



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 ☒ AREA to the terms of Article X Section 100A, a and asks that said terms be waived to permit: A proposed

4- Story Bldg where only 3 is allowed

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: _____

See enclosed Letter

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

See enclosed Letter

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: _____

See enclosed Letter

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: _____

See enclosed Letter

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

See enclosed Letter

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: _____

See enclosed Letter

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: _____

See enclosed Letter

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

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

see enclosed letter

Signature: _____

Date: _____

3/12/201

March 12, 2020

Town of Allenstown
Zoning Board of Adjustments
16 School Street
Allenstown, New Hampshire 03275

**Re: Variance Applications – Optimus Senior Living Site Plan
Tax Map 109; Lot 17
15 Pinewood Road – Allenstown, New Hampshire 03275
KNA Project # 2019-1126-1**

Dear Chairman and Board Members:

The above referenced parcel is being submitted for multiple Variances from the Town of Allenstown Zoning Board of Adjustment. The property is located at 15 Pinewood Road and is proposed to be a senior living facility. The Variance requests are from (1) **Article X: Commercial/Light Industrial Zone; Section 1004.a Dimensional Restrictions**; to allow the applicant to construct a 4-story building where only 3 are allowed; KNA will be present to further discuss the Variance at the scheduled hearing

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 applicant is requesting the zoning board allow a 4-story building be built on a Commercial/Industrial parcel in the Town of Allenstown. The granting of this variance to allow the applicant to construct a 4 story / 42' high, from ground to gutter line, building in the Commercial zone would not diminish surrounding properties values and actually by developing this undeveloped parcel the surrounding properties will most likely increase in value due to the use and architectural character of this application.**

2. *That the granting of the variance will not be contrary to the public interest because:* **Based on enclosed letter of support from the Allenstown Fire Department the applicant believes this request is not contrary to the public interest.**

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 special conditions of the property because: As the board can see from the existing conditions plans there is very limited upland area to develop this parcel and as such the applicant is requesting to add a story to the building and ask for a 4-story building where 3 is allowed to accommodate the demand for senior living units in the area.

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: Again based on the limited upland and the demand for senior housing in the area the applicant has no other option to develop this parcel without asking for this variance.

4. *That through the granting of relief by a variance substantial justice will be done because. By the Zoning Board of adjustment granting this variance substantial justice would be done in that it would allow the applicant to construct its standard building and adding needed senior living units to the Town of Allenstown.*

5. *The use, for which the variance is requested, will not be contrary to the spirit of the ordinance because: The applicant believes that the reason to limit the amount of stories to 3 is based on the Allenstown's fire department to safely protect the tenants of any building and based on the enclosed support letter from the Fire department the applicant believe this request is not contrary to the spirit of the ordinance.*

If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely,



Matthew J. Peterson

Senior Project Manager

Keach Nordstrom Associates

10 Commerce Park North, Suite 3B

Bedford, NH 03110

- xii. The use shall not otherwise adversely affect the environment, public health or safety.

ARTICLE X - COMMERCIAL/LIGHT INDUSTRIAL ZONE

Section 1001 Uses

In a Commercial/Light Industrial Zone, land may be used and buildings erected or used for:

- a. Hospitals
- b. Municipal Uses
- c. Schools
- d. Filling stations and motor vehicle garages
- e. Garden nursery/Commercial Greenhouse
- f. Newspaper or job printing plants
- g. Professional Offices
- h. Banks
- i. Public Recreation (Indoor or Outdoor)
- j. Restaurants
- k. Retail Sales of goods
- l. Lumber Yards/Timber Operations
- m. Retail Landscape Supply
- n. Warehouses/self storage units
- o. Food/Beverage processing
- p. Building/Contractor Yard
- q. Veterinary Office/Hospital
- r. Personal Service of any size
- s. Marine Sales/Service
- t. Adult Daycare
- u. Office Park
- v. Lab/Research and Development/Biotechnology Research
- w. Auto Sales
- x. Car Wash
- y. Outdoor Flea Markets in accordance with Section 1120 of this Ordinance
- z. Large Animal/Equine/Livestock Veterinary Facility
- aa. Consumable Manufacturing
- bb. Accessory Small-Scale Solar

Section 1002 Exceptions

- a. Telecommunications Towers

Section 1003 Uses Not Permitted

In a Commercial/Light Industrial Zone, no land, building, structure, or premises shall be used for a coal yard, or for any other purpose injurious, noxious or offensive to the neighborhood by reason of emission of odor, fumes, dust, smoke, vibration, noise or other cause.

