

Application for Conditional Use
Conditional Uses and Buffer Reductions
Section 42.19 - Conservation Overlay District
City of Rochester, NH

Date: 1-9-23

Property information

Tax map #: 254; Lot #(s): 18 ; Zoning district: AG w/ Wetlands Overlay Property address/location: 287
Rochester Hill Road,

Name of project (if applicable): Sofield Apartments

Property owner

Name (include name of individual): _MHG 4 Funding, LLC, Jon Bombaci

Mailing address: 165 Thorndike Street, Suite 2002, Lowell MA, 01852

Telephone #: _1-978-710-8611 team@millenniumhg.com

Fax _____

Applicant/developer (if different from property owner)

Name (include name of individual): Same

Mailing address: _____

Telephone #: _____ Fax #: _____

Engineer/designer

Name (include name of individual): Berry Surveying & Engineering Kenneth A. Berry PE, LLS,
Christopher R. Berry Project Manager

Mailing address: 335 Second Crown Point Road, Barrington, NH 03825 Telephone #: 603-332-2863

Fax #:

Email address: k.berry@berrysurveying.com, crberry@metrocast.net Professional license #: PE14243 &
LLS 805

Proposed Project

Please describe the proposed project: The project proposes 30 additional units. The road
infrastructure and some areas of reclamation within the buffer require a conditional use permit with a total
impact area of 3,055 Square Feet

Please describe the existing conditions: Existing Multi-Family Site with 43 Units

Please fill in **one of the next two sections – for either Conditional Uses or Buffer Reductions**

Conditional Uses

For Conditional Uses only, justify the proposal in terms of each of the criteria below (in accordance with subsection 42.19 (i) (1) (A)). All four criteria must be satisfied.

(i) The proposed construction is essential to the productive use of land not in the COD.

At the Design Review meeting the applicant was asked to review a better layout in terms of access, neighborhood feel and layout, as well as incorporating some energy efficiency methods. The proposed layout now provides for additional units that have direct southern exposure, removes the need for the buildings to largely face each other, and provides better vehicular and pedestrian access through the site. The areas of proposed impact are essential to develop the productive uplands outside of the buffer in the way described above.

(ii) Design and construction methods will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.

Conditional Use Impact Area #1, is the removal of paved surfaces within the buffer to be reclaimed with loam, conservation mix and buffer specific plantings. Conditional Use Impact Areas #2 & #3 are proposed to be constructed with 2:1 slopes, stabilized with a non-plastic matting, seeded with Conservation Mix and buffer specific plantings. No storm water from the paved areas are proposed to enter the buffer areas directly.

(iii) There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact on the wetlands. Nothing in this Section shall limit the applicant from exploring alternatives with abutting property owners.

Given the position of impact areas #1 and #2, both are located within existing disturbances and are located for the essential access to the develop-able areas. Impact area #3 is the direct result of the planning process that has improved the layout and design as well as the request by the abutting land owners to stay as far from the boundary line as practicle.

(iv) Economic advantage is not the sole reason for the proposed location of work.

The project does not intentionally propose impacts for the sole purpose of achieving a higher density. Each impact area is carefully considered in context with the total project design.

(Buffer Reductions on next page)

Submission of application

This application must be signed by the property owner, applicant/developer (if different from property owner), *and/or* the agent.

I (we) hereby submit this Conditional Use application to the City of Rochester Conservation Commission and Planning Board pursuant to the City of Rochester Zoning Ordinance and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant/developer (if different from property owner)/as agent, I attest that I am duly authorized to act in this capacity.

Signature of property owner: _____

Date: 1-11-23

Signature of applicant/developer: _____

Date: _____

Signature of agent: _____

Date: 1-11-23

Authorization to enter subject property

I hereby authorize members of the Rochester Conservation Commission and Planning Board, and other pertinent City departments, boards and agencies to enter my property for the purpose of evaluating this application including performing any appropriate inspections. This authorization applies specifically to those particular individuals legitimately involved in evaluating, reviewing, or inspecting this specific application/project. It is understood that these individuals must use all reasonable care, courtesy, and diligence when entering the property. (It is not necessary to sign this provision if a Planning Board application has been submitted.)

Signature of property owner: _____

Date: 1-11-23

Conservation Commission Recommendation:

[office use only]

Name of project

Case #

Recommendation:

- ☐ Approval
- ☐ Approval with conditions
- ☐ Denial

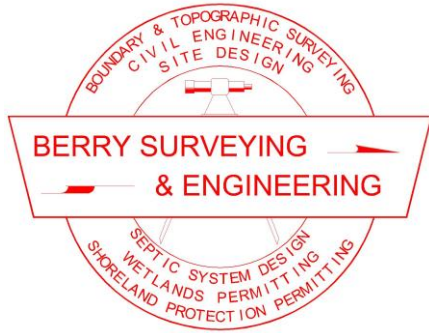
Comments/recommended conditions:

