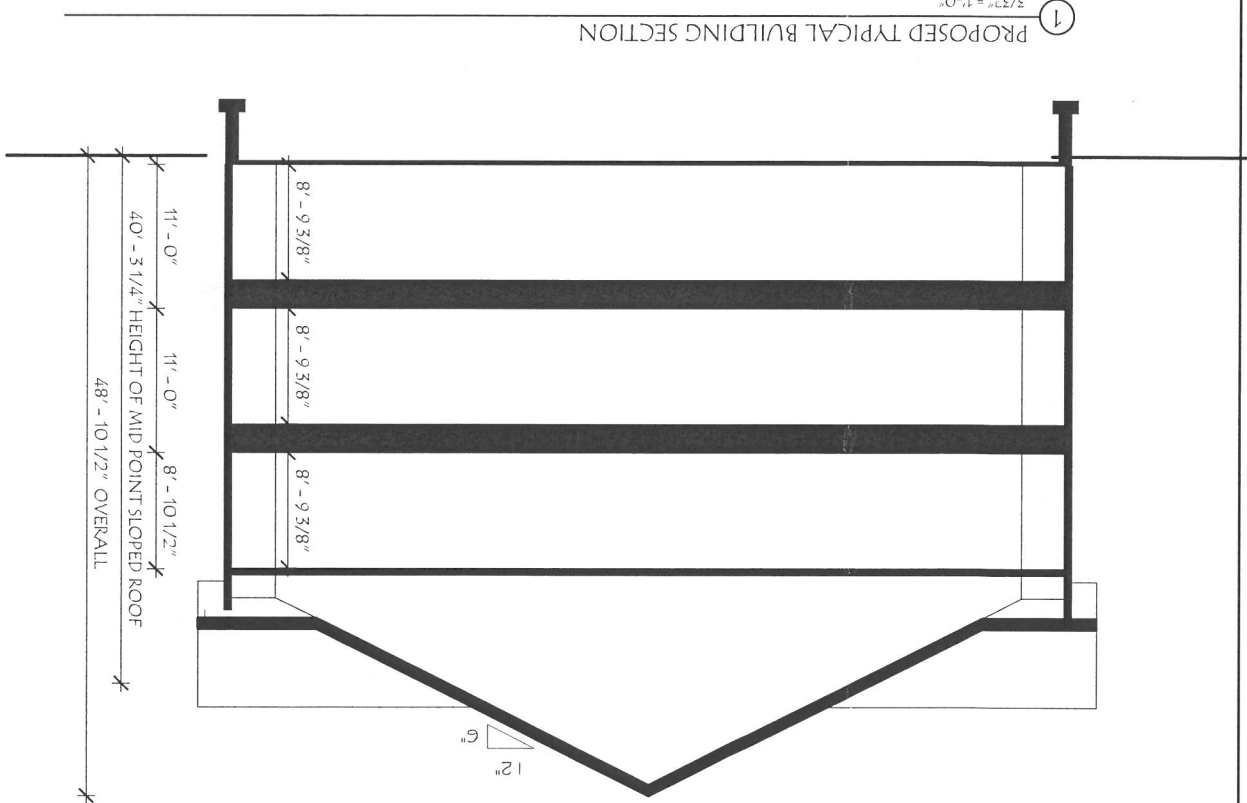
**ZONING SKETCH**  
**TAX MAP 243, LOT 39**  
**215 ROCHESTER HILL RD**  
**ROCHESTER, NH**  
PREPARED FOR:  
**EASTERSEALS NH**  
APRIL 2021



NORWAY PLAINS ASSOCIATES, INC.

# EASTERSEALS - CHAMPLIN PLACE

215 ROCHESTER HILL ROAD  
ROCHESTER NH



ASSEMBLY NOTES		CORE TYPE		UL DESIGN NO.		FIRE RATING		STRUCTURAL	
1.	REFER TO EXTERIOR ELEVATIONS FOR SPECIFIC CLADDING TYPES AND EXTENTS	WOOD		U/356		1 HOUR		BEARING	
2.	REFER TO EXTERIOR CLADDING ATTACHMENT TO WALL ASSEMBLY	INFORMATION FOR FIRE STOPPING SPECIFICATION SECTION		<p>Diagram labels (from top to bottom):            WEATHER RESISTIVE BARRIER (WRB), ALL JOINTS AND EDGES LAPPED AND TAPED            BATT INSULATION R-21, FULL HEIGHT, REFER TO SPECIFICATION.            2X6WOOD FRAMING, REFER TO STRUCT. FOR SPACING (FIRESTOP AT TOP AND BOTTOM OF WALL).            VAPOR RETARDER            EXTERIOR SHEATHING, REFER TO STRUCTURAL            (1) LAYER 5/8" GWB, TYPE X            CONTINUOUS SEALANT            2X6WOOD FRAMING            2X6P.T. WOOD SILL - CHECK STRUCT. FOR DOUBLE PLATE, SINGLE SILL BARRIER            FOUNDATION REF. TO STRUCT.</p>					
3.	REFER TO WALL ASSEMBLY								

## Exhibit C

## Exhibit D

accounted for separately, shall be segregated from the City's general fund, may be spent upon order of the City Council, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet. In the event that bonds or other debt instruments have been or will be issued by the City of Rochester or the County of Monroe for the financing of the funding of capital improvements that are the subject of the fee, the fee shall be used to pay debt service on such bonds or similar debt instruments.