Section 1004 Dimensional Restrictions

The following restrictions apply in a Commercial/Industrial Zone:

- a. No structure shall exceed three (3) stories or forty-five (45) feet in height from the ground to the highest point on any one side, exclusive of accessory chimneys or accessory antennas.
- b. No structure shall be erected *closer than fifteen (15) feet to any side lot line*, such side lot line unless a fire wall, approved by the Fire Chief, shall protect both structures facing such side lot line.
- c. No structure shall be *erected closer than forty (40) feet to the nearest rear lot line*.
- d. When parking is provided other than in front of the building, a setback from the sidewalk line of not less than five (5) feet shall be required. When parking is provided in front of a building, a setback from the sidewalk line of not less than twenty (20) feet shall be required.
- e. No more than seventy (70%) percent of the land area of any lot in the zone may be covered by buildings or structures.
- f. No lot shall have less than seventy-five (75) feet frontage on any one accepted street.
- g. Keeping of livestock may be permitted by the Zoning Board of Adjustment by special exception upon the applicant meeting the following conditions:
 - i. Livestock shall be housed in an appropriate structure.
 - ii. Livestock shall not be kept closer than 250' to any abutting residence.
 - iii. Livestock shall not be kept closer than 200' from any abutting property line.
 - iv. All livestock housing shall be erected prior to allowing animals to be kept on the property.
 - v. Submission of a detailed manure management plan consistent with the Manual of Best Management Practices for Agriculture in New Hampshire.
 - vi. The property is suitable for the keeping of livestock such as, but not limited to, grazing area, etc.
 - vii. The keeping of livestock will not diminish surrounding property values.
 - viii. The use shall be consistent with the character of the neighborhood.
 - ix. The use shall not be contrary to the spirit of the zoning ordinance.
 - x. Submission of a surface water run off plan which shall include, but is not limited to, the impact of run off from the livestock operations on surface water, groundwater, abutting properties and municipal sewers. The use shall not adversely impact surface water or groundwater, abutting properties or municipal sewers.