Conservation Commission

date

Planning Department

date



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

City of Rochester
Planning & Development
Attn: Mr. Ryan O'Connor, Senior Planner
33 Wakefield Street
Rochester, NH 03867

January 11, 2023

Re: Conditional Use Permit
MHG 4 Fund LLC
Sofield Apartments
287 Rochester Hill Road
Tax Map 254, Lot 18

Mr. O'Connor,

On behalf of the land owner and the applicant, MHG 4 Fund LLC, Berry Surveying & Engineering (BS&E) is submitting a Conditional Use Permit in conjunction with a Residential Site Plan Review to add 30 townhouse style residential units to the exiting site at 287 Rochester Hill Road, known as Sofield Apartments. The existing site contains 43 units and is located within the AG Zone with both a wetland overlay and an Airport / Runway overlay district.

BS&E has conducted a complete boundary and existing conditions plan of the project site which includes a wetlands delineation by John P. Hayes CWS, CSS and a Site Specific Soils Mapping of the project. The site is made up of two original parcels, with the rear 20 acre parcel being encumbered by a Conservation Easement. During an initial Design Review Process it was determined that the eastern and southern portion of the site was encumbered by a Runway Protection Zone (RPZ), and a denser project at the rear of the existing development was preferred over a single family development within the RPZ. A variance was applied for and granted by the Rochester Zoning Board of Adjustment, and the applicant most recently appeared before the Rochester Planning Board for a second Design Review hearing.

At the second hearing, the Planning Board requested that the applicant consider a design that incorporated a neighborhood design with better vehicular and pedestrian access. The board made an request to consider an alignment which concentrated on a site design which incorporates long term efficiency and sustainability. Lastly, the

abutting land owners requested that the buildings facing the northern boundary be situated as far from the boundary line as practical.

In response to these suggestions, the alignment was modified in the following ways:

- Sofield Drive and Pridham Drive were modified in position moderately to allow for the new roadway sidewalks to have interconnectivity with the existing sidewalks. The access point to the rear development was disconnected from the end of the existing parking lot, to remove disturbance along the common northern boundary line.
- Buildings were aligned to step with the existing topography and generally face the southerly direction. Where feasible, buildings were moved to existing areas of disturbance and do not face each other.
- A cul-de-sac is proposed for better access. This also creates a more traditional neighborhood atmosphere with the center island to be landscaped to break up the view of the units along the alignment of the Pridham Drive.

Impact Area #1

This area is proposed to be disturbed near Building #5, for the purposes of removing pavement currently associated with the use in that structure. The re-alignment of Sofield Drive away from the wetlands buffer generates a small amount of disturbance for the purpose of reclamation. The area is proposed to be loamed and seeded with the revised Conservation Mix suggested by planning at a recent Conservation Commission Meeting. The wetland creating the buffer is a PFO1E with some existing disturbances (lawn and scrub-shrub) that drain down to a larger complex on-site and then eventually off-site to the south. Though the wetland is narrow, and has a channel that has been cut in over time, it is not a stream and is created from the historical urbanized runoff being directed to the area with tighter topographic features. The reduction in flow to this area will stop the existing erosion and undermining of the material in the wetland. The area of impact is 231 square feet and represents a reduction in paved surface within the buffer area. Native shrubs are proposed in this area to enhance the habitat onsite, improve ground coverings, and reduce nutrient load from the existing developed areas. Lighting in this area is not proposed to be increased so as to maintain the existing levels within the buffer and wetland. Existing stormwater flow to this area is now removed through the construction of Sofield Drive and directed to the stormwater Subsurface Gravel Wetland (SGW) at the rear of the site. A sediment & erosion control plan is proposed with a mulch berm barrier with a silt sock on the buffer side for a second means of controls as is required by the EPA CGP within 50' of a wetland. Construction fence is proposed to ensure there are no accidental incursions into the buffer during construction.



BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825

(603) 332-2863 / (603) 335-4623 FAX

www.BerrySurveying.Com

Impact Area #2

This area is proposed to be disturbed at the intersection of Sofield Drive and Pridham Drive, close to Existing Building #3. The design of Pridham is as close to Building #3 as is practical to reduce the impact on the buffer and wetland system. This wetland is the same as one noted above with the same features with the exception that some wooded vegetation is being removed with the design. Pridham Drive is designed with a closed drainage system to capture the stormwater from the road and existing up-slope urbanized flow and direct it towards the SGW noted above. There is no stormwater flow directed at the remaining buffer, which implies a reduction in flow to this area of impact. The proposed slope is designed as a 2:1 and is to be lined with a non-plastic product known as Bio-Net 150 BN to reduce the risk of animal entrapment. The area is also proposed to be seeded with the current conservation mix and planted with native shrubs for the same positive attributes noted above. Red Maples are proposed at the toe of slope to eventually provide a canopy to reduce the impacts of direct rain fall and thermal impacts on the slope. A solar street lamp is proposed in the buffer which has a forward through design with very little rear light spill to reduce the impacts of lighting on the buffer and wetlands species. The calculated Impact Area #2 separated from Impact Area #1, whereas it is proposed impact and not due to reduction and reclamation. However, these areas are technically connected and drain to the same wetland system. The area of impact is 2,577 square feet. The same double row of sedimentation and erosion control protection is proposed as is noted above with the construction fence installation as a visual barrier.

