



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

33 Wakefield Street

Rochester, New Hampshire 03867-1917

(603) 335-1338 - Fax (603) 330-0023

Web Site: www.rochesternh.gov

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

NOTICE OF DECISION

December 12, 2022

Myhre Family Revocable Trust
Grant Myhre Trustee
1173 White Mountain Highway
Milton, NH 03851-4445

Re: 5-lot Subdivision # 250 – 28 – A – 22

Dear Applicant:

This is to inform you that the Rochester Planning Board at its December 5, 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 3 calendar months to the day of the board's approval – by June 5, 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. The plan drawings are to be modified as follows:

- a. Please add a road name sign location to the plan set. Sign must meet Department of Public Works specifications for a private roadway.
 - b. For notations on plan, please round acreages to two decimals.
 - c. Setbacks show on the plans shall reflect the applicable restriction as stated within Deed 1174-59&60.
 - d. A plan note shall be added stating all applicable restrictions as referenced in Deed 1174-59&60.
 - e. The proposed rear lot line of lot 250-28-2 must be corrected to reflect the proper length of 151'.
 - f. Note 3 on the Topographic Subdivision Plan must be updated to reflect proposed lot dimensions.
- 2) A demo permit for the second structure on lot 250-28 is required prior to final plan certification to ensure there are not two residential structures on one lot
 - 3) Please provide easement documents for each lot taking access off Piper Lane. The easement docs must site an easement way of no less than 30' in width.
 - 4) Other permits. All required State and Federal permits must be obtained – including any Driveway/Curb Cut permit, Water Service Connection Permit, Sewer Service Connection Permit, Drainage Permit, Cross Connection Control Permit, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.

Development on the subdivided lots beyond 5,000 SF will require a Stormwater Permit from DPW per Ch 218 Stormwater Management and Erosion Control ordinance. Applications are to be filed thru the City's online Viewpoint Cloud permitting portal.

- 5) NHDES subdivision approval required. Please forward the approval to the City once received. This is required prior to recording of the certified pan.
- 6) Final Drawings. (a) four sets of large black-line plus (b) one set of 11" x 17" final approved site plan drawings plus (c) one electronic version by pdf or flash drive 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 to 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.

The plans are to be tied into the State Plane Coordinate System.

General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. A Surveyor is to submit a signed letter to the Planning Department stating that the new lot corner monuments have been set (Subdivision Regulation 6.1) for the subdivided lot with the homestead and that reference pins have been set on all easement bounds (Subdivision Regulation 5.7.4).
2. In accordance with City Ordinance 19.3, the City of Rochester (through its arrangement with Waste Management) will not collect rubbish generated from houses on Piper Lane unless the new street is designed and formally accepted as a city street. Until such time as the new street is accepted: a) the homeowners shall be responsible for making arrangements for the collection of rubbish, either from a dumpster that he/she shall place in an appropriate location on site or via private curbside pick-up;

and b) individual property owners may not place any rubbish on Piper Lane (or on any other public street in the city), unless approval is granted from the Public Works Director or private arrangements are made with Waste Management or another private hauler for pick up at the street.

3. Backflow prevention device permits will be required for domestic and fire service lines. At the time of the building permit submittal the applicant shall apply for the required backflow prevention device permits thru the Department of Public Works. The applicant is to provide adequate information such as but not limited to plumbing plans/schematics, design flow calculations and equipment cut-sheets with respect to facility operations as it relates to domestic water use, fire suppression system type, irrigation and any intended need for process water. The Department of Public Works will determine hazard classification for all proposed devices related to cross-connection control. Prior to the Certificate of Occupancy, inspections and passing test results of all backflow prevention devices related to cross-connection control are required.
4. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
5. 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.
6. 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.
7. 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.
8. As-Built. Three sets of full size (measuring at least 22" x 34") or black line paper plus 1 set of 11" x 17" plus one digital pdf copy of the as-built site plans (or "record drawings") stamped and signed by the Engineer or Surveyor are to be submitted to the Planning Department prior to issuance of the Certificate of Occupancy (or use/occupancy of the site where no CO is required). The as-built drawings must include the following language or equivalent: "This as-built drawing substantially conforms with the final plans approved by the City of Rochester Planning Board and certified by the Planning and Development Department except for the following significant modifications: ...". If no significant modifications were made simply state "none". Otherwise, itemize the modifications on the as-built or on an accompanying letter. The Department relies on the good judgement and good faith of the Engineer/Surveyor in determining which modifications should be considered significant (for example, minor adjustments in locations of plant materials would not be significant whereas relocation of a catch basin would be).

As-builts are to include State Plane Coordinates. A copy of the Asbuilt line work is also to be submitted as a CAD file that is georeferenced to that same coordinate system.

All applicants requiring a Stormwater Management and Erosion Control Plan shall submit relevant pollutant accounting information to the Planning Department as required by the Department of Public Works. Required information shall be submitted at the time of as-builts.

9. 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,

A handwritten signature in blue ink that reads "Shanna B. Saunders". The signature is fluid and cursive, with the first name "Shanna" and last name "Saunders" clearly legible.

Shanna B. Saunders,
Director of Planning & Development

Cc: File

Norway Plains – Joel Runnals
SUBD-22-9