



Town of Allenstown  
Zoning Board of Adjustment

Applicant Name One Wall Allenstown, LLC Phone 603-622-6223 (or Counsel 624-4333)

Address 670 North Commercial Street, Manchester, NH 03101 Home Work

Owner of Property Concerned One Wall Allenstown, LLC Map # 111 Lot # 3

Address of Property Concerned 25 Canal Street Zoning District Industrial/SVID

Description of Property Frontage see plan Side see plan Rear see plan Acres/SF see plan A SF

Proposed Use It is proposed to redevelop the existing 'China Mill' property into 150 residential units along with associated site improvements. As part of this project, parking space dimensions are proposed to be 9-ft wide, where a minimum of 10-ft wide is required.

COMPLETE SECTION 1, 2, 3, 4 OR 5 ~~OR~~ COMPLETE MORE THAN ONE SECTION

Section 4 ADMINISTRATIVE DECISION

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

Inspector/Code Enforcement Officer on \_\_\_\_\_, relative to Article \_\_\_\_\_, Section \_\_\_\_\_ of the zoning  
date ordinance.

Section 2 SPECIAL EXCEPTION

The undersigned hereby requests a special as provided in Article \_\_\_\_\_, Section \_\_\_\_\_ of the zoning ordinance.

Section 3 VARIANCE

The undersigned hereby requests a variance to the terms of Article XI, Section 1112(i) and asks that said terms be waived to permit proposed 9-ft wide parking space dimensions, where a minimum of 10-ft wide is required.

Applicant Signature Gerrit Muller for John Cronin Date July 30, 2020

Received Stamp



# Zoning Board of Adjustment

Town of Allenstown

16 School Street

Allenstown, NH 03275

Tel: (603)-485-4276

Fax: (603) 485-8669

## APPLICATION FOR VARIANCE OF USE OR AREA

Before you undertake completing this application we strongly encourage you to read the entire application first. Upon reading the entire application go back and answer the questions 1 through 5 with as much specific factual detail as required. The obligation of demonstrating facts sufficient to support your appeal is your responsibility. Use the "Required Documentation Checklist" to assist you in properly collecting the necessary data and providing responses that factually support your position.

The undersigned hereby requests a variance of [ ] USE or [x] AREA to the terms of Article VI Section 1112(i) and asks that said terms be waived to permit: proposed 9-ft wide parking space dimensions, where a minimum of 10-ft wide is required.

Note: Per discussion with staff, the requested parking space dimension variance is being considered a "variance of area" for the purposes of this application.

You are required by law to demonstrate:

1. That there will not be a diminution of value of the surrounding properties as a result of the granting of this variance because: \_\_\_\_\_

The variance request is associated with of the overall proposed redevelopment of the existing 'China Mill' building and property into 150 residential units along with associated site improvements. Granting the the variance request will allow for adequate parking facilities to be provided as part of the proposed redevelopment project, where significant site constraints currently exist. The overall project contemplates substantial rehabilitation to the existing building(s) and site which are currently in states of decline and disrepair. Once complete, the overall project will not cause a diminution of value of surrounding properties and will enhance the economic vitality of the project area and the Town of Allenstown as a whole.

Also See Attached

2. That the granting of the variance will not be contrary to the public interest because: \_\_\_\_\_  
The variance request is associated with of the overall proposed redevelopment of the existing 'China Mill'  
building and property into 150 residential units along with associated site improvements. Granting the  
variance request will not be contrary to the public interest as it will allow for adequate parking facilities to  
be provided for future residential tenants and visitors. Furthermore, granting the variance request will assist  
in minimizing impervious areas, improving stormwater management and increasing green space on site.

\_\_\_\_\_  
Also See Attached  
\_\_\_\_\_  
\_\_\_\_\_

3. That enforcement of the zoning ordinance will create an unnecessary hardship in that the  
zoning restriction:

Answer a-c if your application is for a "USE" variance:

a. As applied to the petitioner's property will interfere with the petitioner's reasonable use of  
their property, considering the unique setting of the property in its environment for the  
following reasons: \_\_\_\_\_

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. As specifically applied to the petitioner's property has no fair and substantial relationship to  
the general purposes of the zoning ordinance for the following reasons: \_\_\_\_\_

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. If relieved by a variance, will not injure the public or private rights of others for the following reasons: \_\_\_\_\_

N/A

Answer aa-bb if your application is for an "AREA" variance:

aa. An area variance is needed to enable the applicants proposed use of the property given the special conditions of the property because: \_\_\_\_\_

The variance request is associated with of the overall proposed redevelopment of the existing 'China Mill' building and property into 150 residential units along with associated site improvements. Granting the variance request will allow for adequate parking facilities to be provided for future residential tenants and visitors. Furthermore, granting the variance request will assist in minimizing impervious areas, improving stormwater management and increasing green space on site.