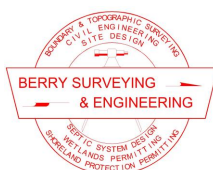
Impact Area #3

This area is proposed off the right side of the cul-de-sac along Pridham Drive. This impact area is 247 square feet in size and is directly related to the installation of the cul-de-sac. This is designed to be of minimal size necessary for safety vehicle use, and is pulled as far north as practical while keeping the abutting land owners concerns about proximity in mind. Slopes are designed at 2:1 after the shoulder platform with the same methods described above. The same planting and lighting scheme is proposed as noted above. This wetland is a PFO1E wetland and is different in its flow pattern than the system noted above. There are no channels and does not contain any stream qualities.

Thank you for your time and attention to this matter.

BERRY SURVEYING & ENGINEERING

Christopher R. Berry
Principal, President

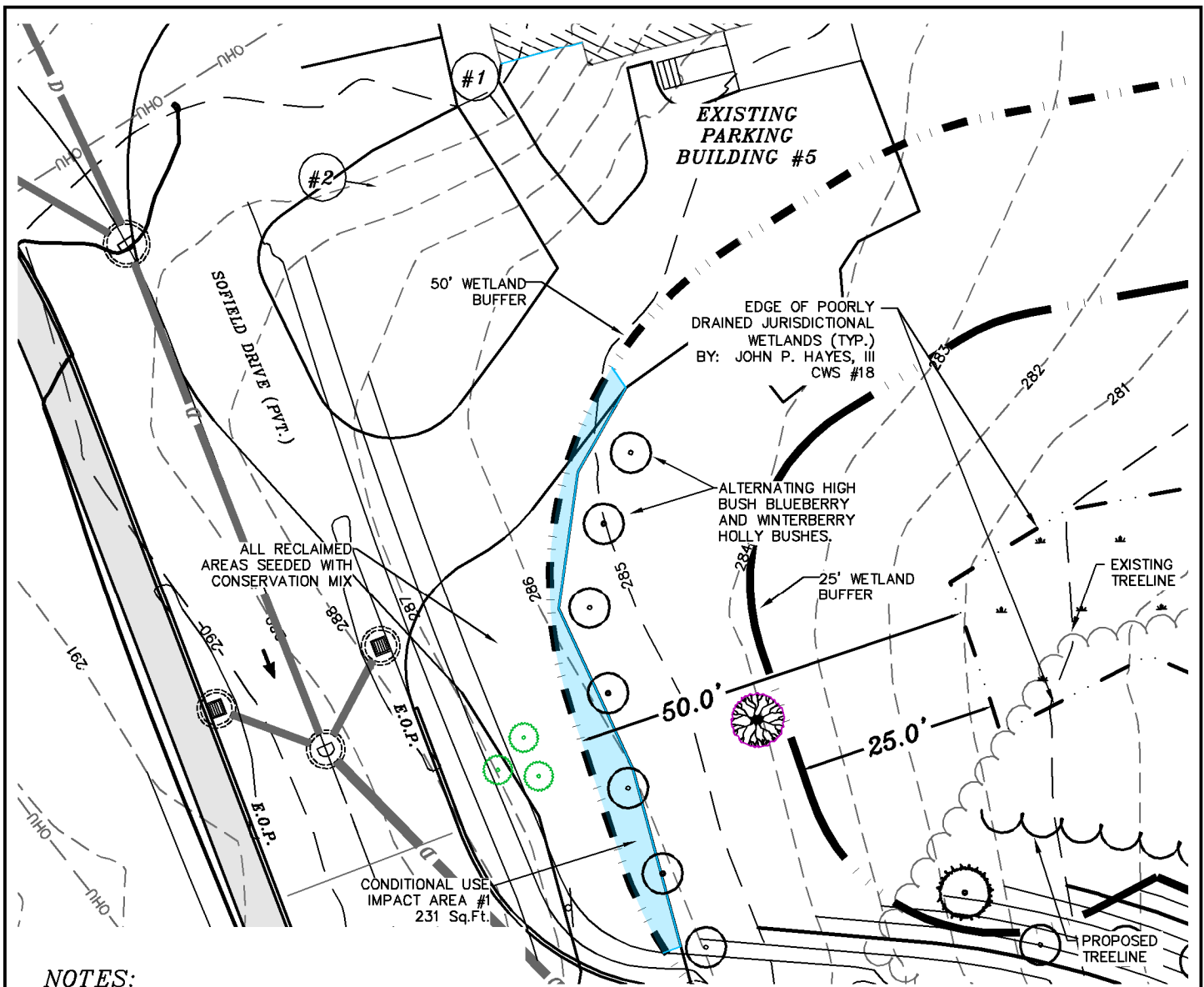


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NOTES:

- 1.) OWNER: MHG 4 FUND, LLC
165 THORNDIKE STREET
SUITE 2002
LOWELL, MA 01852
- 2.) TAX MAP 254, LOT 18
- 3.) LOT AREA: 1,935,885 Sq. Ft., 44.44 Ac.
- 4.) S.C.R.D. BOOK 5075, PAGE 570

LEGEND:

- PHOTO POINT
- WETLAND LINE
- WETLAND BUFFER

CONDITIONAL USE IMPACT
AREA #1
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

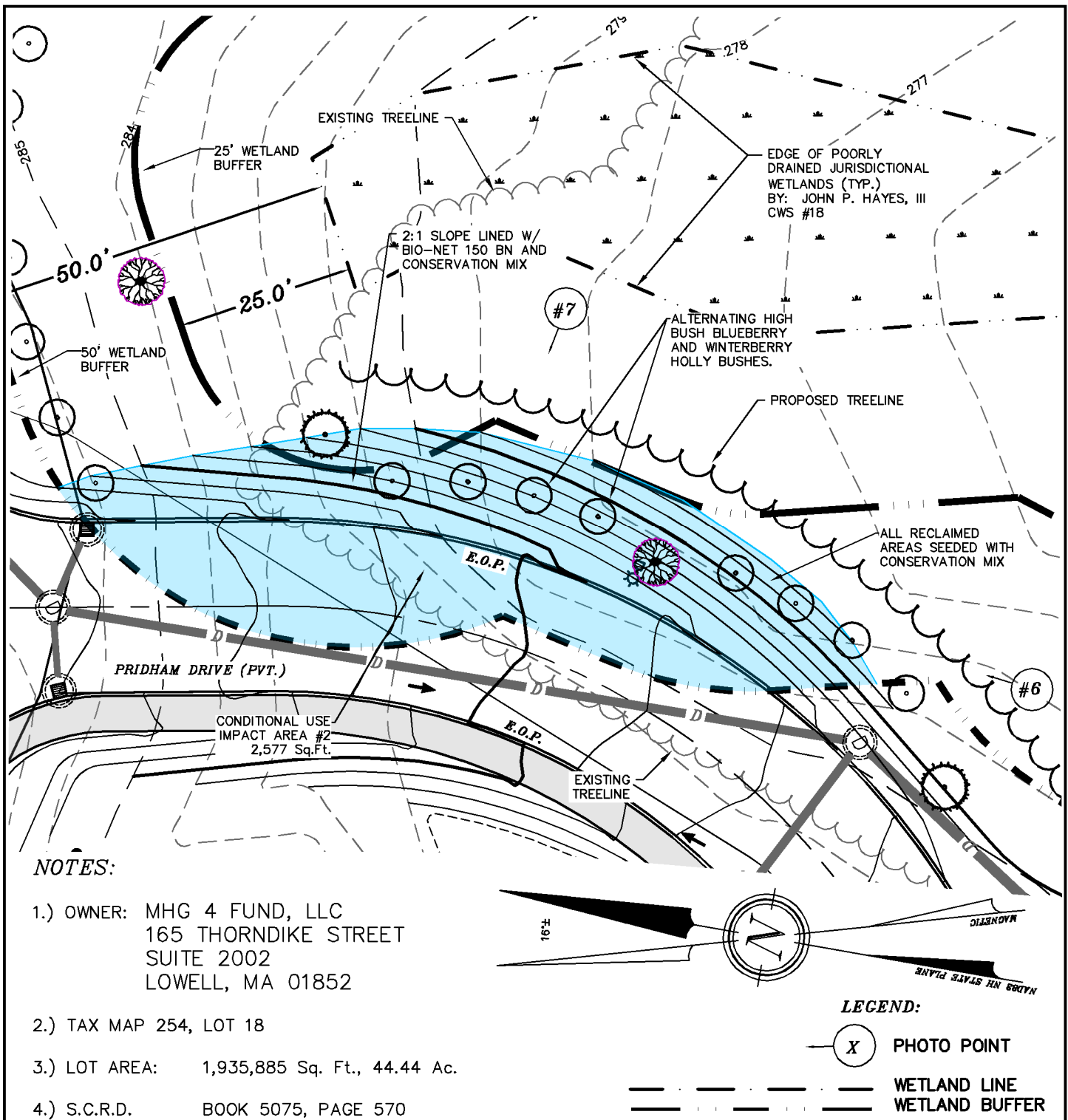
BERRY SURVEYING
& ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.