- (2) **Impact fees** imposed pursuant to this section shall be assessed at the time of the required approval of a subdivision plat or other planning board action required, or has been made prior to the required assessment of the impact fee. Impact fees shall be assessed prior to the issuance of the building permit or other appropriate approval for, the issuance of the building permit or other appropriate approval shall proceed with development of the project. The Building Inspector shall be intended to reflect the effect of the impact fee upon municipal accounts at the time of the issuance of the building permit, determining the impact fee, when the net increase in the assessed floor area of the building shall use only the net increase in floor area.
- (3) **Security:** In the interim period between the assessment of the impact fee, the Building Inspector may require developers to post a bond, or other acceptable liens, or otherwise provide suitable measures of security for the payment of assessed impact fees.
- (4) **Collection:** Impact fees shall be collected in full prior to the issuance of a certificate of occupancy; provided, however, if the off-site improvements are to be constructed simultaneously with the building, and where the City has appropriated the necessary funds for the work for which it will be responsible, the City may, at its discretion, allow the impact fee to the issuance of a building permit. If the impact fee is not collected, impact fees shall be collected when the developer is required to pay. Nothing in this section shall prevent the Building Inspector, with the approval of the Planning Board, and the assessed party from making alternate, mutually agreeable schedule of payment.
- (5) **Refund of Fee:** If the owner of record of a building has paid an impact fee and has been provided a refund of that fee, the following shall apply:
- (A) When the owner or partial portion of the impact fee, which was paid, has been expended or legally bound to be spent for the purpose for which it was intended, within a period of six (6) years from the date of the full payment of such fee, to appropriate their proportionate non-impact fee of related capital improvement costs.

- (f) Appeals. A party aggrieved by a decision made by the Building Inspector regarding the assessment or collection of impact fees authorized by this Section may appeal such decision to the Planning Board.

In accord with RSA 676:5, III, appeals of the decision of the Planning Board in administering this ordinance may be made to Superior Court, as provided in RSA 676:5, III and RSA 677:15, as



amended.

(g) Waivers.

The Planning Board may grant full or partial waivers of impact fees if the applicant demonstrates that one or more of the following criteria are met with respect to the proposed construction of capital facilities for which impact fees are normally assessed:

- (1) A person may request a full or partial waiver of impact fees for those residential units lawfully restricted to occupancy by persons age 62 or over in a development maintained in compliance with the provisions of RSA 354-A: 15, Housing for the Elderly. The Planning Board may waive the school impact fee assessments for such units which are located on property which will be bound by lawful deeded restrictions for persons age 62 or over for a period of at least 20 years.
- (2) A person may request a waiver of impact fees for construction within a subdivision or site plan approved by the Planning Board prior to the effective date of this ordinance. Prior to granting such a waiver, the Planning Board must find that the proposed construction is necessary for the development provided by RSA 674:39, pursuant to that statute, and that the construction is to be in phases of a phased development project. The construction of the building and construction has not yet occurred, and the construction of the building and construction is not yet completed.
- (3) The Planning Board may waive all or part of the impact fee assessment and accept a contribution in kind. In such a case, a proposed contribution of property or facility must be of sufficient value and utility to the public to justify the request for a waiver. Under this provision that would otherwise be a request for a waiver of impact fees for the construction of capital facilities, the Planning Board may accept a contribution in kind. The contribution must be presented to the City Council for its review and consideration. The contribution must be of sufficient value to justify the contribution. The value of contributions or in-kind contributions toward facilities of like kind, and may not be credited to the impact fee assessment.

The applicant shall pay all costs incurred by the City for the review of such proposals, including consultant and counsel fees.

- (4) The Planning Board is responsible, when there is a change in use, for determining the net increase on public capital facilities and may agree to waive the entire fee if it determines that its collection and administration will exceed its value to the City.

**42.32 Planned Unit Development. [75] [81]**

(a) Authority. This section is adopted pursuant to New Hampshire RSA 674:21 Innovative Land Use Controls subsection I. (e) Planned unit development.

