



**Amendment to Approved Project**  
**City of Rochester, New Hampshire**

Case # \_\_\_\_\_ Property Address 41 Meadow Lane

Type of project: Site Plan \_\_\_\_; Subdivision X; Lot Line Adjustment \_\_\_\_; Other \_\_\_\_

Project name McDuffee Place Development Corporation

Date of original Planning Board approval 6/27/1988

Description of amendment Proposed elimination of an easement that was reserved by the original developer for possible access to adjacent property for further development; adjacent property is owned by the Catholic Church and is part of the St. Mary cemetery; the Church also owns 41 Meadow Lane (Map 136, Lot 21) and have no intentions of developing the cemetery property.

Would this affect a wetland or wetland buffer or require a conditional use? Yes \_\_\_\_ No X

Name of applicant or agent filling out this form Art Nickless

Applicant? \_\_\_\_\_ Agent? X Today's date 8/17/10

Please note: Amendments are reviewed by the Planning Board and a public hearing is held. Abutters must be renotified by the applicant. There is a \$100.00 fee for an application submitted after the plans have been certified; there is no fee if the plans have not yet been certified. The applicant must submit any supplementary materials necessary to explain and support the amendment, such as a narrative and plans. This form, the abutter's list, the fee when applicable, and other necessary materials must be submitted at least 17 days prior to the Planning Board meeting at which the amendment will be presented (by the Friday, 2-1/2 weeks prior to the meeting to allow for public notice).

----- Office use below -----

Fee required? Yes \_\_\_\_ No \_\_\_\_ Check # \_\_\_\_\_ Staff initials that check received \_\_\_\_\_

Amendment approved \_\_\_\_ Amendment denied \_\_\_\_ Date of Planning Board action \_\_\_\_\_

Conditions \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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August 17, 2010

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

**Re: Amend. to Approved Subdivision - McDuffee Place/Meadow Lane - Map 136, Lot 21**

Dear Michael:

In June of 1988, the Planning Board approved a subdivision for McDuffee Place Development Corp. which became the new Meadow Lane subdivision behind Public Service. As part of that subdivision, the developers reserved a 60-foot wide easement across subdivision lot 22 (now Tax Map/Lot 136/21) for possible future access to land owned by the Catholic Church. The Catholic Church subsequently purchased Lot 136/21 from the bank that foreclosed on the original developer. Included in that conveyance was all of the rights and interests the bank had, as successor to the original developer, to the aforementioned easement.

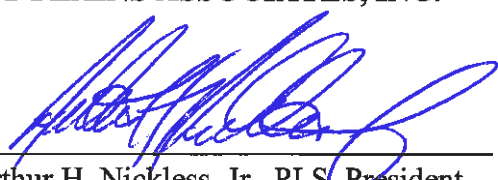
At this time, the Church is proposing to build a new rectory on the lot. They have no interest in developing the adjacent property particularly since it is the St. Mary Cemetery. Therefore, we respectfully request that the Planning Board approve an amendment to the original subdivision approval and allow us to put a revised plan on record depicting the elimination of the easement.

Thank you for your consideration.

Sincerely,

**NORWAY PLAINS ASSOCIATES, INC.**

By: \_\_\_\_\_

  
Arthur H. Nickless, Jr., PLS, President