



OCT 12 2010

MINOR SUBDIVISION APPLICATION (a total of three or fewer lots)

City of Rochester, New Hampshire

[office use only. Check # _____ Amount \$ _____ Date paid _____]

Date: October 12, 2010 Is a conditional needed? Yes: _____ No: X Unclear: _____
(If so, we encourage you to submit an application as soon as possible.)

Property information

Tax map #: 126; Lot #(s): 42; Zoning district: R-1

Property address/location: 2 Dartmouth Lane

Name of project (if applicable): _____

Size of site: .72 acres; overlay zoning district(s)? _____

Property owner

Name(include name of individual): Audrey J. Demichele Living Trust & Suzann Beals Living Trust

Mailing address: 2 Dartmouth Lane; Rochester, NH 03867

Telephone #: 335-4441 Fax #: _____

Applicant/developer (if different from property owner)

Name (include name of individual): Same

Mailing address: _____

Telephone #: _____ Fax #: _____

Engineer/surveyor

Name (include name of individual): Norway Plains Assoc., Inc./Art Nickless

Mailing address: P.O. Box 249; Rochester, NH 03866-0249

Telephone #: 335-3948 Fax #: 332-0098

Email address: anickless@norwayplains.com Professional license #: 676

Proposed project

Number of proposed lots: 2; Are there any pertinent covenants? No

City water? yes X no _____; How far is City water from the site? _____

City sewer? yes X no _____; How far is City sewer from the site? _____

(Continued Minor Subdivision Plan application Tax Map: 126 Lot: 42 Zone R-1)

Wetlands: Is any fill proposed? No; area to be filled: _____; buffer impact? _____

Comments

Please feel free to add any comments, additional information, or requests for waivers here:

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 Subdivision application to the City of Rochester Planning Board pursuant to the City of Rochester Subdivision Regulations 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: _____

Signature of applicant/developer: _____

Date: _____

Signature of agent:  _____

Date: 10/12/10

Authorization to enter subject property

I hereby authorize members of the Rochester Planning Board, Zoning Board of Adjustment, Conservation Commission, Planning Department, and other pertinent City departments, boards and agencies to enter my property for the purpose of evaluating this application including performing any appropriate inspections during the application phase, review phase, post-approval phase, construction phase, and occupancy phase. 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.

Signature of property owner:  _____

Date: 10/12/10

NORWAY PLAINS ASSOCIATES, INC.
SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

31 Mooney Street
Alton, New Hampshire 03809
Alton Office (603) 875-3948
E-MAIL: anickless@norwayplains.com
WEB: www.norwayplains.com

2 Continental Boulevard (03867) P. O. Box 249
Rochester, New Hampshire 03866-0249
Telephone (603) 335-3948
NH (800) 479-3948
Fax (603) 332-0098

October 12, 2010

Mr. Michael Behrendt, Planner
Planning, Development & Zoning
31 Wakefield Street
Rochester, NH 03867

Re: DeMichele Revised Subdivision - Map 126, Lot 42 - 2 Dartmouth Lane

Dear Michael:

On behalf of Audrey J. Demichele, we hereby submit a revised plan and application for a 2-lot subdivision of the above referenced property. As you know, the original application was denied by the Planning Board at the October 4 meeting. Although the applicant believes that application met or exceeded all of the City's ordinances and regulations, she has revised the plan and by submission of this new application, asks that the Board reconsider their denial.

The plan has been revised as follows:

1. The side line of the new lot is now shown as a straight line, thereby requiring either the relocation or removal of the shed.
2. The front setback of the new lot is shown as 40-feet from the front lot line rather than the required 25-feet.

This new plan exceeds the required lot area (15,000+ sf. where 10,000 sf. is required) as well as the front yard setback (40-feet where 25-feet is required). The covenants for the neighborhood (which have long since expired) say nothing about prohibiting further subdivision. Therefore, we respectfully request the Planning Board review this application objectively and in the context of the ordinances and regulations of the City of Rochester.

Thank you for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.

By: _____

Arthur H. Nickless, Jr., PLS, President

cc: Audrey Demichele
James Schulte, Esq.

ABUTTER LIST

City of Rochester, NH

Please Print or Type

Applicant: Audrey J. Demichele Living Trust & Suzanne Beals Living Trust Phone 335-4441

Project Address: 2 Dartmouth Lane

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Owner Name	Mailing Address
126	42	Same as Applicant	

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Mailing Address
127	9	C.C. Harrington Revocable Trust & B. B. Harrington Revocable Trust	3 Dartmouth Lane, Rochester, NH 03867-3202
127	10	Jane Cooper Fall Revocable Trust c/o Jane Cooper Fall, Trustee	1 Dartmouth Lane, Rochester, NH 03867-3202
126	41	Lahue Associates, LLC	14 Tates Brook Road, Somersworth, NH 03878
126	43	Michael R. & Darlene Duclos	4 Dartmouth Lane, Rochester, NH 03867-3201
126	40-1	Caroline McCarley	15 Nature Lane, Rochester, NH 03867
126	45	Arnold F., Jr. & Jennifer Bennett	5 Sunset Drive, Rochester, NH 03867
126	46	Robert C. & Amy L. Garland	9 Sunset Drive, Rochester, NH 03867-3201