(b) Purpose. A Planned Unit Development (PUD) allows a landowner to propose his/her own development project largely independent from current land use regulations otherwise applicable to that property. A PUD master plan is akin to a special zoning district designation for a particular tract of land in terms of uses, dimensions, and other development standards. (Note: every reference to a master plan in this PUD ordinance refers to the PUD master plan rather than the City of Rochester Master Plan, except where the latter is specifically referred to as such.)

The purpose of this ordinance is to promote flexibility in large scale development by considering project proposals based upon a comprehensive, integrated and detailed plan rather than the

specific constraints applicable to piecemeal lot-by-lot development under conventional zoning. A PUD should improve the quality of new development by encouraging aesthetically attractive features and promoting quality site and architectural design.

(c) Process. The process for administering a Planned Unit Development is as follows.

(1) Due to the complexity inherent in PUD's, prior to developing a detailed PUD proposal or submitting an application applicants are strongly encouraged to: a) meet with the Planning Department to discuss their ideas; and b) hold a conceptual discussion with the Planning Board.

(2) The applicant submits a formal PUD application (also known as the proposed PUD master plan) as specified elsewhere in this section.

(14) The Planning Board holds a public hearing on the PUD application and determines whether or not it is complete, in accordance with this ordinance. The board must take final action on the application within 65 days of a finding of completeness.

(4) The Planning Board approves, denies, or approves with conditions the PUD application. An applicant may appeal any such decision of the Planning Board in the same manner specified for appeals for site plan determinations and subdivision determinations (RSA 677:15).

(5) The Planning Department maintains a record of all approved PUD master plans. The PUD is demarcated on the official Zoning Map of the City (over the underlying zoning district) and labeled based on the order in which the master plan was approved (as PUD-1, PUD-2, etc.).

(6) Subsequent to the PUD approval, the applicant submits a separate site plan application and/or subdivision application for development of the tract in accordance with the master plan. In the event of a conflict between the terms of the approved master plan and the terms of the site plan regulations or subdivision regulations, the terms of the approved master plan shall control.

(7) Any development on the subject property must be consistent with the approved master plan as determined by the Planning Board. While it is the master plan, rather than the underlying zoning district, that regulates development of the subject tract, there shall remain an underlying zoning designation for the tract at all times.

(8) In the event active and substantial development or building has not begun on the site by the owner or the owner's successor-in-interest in accordance with the approved master plan within four years after the date of approval, or in accordance with other specific terms of the approval, then the master plan shall be deemed to have expired and the underlying zoning shall then control development of the land. Landowners may apply to the Planning Board for extensions of this time period for good cause shown.

(10) Landowners may apply to amend all or a portion of an approved PUD following the same process applicable to the establishment of a PUD. A landowner may extinguish a PUD by notifying the Planning Board in writing that he/she does not intend to utilize the PUD.

(d) PUD Master Plan.

(1) In devising the PUD master plan, subject to specific limitations, guidelines, and objectives stated elsewhere in this ordinance, there is flexibility in the selection of land uses, density,

setbacks, buffers, building heights, lot sizes, lot dimensions, parking requirements, and most site design and development standards contained in the Zoning Ordinance, Site Plan Regulations, Subdivision Regulations.

(2) The master plan is composed of: (a) all of the elements submitted by the applicant which describe the project including a land plan (drawing), land use list, PUD application, narrative, architectural guidelines (if applicable), and other development guidelines; and (b) any additions, deletions, modifications, and/or clarifications stipulated by the Planning Board in its approval.

(3) The land plan delineates one or more land use areas. An accompanying land use list gives a designation for each land use area specifying approximate acreage, types of uses, density and any other development standards peculiar to that area.

(e) Basic Requirements. The following requirements apply.

(1) Location. PUD's are permitted only in the Agricultural, Residential-1, and Residential-2 zoning districts. They are permitted on one or more lots, or portions of lots, of land.

(2) Tract size. The minimum area required for a PUD shall be fifty (50) contiguous acres of land. However, within Residence-1 and Residence-2 zoning districts where a bona fide traditional neighborhood development is proposed in accordance with the parameters discussed in the City of Rochester Master Plan the minimum area shall be twenty-five (25) contiguous acres. Where portions of the tract are separated by a road, road right-of-way, utility, waterway, or another like element, the land shall be deemed contiguous unless the intervening feature is of such a nature that the Planning Board determines that the land could not function effectively as a PUD.

(3) Ownership. The PUD shall be under unified ownership or control at the time of application. However, the tract may be subsequently subdivided consistent with the terms and conditions of the approved master plan. Multiple parties may own, manage, and/or develop various components of the PUD provided that the overall PUD remains integrated.

(f) Permitted Uses. The following uses may be proposed for inclusion in a PUD. However, no use is permitted in a PUD unless specifically approved by the Planning Board as part of the master plan.

