



PLANNING & DEVELOPMENT DEPARTMENT
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Planning & Zoning
Community Development
Conservation Commission
Historic District Commission

NOTICE OF DECISION

November 4, 2010

Audrey J. Demichele Living Trust
Susan Beals Living Trust
2 Dartmouth Lane
Rochester, NH 03867

RE: 2-lot subdivision

Dear applicant:

This is to inform you that the Rochester Planning Board at its November 1, 2010 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: _____ ROD received? _____]

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 May 2, 2011 - 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) The existing shed must be *physically removed* from the setback areas of either lot.
- 2) Add the following notes (or equivalent) to the plan drawings:

- a) "All utilities must be underground, including utilities extended onto the site from existing poles near the site. However, if the only pole nearby is across the street, one additional pole may be placed on/near the property to allow for overhead extension of wires across the street. All utilities extending from any such new pole must be underground. The applicant may work with the City staff as appropriate to address this requirement."
 - b) "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. The permittee shall follow Best Management Practices to prevent erosion in areas where the soil has been disturbed."
 - c) "The sewer impact contribution must be paid in full for each subject lot prior to the issuance of a certificate of occupancy for that lot. The sewer impact is a one time payment for each house/building of \$2.00 per gallon for average daily flow, equivalent to \$300 per bedroom for a house."
 - d) "The proposed driveway shall be placed in a location that will provide the required stopping sight distance for the posted speed limit as stipulated by the Department of Public Works. Unless otherwise stipulated by Public Works, the driveway must be placed toward the northwesterly side of the frontage to add separation to lot 41 and to preserve the larger trees and birches along the frontage."
 - e) "Any house built on the new lot may (lot 126-42-1) not be of modular construction."
 - f) "The finished interior living space of any house built on the new lot (lot 126-42-1) must be a minimum of 1,800 square feet."
- 3)# Set boundary markers (actually physically set in place in the field) and note on plans ("marker set" or equivalent)
- 4) The plans are to be tied into the State Plane Coordinate System or \$50.00 is to be contributed to the Monumentation Fund.
- 5) (a) Two sets of mylars (or one mylar and one acetate/washout; one recording mylar will be recorded at the registry and one full set will be retained by the Planning Department) plus (b) five sets of large blue-line or black-line plus (c) one set of 11"x17" final approved plans 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 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 17, 2010.)

General and Subsequent Conditions

All of the conditions below are attached to this approval.

- 1)# The plat (mylar) and this notice of decision (per RSA 676:3 III) must be recorded at the Strafford County Registry of Deeds within two (2) calendar months to the date the plat is certified (e.g. if certified September 9th it must be recorded by November 9th). See RSA 478:1-a regarding plat requirements. **Failure to comply with this requirement herein shall render the subdivision null and void.**
- 2) The project must be executed exactly as specified in the approved application package unless modifications are approved by the City.
- 3) 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.
- 4) 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.

(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).

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Michael Behrendt
Chief of Planning

cc: Norway Plains Associates
File