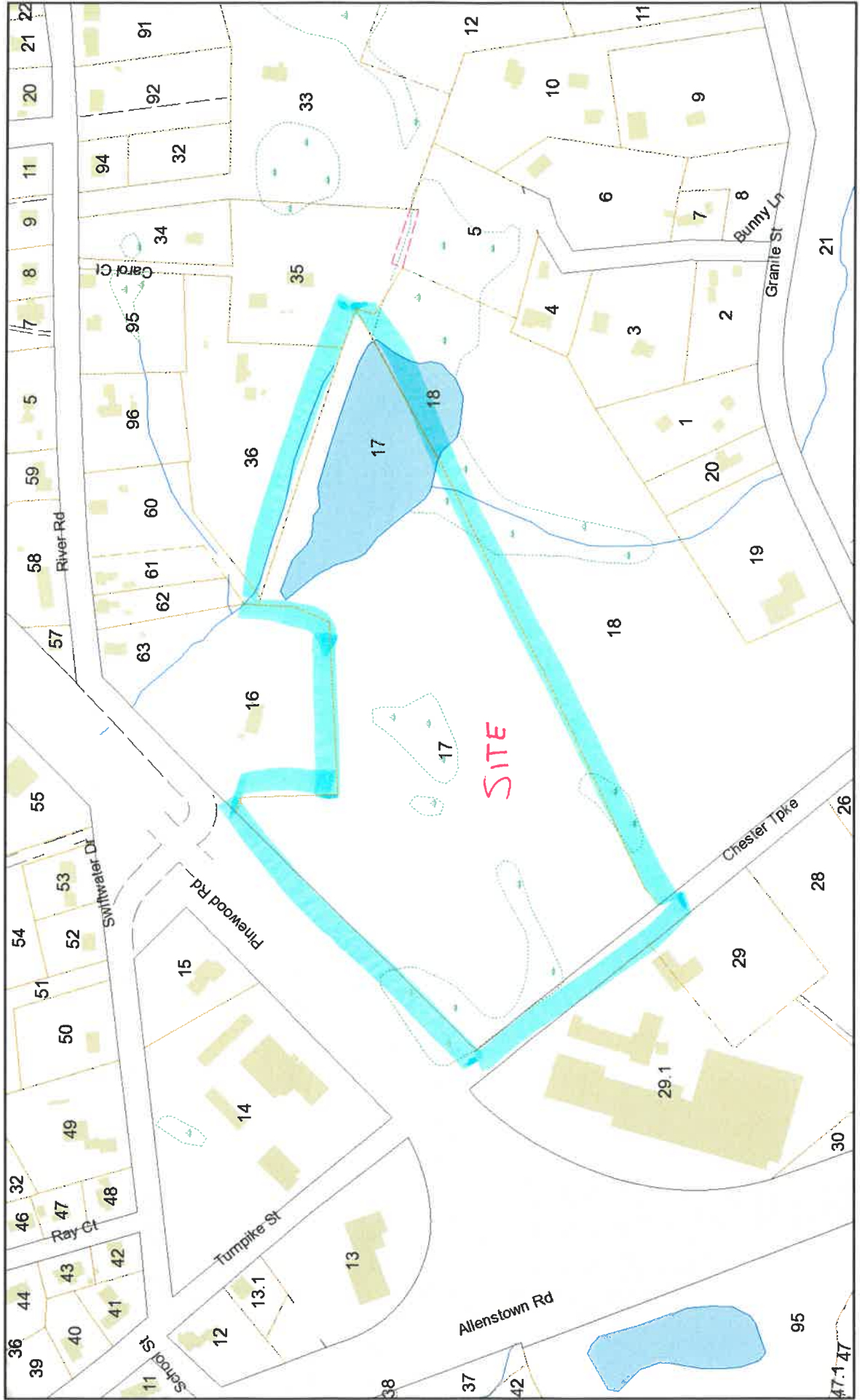


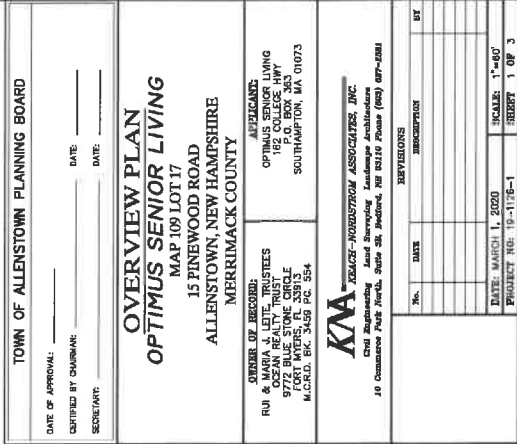
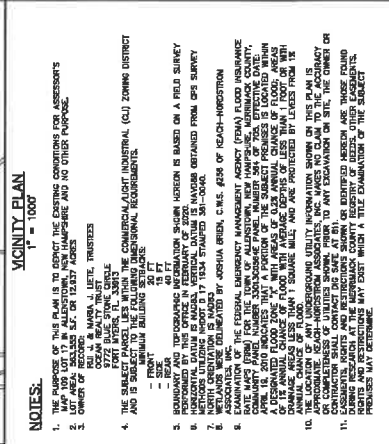
Allenstown, NH

1 inch = 274 Feet



March 12, 2020





Rev: 09/08/2017
09/08/2017
(not for
construction)