(1) Any residential use(s) proposed by the applicant which, as reasonably determined by the Planning Board, meet(s) the requirements and objectives of this ordinance. These may include dwelling units in the following forms:

- (A) Single-family detached;
- (B) Duplexes;
- (C) Triplexes;
- (D) Fourplexes;
- (E) Rowhouses/townhouses;
- (F) Attached or detached condominium units;
- (G) Multi-family units;
- (H) Housing for persons fifty-five (55) years of age and over.

(2) Any uses that are permitted in the underlying zoning district, either by right, special exception, or conditional use permit (at such time as this procedure may be established) except for those uses specifically prohibited below; any uses that are allowed in the underlying zoning district under an existing permit or as existing nonconforming uses.

(3) Any uses that are customarily accessory to uses approved in the PUD Master Plan.

(4) Nonresidential Uses. Any nonresidential use(s) proposed by the applicant which, as reasonably determined by the Planning Board, meet(s) the requirements and objectives of this ordinance except for those specifically prohibited below. Nonresidential uses should be

compatible in scale and design with residential uses, be attractive and low key (in terms of building design, signage, lighting, and treatment of parking), and have a strong pedestrian orientation. The types of nonresidential uses compatible with a PUD include (but are not limited to) the following:

(A) Community function halls;

(B) Neighborhood scale commercial uses such as convenience stores, craft store, drug stores, restaurants, beauty shops, tailors, Laundromats, banking establishments;

(C) Professional offices;

(D) Medical care uses, including medical care office buildings;

(E) Day care facilities for adults and children;

(F) Other civic uses such as schools, government offices, and churches;

(G) Inns and bed and breakfasts;

(H) Indoor and outdoor recreation facilities; and

(I) Sales office for the sale or rental of property in the PUD;

(5) Prohibited uses and designs. The following uses and designs are not permitted in a PUD unless they are already allowed in the underlying zoning district under an existing permit or as existing non-conforming uses: commercial telecommunication towers/wireless communications facilities as a primary use, any industrial use, warehousing or storage as a primary use, automobile/vehicle dealerships (new or used), any individual retail sales or service operation with a building footprint exceeding 20,000 square feet, gasoline stations, any restaurant with a drive up window, and internally illuminated signage.

(g) Standards of Development. The following standards shall apply to all PUDs.

(1) All PUDs shall contain a minimum of twenty (20%) percent of the total gross acreage of the site as open space. Plans for ownership and maintenance of all open space areas must be determined at the time of either master plan approval or site plan/subdivision approval.

(2) No more than fifty (50%) percent of the PUD site, excluding open space, shall be devoted to parking, streets, buildings, and accessory structures, except in the case of a bona fide

traditional neighborhood development.

(3) Off street parking and loading shall comply with the Rochester Zoning Ordinance for each proposed use. However, the Planning Board may grant waivers for parking if the Board finds that waivers will be compatible with the design and purposes of the PUD.

(4) All utilities shall be located underground, unless the Planning Board determines that significantly unfavorable site conditions warrant above ground installation.

(3) The overall residential density of a PUD may not exceed six residential dwelling units (including single family homes) per gross acre of the PUD tract. In determining appropriate density, in addition to other criteria here, the Planning Board shall pay special attention to the

amount of buildable land contained on the tract as determined or reasonably estimated in the submission materials. The commercial uses delineated above may be located in a flexible spatial environment, assuring compatibility with residential uses and with the overall development design, provided that non-residential uses do not exceed 25% of the gross tract area of the PUD. These limitations herein: (a) are maximums and should not be construed as by right permitted levels of development, and (b) may be waived in the case of a bona fide traditional neighborhood development.

(6) No building shall exceed four (4) stories in height (except for cupolas, dormers, building towers, and similar elements).

(7) Flexible street design, compatible with the design of the PUD is encouraged. Street designs which promote a sustainable community living environment within the PUD are encouraged. Street widths may be reduced from the provisions of the Zoning Ordinance and Subdivision Regulations where a reduction in street size is compatible with the harmonious development of the PUD and accommodates emergency vehicles and other functional needs.

(8) The PUD shall be in compliance with (a) all standards contained within the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations unless waived or modified as part of the master plan and (b) all applicable local, state, and federal law relating to public health and safety, building construction, drainage, nuisances, and protection of natural and cultural resources (these standards may not be waived or modified).

(9) All roads and structures shall be set back a minimum of fifty (50) feet from all exterior PUD tract boundaries which abut residential uses except where transportation or use linkages are desired. Landscaping and other screening devices shall be designed to provide a reasonable buffer between the PUD and adjoining property except where compatible uses adjoin one another.

(10) Private roads may be utilized provided acceptable arrangements are made for their ownership and maintenance.

(11) In a PUD where ownership is subject to restrictions, covenants and other agreements, those documents shall be recorded in the Strafford County Registry of Deeds and shall be subject to the reasonable approval of the Planning Board.

