

St. Michael's Church 64 Pine Street. (by Berry Surveying and Engineering)

Site Plan for conversion of residence to a church and associated parking and improvements. Case # 121-139-R2-11 (PH closed)

- Waivers. No waivers are needed.
- Completeness. The application was accepted as complete on August 1.
- Development of regional impact. Staff recommends that this not be considered a DRI.
- Recommendation. Based upon the information available to date the Staff recommends **APPROVAL** of this application, with the NOTICE OF DECISION to read substantially as follows:

"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-built's 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 February 15, 2012 - 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. Also, a building permit must be issued and substantially acted upon within 1 year of plan certification or the Planning Board approval is considered null and void. See RSA 674:39 on vesting.

- 1) Add the following notes (or equivalent) to the plan drawings:
 - a) "For more information about this site plan, or to see the complete plan set, contact the City of Rochester Planning Department, 31 Wakefield Street, Rochester, NH 03867. (603) 335-1338."
 - b) "If any new utilities are to be installed (not including

repairs/replacement of existing utilities) they shall be underground, unless otherwise approved by the Planning Board.”

- c) “Access into the site for fire apparatus must be maintained at all times during the construction process. This is the sole responsibility of the applicant/developer to maintain this access. Please contact the Fire Department at 330-7182 with any questions about access requirements”.
- d) “This development must be in compliance with all applicable law – including all pertinent provisions of the City of Rochester Site Plan Regulations – unless otherwise waived”.
- e) “The Code Enforcement Officer administers the City of Rochester Sign Ordinance. Signage submitted as part of this site plan package is still subject to his review to ensure compliance with that ordinance and other applicable codes, independent from this site plan review. In addition, if any significant change or expansion is proposed to the design of the approved freestanding sign or to the overall advertising signage for the site (not including accessory signage, such as handicap parking signs), the proposed sign designs must be presented to the Planning Board for review prior to issuance of those sign permits. A sign permit must be obtained prior to installation of any signs on site”. [Also, see condition regarding signage below.]
- f) "The applicant shall obtain a Stormwater Management permit from the Public Works Department (unless determined to be unnecessary by the City Engineer) and follow the requirements of City Ordinance Chapter 50. The permittee shall prepare a written plan for managing stormwater that enters the construction site and shall present it to the inspection engineer at the pre-construction meeting. The permittee shall follow Best Management Practices to prevent erosion in areas where the soil has been disturbed.”
- g) “All elements shown on the approved site plan must be properly completed prior to issuance of a certificate of occupancy, unless appropriate surety is placed with the Planning Department.”
- h) “Note that this approval is for the site plan only. Life safety code and building code review will be required as part of the building permit process when the construction plans are submitted. Various requirements regarding the building design may be specified at that time.”
- i) Add sentence to note 33.): “All ground disturbance in the vicinity of

the adjacent house #58 Pine Street shall be carried out with special care in order not to disturb the foundation of that house.”

- 2) Make the following modifications to the plan drawings:
 - a) Clearly identify the three signs in front of the 2 handicap spaces as handicap parking and no parking (for middle sign).
 - b) Adjust driveway and parking lot to be perpendicular to the street
 - c) Show water, sewer, and electric utilities from the street to the building.
 - d) Add truncated domes at the bottom of both paths where they meet parking areas
 - e) Show parking spaces with dashed lines
 - f) Turn bicycle rack to be parallel or perpendicular to the street
 - g) Change word from “partitioners” to “parishioners” in drawing.
- 3) Submit final sign design, including pdf, to Planning per the description in the approved plan set. The sign shall be externally illuminated, have a matt finish and be nonreflective. Use of a monument style sign is strongly encouraged. A post sign may not exceed six feet in height. The sign background shall be dark/medium dark with light letters. The Planning Department shall forward the sign to the Planning Board. The Planning Department may approve the sign administratively, but if any board member requests a board review it shall be placed on the next available agenda. No fee or notice shall be required.
- 4)# The plans are to be tied into the State Plane Coordinate System or \$15.00 is to be contributed to the Monumentation Fund.
- 5) The applicant must sign the Agreement for Payment of Inspection Fees and make a cash deposit to cover the expected costs of inspections, in an amount that is determined by the Public Works Department. (The inspections will be conducted by the City of Rochester Public Works Department or its designee. The applicant must pay for inspections - at an hourly rate as determined by the Public Works Department - of the site, including all new infrastructure serving the site.)
- 6) The pre-construction meeting agreement is to be signed by the property owner.
- 7) A drainage maintenance agreement approved by Public Works must be

executed.

- 8) (a) One set of mylar plus (b) five sets of large blue-line or black-line plus (c) one set of 11"x17" final approved site plan drawings plus (d) one electronic version by pdf or CD 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 blue-line/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 precedent condition, above) may be marked by hand. Note. If there are significant changes to be 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. (The primary set of plans was last received August 9, 2011)

General and Subsequent Conditions

All of the conditions below are attached to this approval.

- 1) Hours for construction and hours of operation for the church are specified on the approved plans.
- 2)# **No site work may be undertaken until: a) all of the precedent conditions are met; b) the preconstruction meeting with City staff has taken place; c) all appropriate erosion and sedimentation control structures are in place.** These erosion and sedimentation control measures must be in place prior to the pre-construction meeting in order that they may be inspected at the meeting. Contact the City Planning Department to arrange for the preconstruction meeting.
- 3) All erosion and sedimentation control structures must remain in place and be maintained until vegetation is established or ground surface is suitably stabilized. Note that the filter fabric on silt fences must be buried at least 12" below the ground surface in order to function properly. Best management practices must be followed for wetlands protection.
- 4) Three sets of full size (measuring at least 22" x 34") blue line or black line paper plus one full size mylar 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 judgment 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).

- 5) The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 6) 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.
- 7) Please note. 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.
- 8) 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 Code Enforcement 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.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).