Revisions:
1. 09/08/2017 11-05-17
2. 09/08/2017 11-05-17
3. 09/08/2017 11-05-17
4. 09/08/2017 11-05-17
5. 09/08/2017 11-05-17
6. 09/08/2017 11-05-17
7. 09/08/2017 11-05-17
8. 09/08/2017 11-05-17
9. 09/08/2017 11-05-17
10. 09/08/2017 11-05-17

Owner:
Consultants:
NRA
Bozrah, Connecticut

Bozrah Senior Housing Community
Bozrah, Connecticut

Project # 2017-03
A5.0

Bozrah Senior Housing Community
Bozrah, Connecticut

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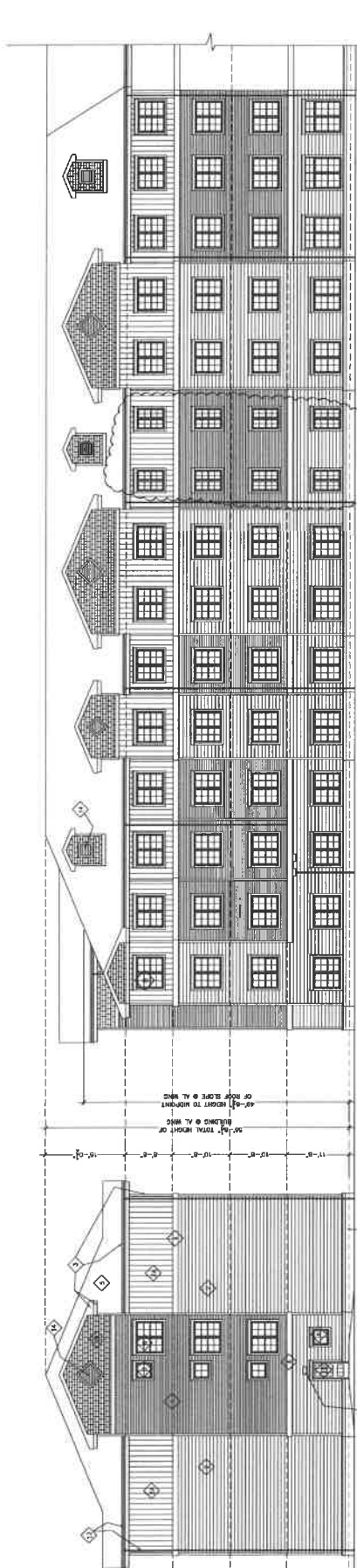
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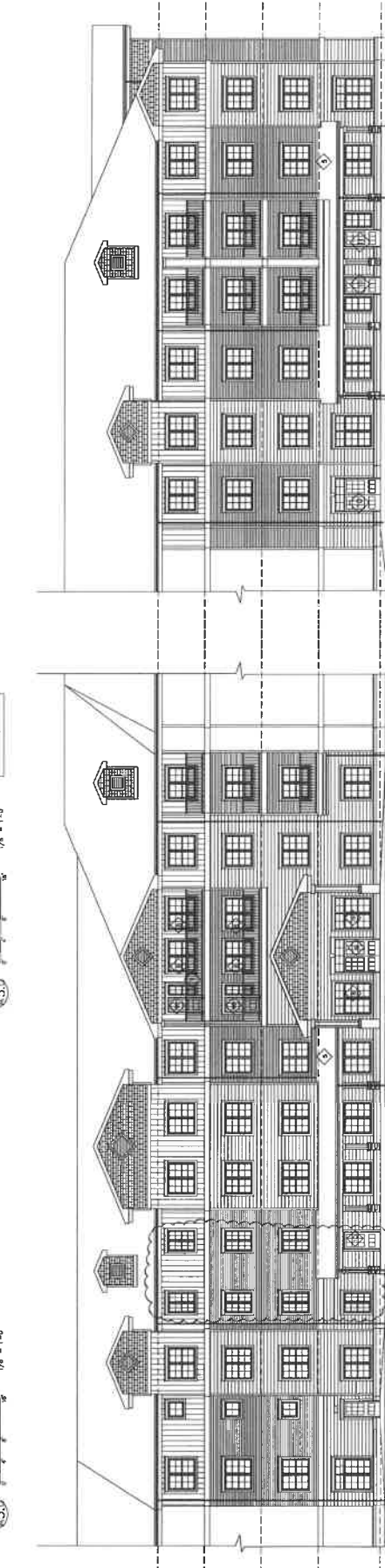
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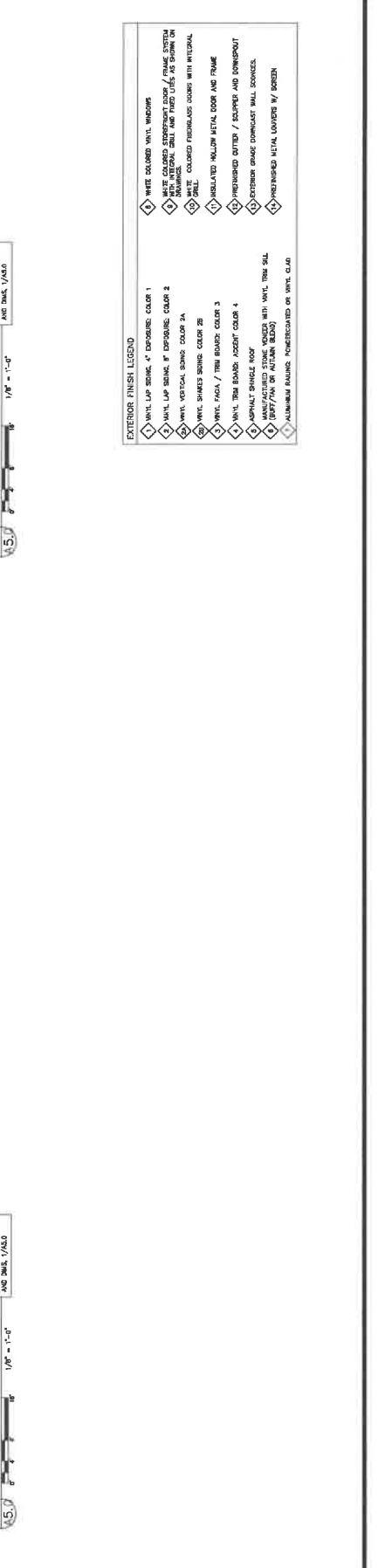
Bozrah Senior Housing Community
Bozrah, Connecticut