(12) Where municipal water and/or sewer service is reasonably available the applicant must tie in. However, for good cause the Planning Board may grant a waiver from this requirement.

(13) Any proposed covenants, restrictions, and easements must be approved by the Planning



Board. A provision must be built into the documents providing for municipal enforcement of the covenants, restrictions, and easements at the City's option and at the developer's expense under appropriate circumstances.

(h) Criteria for review of PUD proposals. The following criteria shall guide the Planning Board in determining appropriate land uses, densities, and other development standards for the PUD. It is emphasized that the determination of whether or not a proposal meets the intent and objectives of this ordinance is made by the Planning Board in its reasonable discretion.

(1) General Considerations. The Planning Board shall consider the following:

(A) Standards of underlying zoning district - permitted uses, densities, and other standards. However, these standards shall not be controlling provided the applicant is otherwise in compliance with the terms of this ordinance.

(B) Provisions of City of Rochester Zoning Ordinance, Site Plan Regulations, Subdivision Regulations, and other applicable city, state, and federal law, where appropriate.

(C) Consistency with the City of Rochester Master Plan, particularly the Land Use Chapter.

(D) Conformance with the intent and objectives of this ordinance.

(E) Infrastructure capacity and the effect of the PUD upon public services and public safety.

(F) Prospective fiscal impact upon the City of Rochester.

(2) Specific objectives. Every PUD should incorporate a number of the following elements. Their usage defines a planned unit development and justifies departures from standards otherwise applicable under conventional zoning (introduction of new uses, more intensive land uses, higher density, novel design approaches, etc.).

(A) Traditional neighborhood development approaches (see Rochester Land Use Chapter).

(B) Open space development approaches (see Rochester Land Use Chapter).

(C) Creation of a network of narrow, attractive, walkable streets.

(D) Inclusion of a harmonious mix of uses.

(E) Provisions for quality architectural design.

(F) Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.

(G) Preservation of significant open space.

(H) Preservation of natural vegetation and other important natural features.

(I) Preservation of important cultural resources such as stone walls and other

archaeological sites.

(J) Development of active or passive recreational areas.

(K) Quality landscaping.

(L) Use of sidewalks, bikeways, and other multi-use paths.

(M) Use of traffic mitigation or traffic calming measures.

(N) Significant screening of, or rear placement of, parking areas.

(O) Sustainable design and construction practices promoting energy conservation.

(P) Other public benefits such as provision of a community center or day care center.

(Q) Public access to community facilities in PUD.

(i) Submission Requirements

(1) Materials. The applicant for a PUD shall provide the following materials (in format and number as reasonably determined by the Planning Department):

(A) Completed PUD application

(B) Narrative, including a statement of purpose for the PUD and how it meets the goals of this ordinance

(C) Proposed land plan

(D) Proposed land use list

(E) Completed abutters list

(F) PUD application fee

(2) Information. The applicant for a PUD shall provide the following information. Given the amount of information needed it is recommended that the plan be developed and refined through several conceptual/preliminary iterations with the staff and Planning Board. Many of these items may be presented as approximations or preliminary estimates subject to change, where appropriate.

(A) Present underlying zoning classification and zoning classification of all adjoining lots.

(B) Topographic information on the tract including soil types, wetlands, surface water, land contours, natural and cultural resources, ridges and knolls, rock outcrops, steep slopes, etc. This information may be presented in an overview format, in less detail than would be required of a site plan or subdivision application provided that a clear sense of the tract is conveyed sufficient to evaluate the PUD proposal (for example, wetlands need not be professionally delineated if potentially wet low lying areas are roughly indicated).

(C) Total acreage of the tract; rough delineation of each land use area with approximate acreage,

(D) Proposed uses for each land use area, preferably given with some specificity.

(E) Proposed total number of dwelling units and overall residential density for the tract.

(F) Proposed number of dwelling units for each land use area.

(G) Proposed location, size, use(s) for each structure.

(H) Proposed location, width, and materials of all streets, drives, sidewalks, and paths.

(I) Proposed location and number of spaces for each parking area.

(J) Proposed open space areas.

(K) Natural and cultural resources proposed to be preserved.

(L) Proposed buffers, if appropriate, to adjoining property.

(M) Brief explanation or sketch of proposed landscaping.

(N) Brief explanation or sketch of proposed water and sewer/septic systems.

(O) Brief explanation or sketch of proposed stormwater management plan.

(P) Brief explanation or sketch of other proposed utilities.

(Q) Brief explanation or sketch of proposed firefighting strategy.

(R) Proposed architectural standards or guidelines or brief explanation/sketch of architectural treatment.

(S) Proposed time schedule for completion of the project, phasing schedule (if applicable depending on scale and type of PUD), plans for bonding if applicable, and well thought out plan to ensure that the amenities will be completed as proposed and in a timely manner.

