



**PLANNING & DEVELOPMENT DEPARTMENT**  
City Hall - Second Floor  
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Planning & Zoning  
Community Development  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

## NOTICE OF DECISION

May 8, 2013

SWD Property Management, LLC  
c/o Stephen Dumont  
750 Exeter Road  
Hampton, NH 03842

Re: Seasonal ice cream shop. Case # 132 – 43 – B2 – 13

Dear Mr. Dumont:

This is to inform you that the Rochester Planning Board at its May 6, 2013 meeting **APPROVED** your application referenced above.

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"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: \_\_\_\_\_; Surety 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 November 6, 2013 - 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) Final plans shall show dumpster or trash collection area.
  - b) Outside sink or other water source shall be shown on plan.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:

None at this time.
- 3)# Current use. The subject property or a portion of it is not presently in current use.
- 4) State plane coordinates. The plans are to be tied into the State Plane Coordinate System or \$15.00 is to be contributed to the Monumentation Fund.
- 5) Other permits. All required state and federal permits – including State approval of the subdivision, as appropriate – must be obtained with copies of permits or confirmation of approvals delivered to the Planning Department.
- 6) Final drawings. (a) seven sets of 11"x17" final approved plans plus (b) one electronic version by pdf or CD must be on file with the City. *If applicable, 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 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 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 February 5, 2013).

### General and Subsequent Conditions

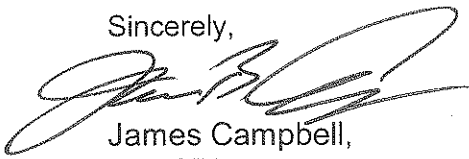
All of the conditions below are attached to this approval.

- 1)# Recording. Not applicable to this application.
- 2) Execution. The project must be executed exactly as specified in the approved application package unless changes are approved by the City.
- 3) Approval. 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) 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 Building Safety Department at 332-3508 regarding building permits.
- 5) As-builts. Three sets of 11"x17" plus one digital pdf copy of the **as-built site plans** (or "record drawings") 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).

(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).

Sincerely,



James Campbell,  
Chief Planner

cc: File