



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex
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Web Site: www.rochesternh.gov

Planning Board
Zoning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

October 12, 2022

Pool Players, LLC
Steven Fleming
39 South Main Street #16
Rochester, NH 03867

**Re: Conditional Use Permit and Site Plan Approval to allow a Billiard Hall in the
Neighborhood Mixed Use Zone
Case# 104 – 56 – NMU – 22**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its October 3, 2022 meeting **APPROVED** your application as referenced above.

"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.

Precedent Conditions [Office use only. Date certified: _____; Plan recorded? _____;]

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Department. Certification of the plans is required prior to issuance of a building permit or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

*Please note** If all of the precedent conditions are not met within 6 calendar months to the day of the board's approval – by April 3, 2023 – the board's approval will be considered to have lapsed and resubmission of the application will be required. It is the sole responsibility of the applicant (or his/her agent) to ensure that these conditions are met by this deadline. We urge the applicant to carefully track his/her progress in meeting the individual conditions. See RSA 674:39 on vesting.

- 1) Plan modifications.
 - a. The parcel number is incorrect on the application, it should be Map 104 Lot 56. Please make sure all plan citations are correct.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings: None
- 3) After the architectural design is finished, please have it reviewed by a third party fire protection engineer for compliance against the life safety code. Please submit the results to both Planning and Fire Department.

General and Subsequent Conditions:

- 1) Please note: this plan approves outside dining on the 30 x 17 patio only. Fire and health code inspections may be necessary before this opens in the spring. Any outside loudspeakers or entertainment will require a Special Events Permit from the Building and Licensing Department.
- 2) Commercial/Industrial wastewater questionnaire is required (uploaded to the Online Permitting folder)
- 3) A Backflow Prevention Device permit is required prior to CO and water account activation
- 4) Any site disturbance over 5,000 SF requires a DPW Stormwater Permit. If repaving existing paved areas, this does not count toward disturbance total.
- 5) If building will have a security system it will need to be registered with the Police Department.
- 6) All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
- 7) Snow storage - Snow shall be removed and stored such that the drainage structures can function properly and the required parking spaces can be utilized.
- 8) Other permits. All required Municipal, State and Federal permits must be obtained – including any Driveway/Curb Cut permit, Water Service Connection Permit, Sewer Service Connection Permit, Rochester Sign Permit, Cross Connection Control Permit, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
- 9) Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
- 10) Approvals. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

- 11) Violations. In the event of any violations of these conditions of approval or of any pertinent local, state, or federal laws – such as those regarding erosion and sedimentation control, wetlands, stormwater management, and general site development standards – the City of Rochester reserves the right to take any appropriate permissible action, including, but not limited to, withholding of building permits, withholding of certificates of occupancy, withholding of driveway permits, revocations of permits/approvals, referring violations to other agencies, and calling of bonds.
- 12) APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 30 days of the date the Board made its decision

Sincerely,


Shanna B. Saunders,
Director of Planning & Development

Cc: File
CU-22-4