(T) Proposed covenants, restrictions and easements and how they will be monitored and enforced, if applicable.

(U) Proposed ownership arrangement of each section of the PUD whether to be subdivided, held in fee simple, owned under a condominium arrangement, established as a homeowners association, etc.

(V) Proposed articles of incorporation and bylaws of any corporation and/or homeowners association to be formed.

(W) Any other information that the Planning Board or the City Attorney may deem reasonably necessary.

(j) Interpretation/application of PUD master plan. The Planning Board shall review any site plan or subdivision application for its conformity with the approved PUD master plan, however the PUD will have control over site review and subdivision regulations. The board may use its discretion in determining if particular items are consistent with the intent of the plan.

(1) Many items in the PUD Master Plan will be presented and construed to be in preliminary sketch form subject to preparation of detailed, engineering analysis and some modification at

the site plan/subdivision application stage consistent with the master plan. These items include exact lot locations and layouts, exact locations of roads and paths, size and configuration of parking lots, utility information, water and sewer/septic, drainage, landscaping, and

architectural renderings. (For example, the land plan may show numerous trees to be planted. The applicant would be able to significantly modify the locations and types of planting at the site plan stage provided the intent of the landscaping element as presented in the land plan is met.)

(2) All development standards must ultimately be determinable for each land use area. Where specific development standards are neither stated nor implied in the PUD master plan, the most appropriate standards otherwise applicable (from the Zoning Ordinance, Site Plan Regulations, and/or Subdivision Regulations) shall apply as determined by the Planning Board. (For example, an area designated for single family homes in the PUD master plan does not specify front setbacks. The front setbacks contained in the City's primary single family zoning district would then apply.)

(k) Fees. The application fees for a PUD are as follows:

- (1) \$20.00 per gross acre of the tract not to exceed \$3,000
- (2) \$500.00 at the preliminary review with the balance due at the regular review.

**42.33 Rochester Historic District**

[78] [125]

- (a) Table of contents
- Purpose (b)
- Identification of Historic District (c)
- Purpose and Mission (d)
- Guidelines (e)
- Process
- Definition
- Historic District (h)
- Designation of
- Appendix

(b) Purpose. This ordinance is adopted by the City Council pursuant to and in accordance with NH RSA's 675:2, 675:3, 675:4, 675:5, 675:6, 675:7, 675:8, 675:9, 675:10, 675:11, 675:12, 675:13, 675:14, 675:15, 675:16, 675:17, 675:18, 675:19, 675:20, 675:21, 675:22, 675:23, 675:24, 675:25, 675:26, 675:27, 675:28, 675:29, 675:30, 675:31, 675:32, 675:33, 675:34, 675:35, 675:36, 675:37, 675:38, 675:39, 675:40, 675:41, 675:42, 675:43, 675:44, 675:45, 675:46, 675:47, 675:48, 675:49, 675:50. The purpose of the Rochester Historic District is to promote the community by:

- (1) Safeguarding the cultural heritage of the City;
- (2) Fostering the preservation and development of historic and places of historic, architectural, and scientific interest;
- (3) Fostering the beauty and noble accomplishment of the City;
- (4) Furthering the awareness of the City of Rochester to its residents, visitors, and shoppers, thereby providing economic benefit to the City;
- (5) Conserving and improving the value of property in the District; and

Abutters list to 215 Rochester Hill Road, Map/Lot 0243 – 0039-0000 and 0243-0039-000A

#	Map/Lot	Address	Owner name and Address
1	0243-0018-0000	238 Rochester Hill Road	Pease Development Authority 55 International Drive Portsmouth NH 03801
2	0243-0038-0000	251 Rochester Hill Road	Society for the Protection of New Hampshire Forests 54 Portsmouth Street Concord, NH 03301-5400
3	0243-0039-0001	6 Healthcare Drive	FMH Health Services, LLC One Park Plaza Nashville, TN 37203-6527
4	0243-0039-0002	18 Healthcare Drive	Lilac View Realty Trust 231 Gulf Street Shrewsbury, MA 01545
5	0243-0039-0003	13 Healthcare Drive	FMH Health Services, LLC One Park Plaza Nashville, TN 37203-6527
6	0243-0040-0000	2 Continental Blvd	Randolph R. Tetreault Kathy L. Tetreault P.O. Box 1782 Wolfeboro, NH 03894-1782
7	0243-0041-0000	6 Continental Blvd	David R. Camire Tracey A. Camire 4 continental Blvd Rochester, NH 03867
8	0243-0042-0000	10 Continental Blvd	Gary R. Desmith Patrice DeSmith 10 Continental Blvd Rochester, NH 03867-4531
9	0243-0043-0000	12 Continental Blvd	Jeffrey P. Thorpe Trisha L M Thorbe 12 Continental Blvd Rochester, NH 03867-4531
10	0243-0044-0000	16 Continental Blvd	John E. Grimm Jenna Grimm 16 Continental Blvd Rochester, NH 03867-4531