Also See Attached

bb. The benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance because: \_\_\_\_\_

The requested parking space dimension variance will allow for adequate parking facilities to be provided as part of the overall redevelopment project. Without the variance and given the existing site constraints, the applicant would incur significant and unnecessary construction costs in order to provide an equal amount of parking spaces as currently proposed with the 9-ft wide spaces. It would also involve constructing more impervious area - which will result in more stormwater runoff being generated and less green space on site.

Also See Attached

4. That through the granting of relief by a variance substantial justice will be done because: \_\_\_\_\_

Substantial justice will be done by granting the variance request as it will allow a key building and property to be redevelopment in a manner that provides adequate parking facilities for its residential tenants and visitors, while also minimizing impacts to downstream natural resources and maximizing green space on site.

Also See Attached

5. The use, for which the variance is requested, will not be contrary to the spirit of the ordinance because: \_\_\_\_\_

Granting the variance request will not be contrary to the spirit of the ordinance as it will allow for adequate parking facilities to be provided for future residential tenants and visitors, while minimizing impervious areas, improving stormwater management and increasing green space on site.

Also See Attached

Signature: Barnd Muller for John Cronin

Date: July 30, 2020

## Attachment to Variance Application

**Applicant:** One Wall Allenstown, LLC

**Address:** 25 Canal Street

The variance seeks relief from Article XI, Section 1112(i) to permit proposed 9 foot wide parking space dimensions where a minimum of 10 feet wide is required.

1. That there will not be a diminution of value of the surrounding properties as a result of the granting of this variance because:

continued... The value of surrounding properties will be enhanced by the development and the substantial capital that will be invested to improve utilities and restore the building. Surrounding property values will not be diminished if the variance is granted.

2. That the granting of the variance will not be contrary to the public interest because:

continued... The variance requested is in the public interest, as a vital structure will be restored and improved resulting in a substantial increase in the tax base. The town has a high tax rate and needs new development to maintain the current level of service at an affordable tax rate. The project will bring consumers to the area that are expected to patronize local businesses and add to the local economy. The State has an ongoing housing shortage of all types and current vacancy rates are at 1%. More housing is required to sustain existing businesses and to attract new employers to the community and region.

3. That enforcement of the zoning ordinance will create an unnecessary hardship in that the zoning restriction:

aa. An area variance is needed to enable the applicants proposed use of the property given the special conditions of the property because:

bb. The benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance because:

continued... The property is unique and has special features, such as a canal and water frontage, that create a hardship if wider parking spaces are required. Parking space size is usually in the site plan regulations which the planning board has power to waive. In this case, the Ordinance sets forth the width. Parking spaces of different sizes are utilized throughout the country. Nine foot spaces are not unusual and are safely and properly occupied in many applications including residential communities. The proposed width is reasonable. Most communities establish parking spaces as nine feet wide. Compact car spaces can be eight feet wide. Enclosed parking lots usually employ a ten foot standard due to the supporting structural members that crowd the parking area. There will be no obstructions in the proposed parking spaces and users will have adequate width to maneuver.

4. That through the granting of relief by a variance substantial justice will be done because:

continued... Substantial justice will be done if the variance is granted. The test requires a balancing test. If the variance is denied, the property owner will be harmed by a reduction in the number of parking spaces. The public will not be impaired if the variance is granted as the parking spaces will be owned and controlled by the property owner and will not be a public lot.

5. The use, for which the variance is requested, will not be contrary to the spirit of the ordinance because:

continued... The variance requested is consistent with the spirit and intent of the Ordinance because the provision for parking is necessary to allow rehabilitation of a tired and deteriorating property of significance to be redeveloped. The essential character of the neighborhood will not change by reducing the parking space width to nine feet. The site has existing parking spaces and the proposed dimension is suitable for the vehicles expected to park at the site.