1 EXTERIOR ELEVATION
1/8" = 1'-0"



2 EXTERIOR ELEVATION
1/8" = 1'-0"



3 EXTERIOR ELEVATION
1/8" = 1'-0"

FOR EXTERIOR NOTES AND DIMS. 1/16" = 1'-0"

FOR EXTERIOR NOTES AND DIMS. 1/16" = 1'-0"



Town of Allenstown
Fire Department
1 Ferry Street
Allenstown, New Hampshire 03275
Phone: (603) 485-9202 – Fax (603) 268-5460
www.allenstownnh.gov/fire-department



January 22, 2020

K. Christian Boysen
Optimus Senior Living
162 College Hwy, PO Box 363
Southampton, MA 01073

Mr. Boysen,

Thank you for arranging the meeting with us at the fire department. We appreciate the information and discussion about your possible facility in our town.

Please use this letter as record of our conversation, specifically in regards to your matter on the Zoning Ordinance regarding the building height restrictions. You are proposing a 4-story building and our ordinances state the following:

ALLENSTOWN ZONING ORDINANCE 2019

-ARTICLE X - COMMERCIAL/LIGHT INDUSTRIAL ZONE

-Section 1004 Dimensional Restrictions

-a. No structure shall exceed three (3) stories or forty-five (45) feet in height from the ground to the highest point on any one side, exclusive of accessory chimneys or accessory antennas.

The fire department would not be opposed to the proposal of a 4-story building on the matters of fire protection, as we already have a 5-story mill construction building in our town and structures in excess of 45 feet, such as the local church's steeple and a commercial cellular tower.

Sincerely,

Paul St. Germain
Fire Chief

CC:
Town Administrator
Planning Board Chair