DATE : JANUARY 11, 2023

FILE NO. : DB 2020-075

REV. DATE:



CONDITIONAL USE IMPACT
AREA #2
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

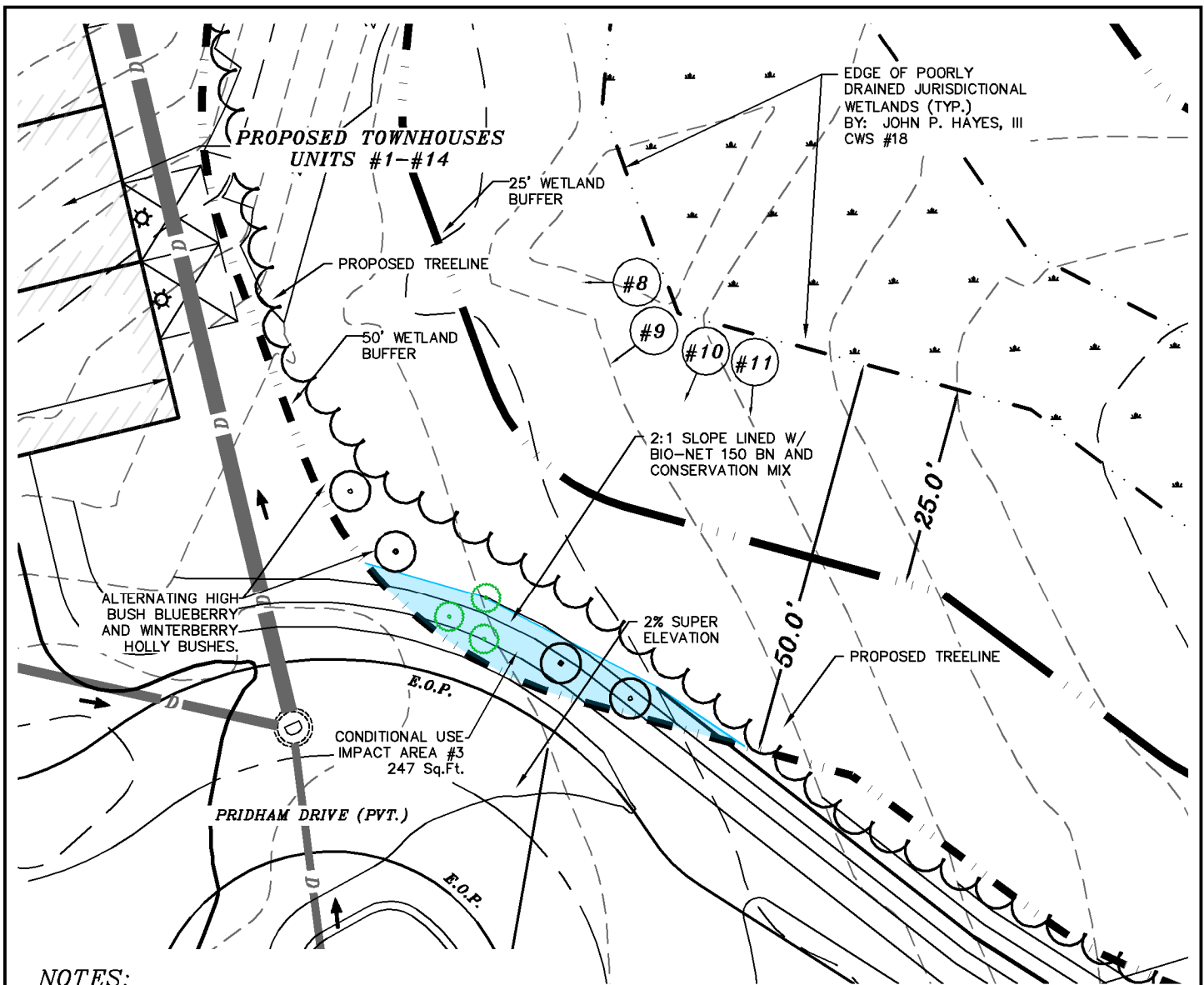
BERRY SURVEYING
& ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.

DATE : JANUARY 11, 2023

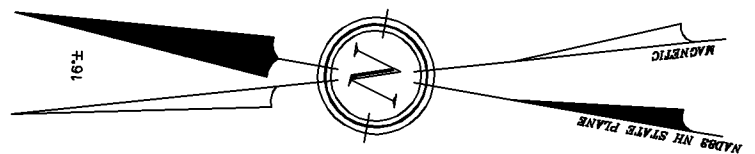
FILE NO. : DB 2020-075

REV. DATE:



NOTES:

- 1.) OWNER: MHG 4 FUND, LLC
165 THORNDIKE STREET
SUITE 2002
LOWELL, MA 01852
- 2.) TAX MAP 254, LOT 18
- 3.) LOT AREA: 1,935,885 Sq. Ft., 44.44 Ac.
- 4.) S.C.R.D. BOOK 5075, PAGE 570



LEGEND:

- X — PHOTO POINT
- WETLAND LINE
- WETLAND BUFFER

CONDITIONAL USE IMPACT
AREA #3
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

**BERRY & SURVEYING
& ENGINEERING**
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.

DATE : JANUARY 11, 2023

FILE NO. : DB 2020-075

REV. DATE:

- ☐ Polygons
- ☐ State
- ☐ County
- ☐ City/Town

Map Scale
1: 10,000

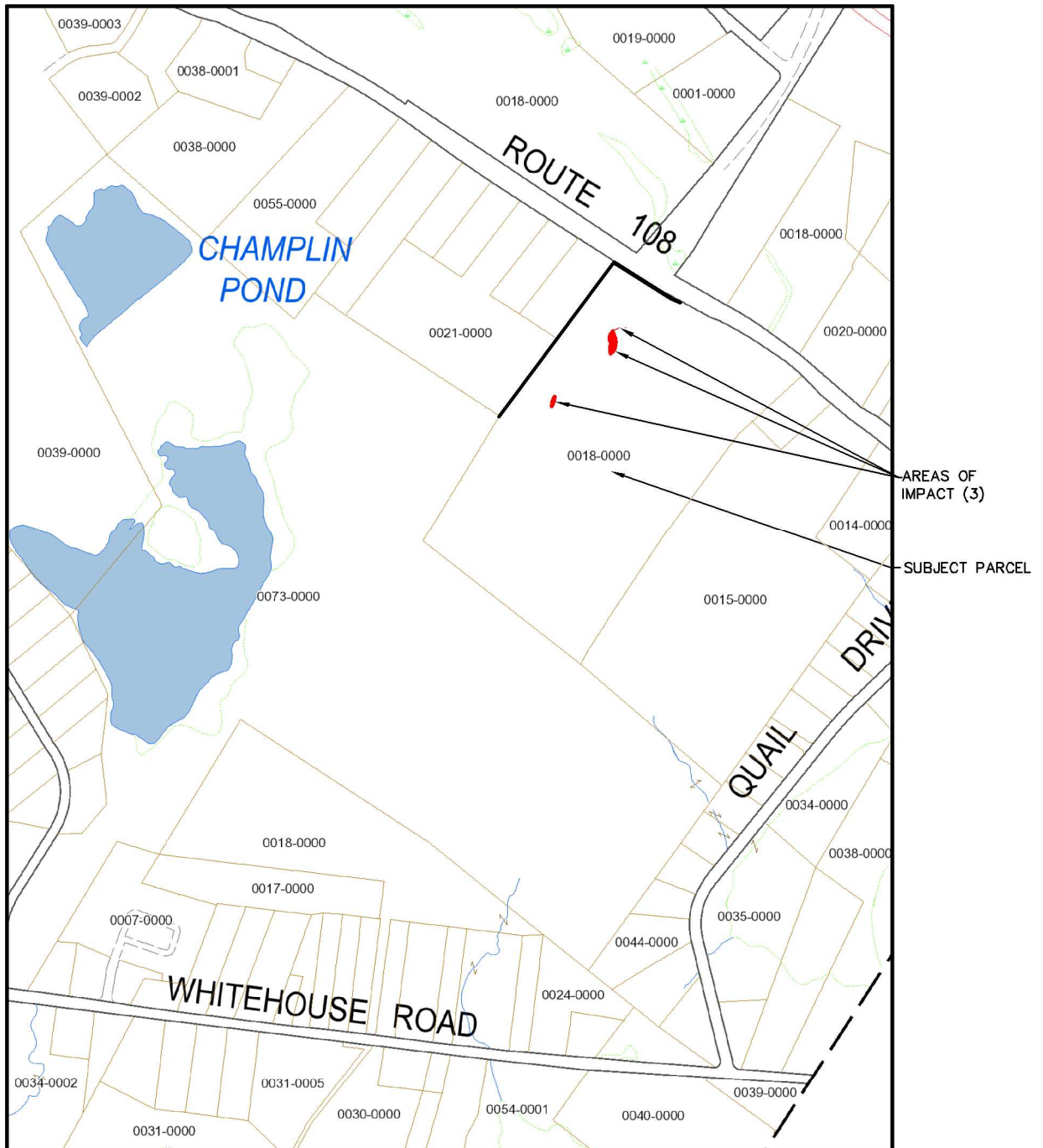
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Map Generated: 1/11/2021

DB2020-075 Rochester



REV. DATE:

FILE NO. : DB 2022-075



TAX MAP
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

REV. DATE:

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : JANUARY 11, 2023

FILE NO. : DB 2022-075

ABUTTERS:

N/F PEASE DEVELOPMENT AUTHORITY
55 INTERNATIONAL DRIVE
PORTSMOUTH, NH 03801
TAX MAP 243, LOT 18
S.C.R.D. BOOK 3752, PAGE 525

N/F BRESS FAMILY REV. TRUST OF
2011 & BRESS, JAMES H. & JUDY A.
271 ROCHESTER HILL ROAD
ROCHESTER, NH 03867
TAX MAP 254, LOT 19
S.C.R.D. BOOK 3921, PAGE 68

N/F BRESS FAMILY REV. TRUST OF
2011 & BRESS, JAMES H. & JUDY A.
271 ROCHESTER HILL ROAD
ROCHESTER, NH 03867
TAX MAP 254, LOT 21
S.C.R.D. BOOK 3921, PAGE 68