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Norway Plains Associates, Inc.	P. O. Box 249, Rochester, NH 03866-0249

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form and mail certified notices to abutters and other parties in a complete, accurate, and timely manner, in accordance with applicable law. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the City of Rochester, Patriot

Database on this date: October 12, 2010 This is page 1 of 1 pages. OCT 12 2010

Applicant or Agent: 

still verification
10/13/10

TAX MAP 126, LOT 45
ARNOLD & JENNIFER BENNETTTAX MAP 126, LOT 46
ROBERT & AMY GARLAND

SUNSET DRIVE

DARTMOUTH LANE

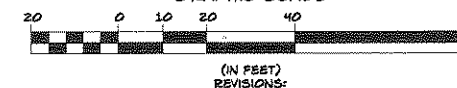
TAX MAP 127, LOT 10
JANE COOPER FALL
REVOCABLE TRUSTTAX MAP 127, LOT 9
CLAYTON C. HARRINGTON TRUST &
BRENDA B. HARRINGTON TRUSTPROPOSED LOT
126-42-0
15,486 SF
0.35 ACEXISTING
HOUSE &
GARAGEPROPOSED LOT
126-42-1
15,796 SF
0.36 ACTAX MAP 126, LOT 41
LAHUE ASSOCIATES LLC
SCRD BOOK 3722, PAGE 122TAX MAP 126, LOT 43
MICHAEL & DARLENE DUCLOS
SCRD BOOK 3253, PAGE 974TAX MAP 126, LOT 40-1
CAROLINE MCCARLEY
SCRD BOOK 1319, PAGE 580

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE SUBDIVISION OF THE SUBJECT PARCEL INTO TWO LOTS.
2. TOTAL PARCEL AREA: TAX MAP 126, LOT 42= 29,845 SF / 0.72 ACRES
PROPOSED TAX MAP 126, LOT 42-0= 17,484 SF / 0.40 ACRES
PROPOSED TAX MAP 126, LOT 42-1= 13,848 SF / 0.32 ACRES
3. PARCEL IS ZONED (R1) RESIDENTIAL 1.
4. MINIMUM LOT REQUIREMENTS (WITH BOTH WATER & SEWER):
LOT SIZE = 10,000 SF.
FRONTAGE = 100'
5. BUILDING SETBACKS: FY= 25', SY= 10', RY= 25'
6. THE LOTS ARE SERVICED BY THE MUNICIPAL WATER AND SEWER SYSTEM.
7. THE PROPOSED LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR ROCHESTER.
8. FOR MORE INFORMATION ABOUT THIS SUBDIVISION CONTACT THE ROCHESTER PLANNING DEPARTMENT, 31 WAKEFIELD STREET, ROCHESTER, NH 03867. (603) 335-1338.

REFERENCE PLANS:

1. "SHEET B, GENERAL MAP, LAND DEVELOPMENT PROJECT, ROCHESTER, NH, COOPER & HALL, ATTY'S. ROCHESTER, NH" DATED OCTOBER 23, 1939 BY H.M. BRYANT, ENG'R. S.C.R.D. POCKET 5, FOLDER 5, PLAN 12

TAX MAP 126, LOT 73
OWNER OF RECORD:
AUDREY J. DEMICHELE LIVING TRUST
PO BOX 453
GREENLAND, NH 03840
S.C.R.D. BOOK 3372, PAGE 559SUBDIVISION OF LAND
DARTMOUTH LANE &
SUNSET DRIVE
ROCHESTER
STRAFFORD COUNTY
NEW HAMPSHIRE
FOR AUDREY J. DEMICHELE
LIVING TRUST1"= 20' OCTOBER 2010
GRAPHIC SCALEI HEREBY CERTIFY THAT THIS PLAN, PREPARED UNDER MY DIRECTION,
IS THE RESULT OF A SURVEY MADE ON THE GROUND AS PER RECORD
DESCRIPTIONS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE
AND BELIEF. THE PLAN CLOSURE EXCEEDS 1:10,000.

ARTHUR H. NICKLESS, JR., NHLS DATE:

FINAL APPROVAL BY
ROCHESTER PLANNING BOARD

CERTIFIED BY DATE

SUBDIVISION APPROVAL
WHETHER OR NOT OTHERWISE EXPRESSLY RECITED ON THIS SUBDIVISION PLAN, THE
SUBDIVISION APPROVAL GRANTED IS CONDITIONED ON FAITHFUL AND DILIGENT ADHERENCE
BY THE OWNER/SUBDIVIDER/DEVELOPER OF ALL TERMS, CONDITIONS, PROVISIONS, AND
SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION REGULATIONS, AS
AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON THE DATE OF APPROVAL UNLESS
OR EXCEPT INsofar AS EXPRESSLY WAIVED IN ANY PARTICULAR, BELOW. NON-
ADHERENCE MAY RESULT IN A REVOCATION OF APPROVAL. ANY VARIATION FROM THE
APPROVED PLAN WILL REQUIRE A RESUBMISSION FROM SUB-DIVISION APPROVAL.FILE NO. 104
PLAN NO. C-2546-S
DWG. NO. 101015-2
F.B. NO. 33 "CEK"LOCUS
N.T.S.

NORWAY PLAINS ASSOCIATES, INC.