	Map/Lot	Address	Owner name and Address
11	0243-056-0000	145 Tebbetts Road	Tracy Degaribody 145 Tebbetts Road Rochester NH 03867-4501
12	0243-0058-0000	141 Tebbetts Road	Viateur Begin & Doris F. Begin 141 Tebbetts Road Rochester, NH 03867-4501
13	0243-0060-0000	159 Rochester Hill Road	New England City blessing Church, Inc. 24 Denby Rd., Suite 130 Allston, MA 02134-1606
14	0244-0005-0000	142 Tebbetts Road	Morgan J. Edgerly Kimberlyn M. Edgerly 142 Tebbetts Road Rochester, NH 03867-4512
15	0244-0005-0001	178 Tebbetts Road	Eric V. Wasson & Allison K. Wasson, Trustees of The Allison K. Wasson Revocable Trust 178 Tebbetts Road Rochester, NH 03867-4502
16	0253-0044-0000	234 Lowell Street	Douglas D. Harley and Pamela H. Harley, Trustees of The Harley Living Trust UA dated 1/2/19 P.O. Box 388 Rochester, NH 03866-0388
17	0254-0001-0000	6 Roberts Road	Christopher David Vaillancourt Samantha Nacos 6 Roberts Road Rochester, NH 03867-4502
18	0254-0003-0000	10 Roberts Road	Nicholas C. Blougouras Georgia Blougouras P.O. Box 855 Rochester, NH 03866-0855
19	0254-0004-0000	18 Roberts Road	Lee V. MacLachlan 18 Roberts Road Rochester, NH 03867-4502

	Map/Lot	Address	Owner name and Address
20	0254-0005-0000	24 Roberts Road	Colin T. Foss, Trustee of The Roger & Susan Foss Family Trust 24 Roberts Road Rochester, NH 03867-4502
21	0254-0006-0000	30 Roberts Road	Thomas C. Burke and Arlene M.M. Burke, Trustees of The Burke Family Trust 30 Roberts Road Rochester, NH 03867-4502
22	0254-0007-0000	31 Roberts Road	James A. Niland 17 Roberts Road Rochester, NH 03867-4502
23	0256-0073-0000	26 Whitehouse Road	Society for the Protection of New Hampshire Forests 54 Portsmouth Street Concord, NH 03301-5400
24	0256-0073-0001	14 Whitehouse Road	Joseph Randazzo Sara B. Randazzo 14 Whitehouse Road Rochester, NH 03867-4565
25	0256-0073-0002	18 Whitehouse Road	Aaron M. Snow Sarah L. Snow 18 Whitehouse Road Rochester, NH 03867-4565
26	0256-0073-0003	22 Whitehouse Road	Mark A. Stailey Sally K. Stailey 22 Whitehouse Road Rochester, NH 03867
27	0256-0073-0004	28 Whitehouse Road	Charles F. Lafreniere, Jr. Donna A. Lafreniere 28 Whitehouse Road Rochester, NH 03867
28	0256-0073-0005	32 Whitehouse Road	Elijah J. Vandenberg 32 Whitehouse Road Rochester, NH 03867-4565
29	0256-0073-0006	36 Whitehouse Road	Corey S. Wallingford Sherry A. Wallingford 36 Whitehouse Road Rochester, NH 03867-4565

	Map/Lot	Address	Owner name and Address
30	0256-0073-0007	40 Whitehouse Road	Peter J. Larochelle Karla A. Larochelle 40 Whitehouse Road Rochester, NH 03867
31	0256-0073-0008	42 Champlin Ridge Road	Christopher Dias Jennifer Dias 42 Champlin Ridge Road Rochester, NH 03867
32	0256-0073-0009	52 Champlin Ridge Road	James J. Reynolds Kerry L. Reynolds 52 Champlin Ridge Road Rochester, NH 03867
33	0256-0073-0010	58 Champlin Ridge Road	Eric Royal, Trustee of the EBR Revocable Trust 58 Champlin Ridge Road Rochester, NH 03867
34	0256-0073-0011	64 Champlin Ridge Road	Alejandro S. Saranglao, Jr. and Darwin R. Sayson , and their successors, as Trustees of the Sayson/Saranglao Family Revocable Trust of 2013 64 Champlin Ridge Road Rochester, NH 03867-5217
35	0256-0073-0012	70 Champlin Ridge Road	Peter L. Hartman Susan M. Hartman 70 Champlin Ridge Road Rochester, NH 03867
36	0256-0073-0013	76 Champlin Ridge Road	Sarah A. Tolan Michael E. Taylor 76 Champlin ridge Road Rochester, NH 03867
37	0256-0073-0014	82 Champlin Ridge Road	Timothy W. Van Splunder, Amy L. Van Splunder, As Trustees of the Timothy W. Van Splunder and Amy L. Van Splunder Revocable Living Trust, U/T/A dated April 17, 2017 Rev. Liv. Trust 82 Champlin Ridge Road Rochester, Nh 03867
38	0256-0073-0015	88 Champlin Ridge Road	Roberta Large 88 Champlin Ridge Road Rochester, NH 03867