N/F SNIPER HOLDINGS LLC
35 BROADWAY
DOVER, NH 03820
TAX MAP 255, LOT 15
S.C.R.D. BOOK 4903, PAGE 386

N/F TAYLOR, DAVID A.
301 ROCHESTER HILL ROAD
ROCHESTER, NH 03867
TAX MAP 255, LOT 16

N/F PEASE DEVELOPMENT AUTHORITY
55 INTERNATIONAL DRIVE
PORTSMOUTH, NH 03801
TAX MAP 255, LOT 17
S.C.R.D. BOOK 3905, PAGE 581


N/F CITY OF ROCHESTER
31 WAKEFIELD STREET
ROCHESTER, NH 0367
TAX MAP 255, LOT 21-1
S.C.R.D. BOOK 4769, PAGE 138

N/F PRESBYTERY OF NORTHERN NEW
ENGLAND TRUSTEES
302 ROCHESTER HILL ROAD
ROCHESTER, NH 03867
TAX MAP 255, LOT 20
S.C.R.D. BOOK 3752, PAGE 983

N/F SOCIETY FOR THE PROTECTION
OF NEW HAMPSHIRE FORESTS
54 PORTSMOUTH STREET
CONCORD, NH 03301
TAX MAP 256, LOT 73
S.C.R.D. BOOK 3339, PAGE 449

ABUTTERS
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

REV. DATE:

BERRY SURVEYING 
& ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON , N.H. 332-2863

SCALE : NONE

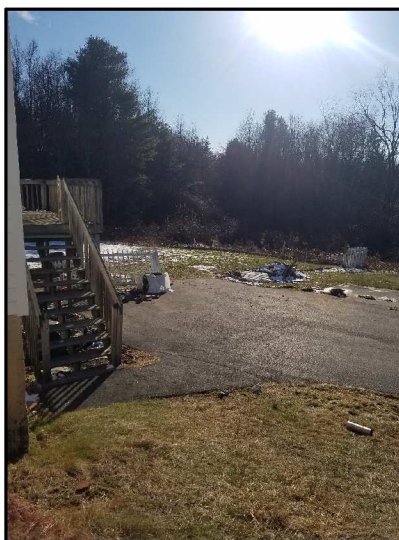
DATE : JANUARY 11, 2023

FILE NO. : DB 2022-075

#1



#2



#3



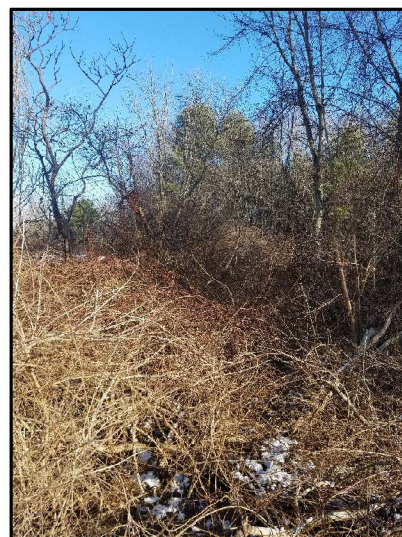
#4



#5



#6



PROJECT PICTURES
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

REV. DATE:

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : JANUARY 11, 2023

FILE NO. : DB 2022-075

#7



#8



#9



#10



#11



PROJECT PICTURES
MHG 4 FUND, LLC
287 ROCHESTER HILL ROAD
ROCHESTER, N.H.
TAX MAP 254, LOT 18

REV. DATE:

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON , N.H. 332-2863

SCALE : NONE

DATE : JANUARY 11, 2023

FILE NO. : DB 2022-075

NOTES:

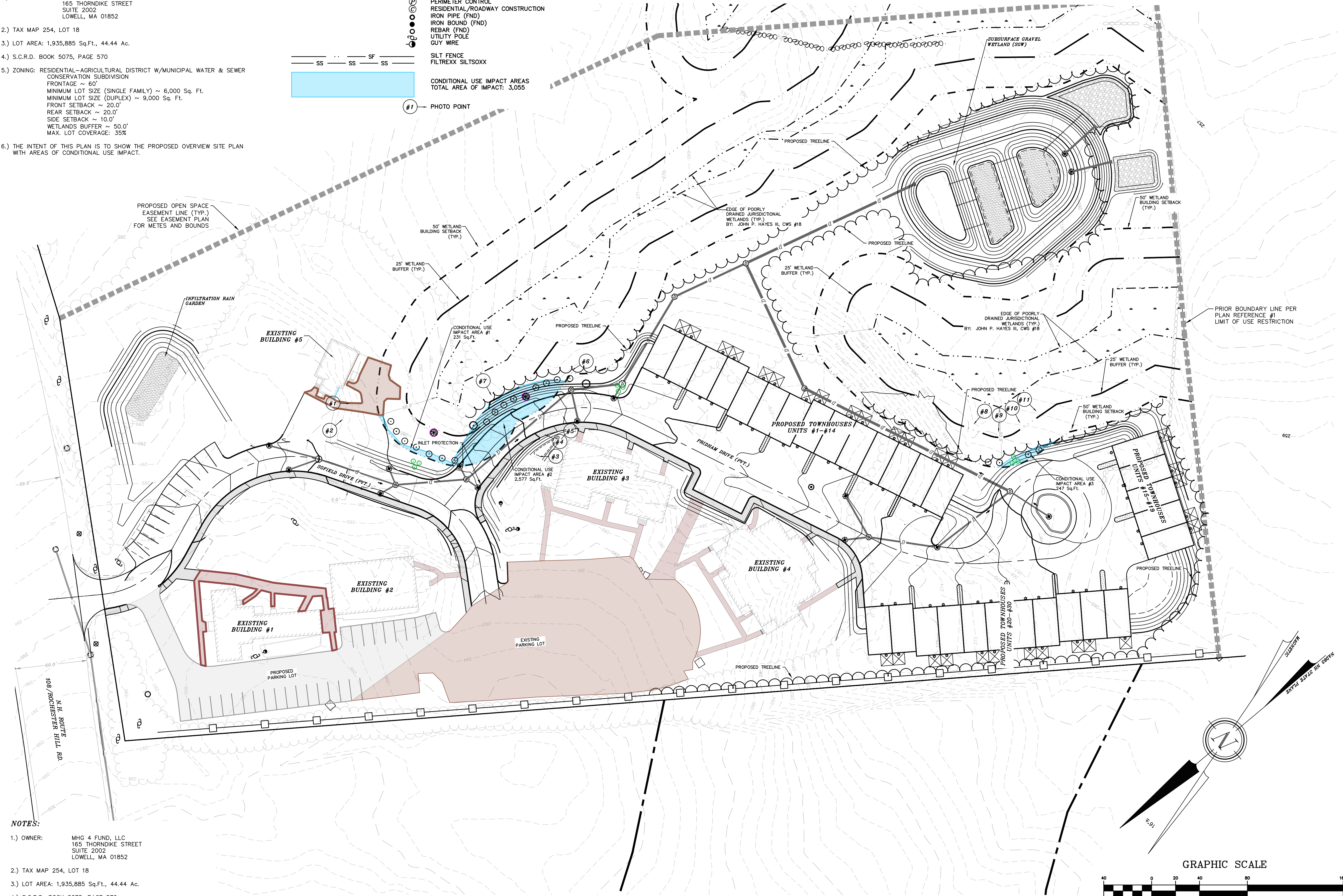
- 1.) OWNER: MHG 4 FUND LLC
165 THORNDIKE STREET
SUITE 2002
LOWELL, MA 01852
- 2.) TAX MAP 254, LOT 18
- 3.) LOT AREA: 1,935,885 Sq.Ft., 44.44 Ac.
- 4.) S.C.R.D. BOOK 5075, PAGE 570
- 5.) ZONING: RESIDENTIAL-AGRICULTURAL DISTRICT W/MUNICIPAL WATER & SEWER CONSERVATION SUBDIVISION
FRONTAGE ~ 60'
MINIMUM LOT SIZE (SINGLE FAMILY) ~ 6,000 Sq. Ft.
MINIMUM LOT SIZE (DUPLICATE) ~ 9,000 Sq. Ft.
FRONT SETBACK ~ 20.0'
REAR SETBACK ~ 20.0'
SIDE SETBACK ~ 10.0'
WETLANDS BUFFER ~ 50.0'
MAX. LOT COVERAGE: 35%
- 6.) THE INTENT OF THIS PLAN IS TO SHOW THE PROPOSED OVERVIEW SITE PLAN WITH AREAS OF CONDITIONAL USE IMPACT.

LEGEND:

- RAIN GARDEN BIO-MEDIA
PROTECTION
PERIMETER CONTROL
RESIDENTIAL/ROADWAY CONSTRUCTION
IRON PIPE (FND)
IRON BOUND (FND)
REBAR (FND)
UTILITY POLE
GUY WIRE
- SILT FENCE
FILTREXX SILTSOXX

CONDITIONAL USE IMPACT AREAS
TOTAL AREA OF IMPACT: 3,055

#1 PHOTO POINT



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- 4.) S.C.R.D. BOOK 5075, PAGE 570

REVISION	DATE	DESCRIPTION

OVERALL CONDITIONAL USE IMPACT PLAN LAND OF MHG 4 FUND LLC 287 ROCHESTER HILL ROAD ROCHESTER, N.H. TAX MAP 254, LOT 18

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603)332-2863
SCALE : 1 IN. EQUALS 40 FT.
DATE : JANUARY 11, 2023
FILE NO. : DB 2020 - 075

STATE OF NEW HAMPSHIRE
KENNETH A. BERRY
LICENSED PROFESSIONAL ENGINEER