



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

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Rochester, New Hampshire 03867-1917

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Web Site: www.rochesternh.gov

Planning Board

Zoning Board

Conservation Commission

Historic District Commission

Arts & Culture Commission

NOTICE OF DECISION

April 4, 2023

Tedeschi Contracting, LLC

David Tedeschi

5 Sonta Court

Rochester, NH 03867

Re: 2-Lot Subdivision. Case# 131 – 21 – R2 – 23

Dear Applicant:

This is to inform you that the Rochester Planning Board at its April 3, 2023 meeting **APPROVED** your application 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: _____; CO signed off? _____; As- Builts received? _____; All surety returned? _____]

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 September 6, 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. None

2. Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a. All utility lines for electricity, telephone, and cable TV service shall be placed underground and installed according to specifications set by the appropriate utility company as per Rochester Subdivision Regulations, Section 5.12.
 - b. Plans must be tied to New Hampshire State Plan Coordinates and include a minimum two points showing a Northing and Easting in NH State Plane North American Datum 1983 coordinates. Elevations to reference North American Vertical Datum of 1988.
3. Any existing structures within the newly created setbacks are required to be removed.
4. A Surveyor must submit a signed letter to the Planning Department stating that the new lot corner monuments have been set (Subdivision Regulation 6.1) and reference pins have been set on all easement bounds (Subdivision Regulation 5.7.4).
5. Final Drawings. (a) four sets of large black-line plus (b) one set of 11" x 17" final approved site plan drawings (c) one electronic version by pdf and a CAD drawing (dwg or dgn file format) referencing NH State Plane North American Datum 1983 coordinates must be on file with the City. *Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the site plans.* (The applicant need only submit additional black-line sets of drawings or individual sheets, as needed, to make five complete sets – consult the Planning Department). At the discretion of the Planning Department minor changes to drawings (as required in the precedent conditions above) may be marked by hand. Note: If there are significant changes made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings. Once the plan is recorded at the Registry of Deeds, submit two 11x17 recorded copies of the plan. Assessing will need an 11x17 recorded copy of the plan.
6. Recording. The plat, this notice of decision (per RSA 676:3 III), and deed (a deed is required if the lots are owned by two separate parties or if one lot is sold prior to recording of this plat) must be recorded together at the Strafford County Registry of Deeds within six calendar months to the date the plat is certified (e.g. if certified September 9th they must be recorded by March 9th). See RSA 478:1-a regarding plat requirements. Failure to comply with this requirement herein shall render the lot line adjustment null and void. An 11x17 copy of the recorded plans and a copy of all recorded documents must be submitted to the Planning Department.

General and Subsequent Conditions

All conditions below are attached to this approval.

1. The property owner must work with the Planning Department to ensure both parcels are addressed prior to building permit submittal.
2. Water and sewer service lines are required to be inspected prior to any new connection or reuse of existing infrastructure. At the discretion of the Department of Public Works, new water and sewer connections may be required from the property line to any new structure.
3. Before certificate of occupancy is provided for new residential building, existing Water and Sewer Connection shall be abandoned per DPW specifications at the public main.
4. Other permits. All required Municipal, State and Federal permits must be obtained prior any site construction or modification – including any Driveway/Curb Cut permit, Water Service Connection Permit, Cross Connection Control Permit NHDES AOT/SWPPP Stormwater Permit, NHDES Wetlands Permits, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
5. Development on the lot/s beyond 5,000 SF will require a Stormwater Permit from DPW per Ch 218 Stormwater Management and Erosion Control ordinance.
6. Project vesting is defined by RSA 674:39. Substantial Completion of the Subdivision shall be defined as meeting all precedent conditions and recording of the Certified Plans.
7. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
8. 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.
9. 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.
10. Other permits. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project. Contact the City of Rochester's Building, Zoning and Licensing Department at 332-3508 regarding building permits. Please also contact the City of Rochester Fire Department at 330-7182 to ensure that the proposed building meets all Fire Codes. Finally, please contact the Department of Public Works for any stormwater, sewer, or water permits or fees that are required.

11. 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