	Map/Lot	Address	Owner name and Address
39	0256-0073-0016	94 Champlin Ridge Road	Joel R. Reilley Tamatha L. Reilley 94 Champlin Ridge Road Rochester, NH 03867-5217
40	0256-0073-0017	100 Champlin Ridge Road	Ellen M. Bennett Tyler P. Bennett 100 Champlin Ridge Road Rochester, NH 03867-5223
41	0256-0073-0018	106 Champlin Ridge Road	Peter C. Hawkins, Sr. Sandra L. Hawkins 106 Champlin Ridge Road Rochester, NH 03867-5223
42	0256-0073-0019	112 Champlin Ridge Road	Mark D. Scott Jodenne Scott 112 Champlin Ridge Road Rochester, NH 03867-5223
43	0256-0073-0021	119 Champlin Ridge Road	Nikolas J. Vacek Beth L. Vacek 125 Champlin Ridge Road Rochester, NH 03867
44	0256-0073-0021	119 Champlin Ridge Road	Derrick John Robert Braswell 119 Champlin Ridge Road Rochester, NH 03867-5223
45	0256-0073-0022	111 Champlin Ridge Road	Lawrence Spector Andrea W. Spector 111 Champlin Ridge Road Rochester, NH 03867
46	0256-0073-0023	105 Champlin Ridge Road	Anthony M. Cresta, II Melissa R. Cresta 105 Champlin Ridge Road Rochester, NH 03867-5223
47	0256-0073-0024	99 Champlin Ridge Road	Thomas A. Davis Patricia A. Diamico 99 Champlin Ridge Road Rochester, NH 03867-5223
48	0256-0073-0025	93 Champlin Ridge Road	Tammy L. Adams Tate A. Adams 93 Champlin Ridge Road Rochester, NH 03867-5223

	Map/Lot	Address	Owner name and Address
49	0256-0073-0026	87 Champlin Ridge Road	Michael J. McCooley India M. McCooley 87 Champlin Ridge Road Rochester, NH 03867-5217
50	0256-0073-0027	81 Champlin Ridge Road	Mark P. Hanson Lindy D. Lesperance 81 Champlin Ridge Road Rochester, NH 03867
51	0256-0073-0028	75 Champlin Ridge Road	Wendy Y. Cogdill Delbert L. Cogdill 75 Champlin Ridge Road Rochester, NH 03867
52	0256-0073-0029	69 Champlin Ridge Road	John W. Norton, Jr. Maria C. Norton 69 Champlin Ridge Road Rochester, NH 03867-5217
53	0256-0073-0030	63 Champlin Ridge Road	Edward Lawrence Cassidy Robert Allen Danielson 63 Champlin Ridge Road Rochester, NH 03867-5217
54	0256-0073-0031	57 Champlin Ridge Road	Darryl B. Genkinger Jeri L. Genkinger 57 Champlin Ridge Road Rochester, NH 03867
55	0256-0073-0032	51 Champlin Ridge Road	Natalia A. Hammond Michael P. Torres 51 Champlin Ridge Road 03867-5217
56	0256-0073-0033	41 Champlin Ridge Road	Bruce F. McNally Patricia A. McNally 41 Champlin Ridge Rod Rochester, NH 03867
57	0256-0073-0034	26 Champlin Ridge Road  OPEN Space	Common Ownership

Additional notifications to:

Megan Carrier, Esq.  
Sheehan Phinney Bass & Green, PA  
1000 Elm Street, 17<sup>th</sup> Floor  
Manchester, NH 03101

Christopher Miller  
Easterseals NH/Me/Vt/Farnum  
Senior Vice President for Property Management and Housing Development  
555 Auburn Street  
Manchester, NH 031033





April 21, 2021

To Whom It May Concern,

I, Maureen Beauregard, President & CEO of Easter Seals New Hampshire, Inc., hereby authorize Megan Carrier and/or any other attorney from the office of Sheehan Phinney Bass & Green, P.A., to act on behalf of Easter Seals New Hampshire, Inc., in connection with its requested variance relating to 215 Rochester Hill Road in Rochester, New Hampshire.

Sincerely,

A handwritten signature in blue ink that reads "Maureen Beauregard". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Maureen Beauregard  
President & CEO