



**PLANNING & DEVELOPMENT DEPARTMENT**  
City Hall - Second Floor  
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Rochester, New Hampshire 03867-1917  
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Web Site: [www.rochesternh.net](http://www.rochesternh.net)

Planning  
Community Development  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

## NOTICE OF DECISION

August 7, 2013

Vickery Stables, LLC/Paul & Samantha Kusnierz  
61 Evans Road  
Rochester, NH 03867

Re: Lot Line Revision to add 10.04 acres to Lot 10-5 from Lot 10-11.  
Case# 232 – 10-5 & 10-11 – A - 13

Dear Applicant:

This is to inform you that the Rochester Planning Board at its August 5, 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: \_\_\_\_\_ 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 February 5, 2014 - 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 must be stamped and signed by a NH Licensed Surveyor.
- 2) Plan Notes. Add the following notes (or equivalent) to the plan drawings:
  - a) A note shall be added to the plan stating the State Subdivision approval has been granted.
- 3) The applicant shall work with the Chief Planner to get approval for the non-residential barn as a Stable and Riding Academy through an administrative review or minor site review.
- 4)# State Plane Coordinates. The plans are to be ties into the State Plane Coordinate System or \$40.00 is to be contributed to the Monumentation Fund.
- 5) Notarized Deed. The applicant must submit to the Planning Department a copy of the signed and notarized deed which will affect the conveyance of the affected land (the land within the lot lines being adjusted). In addition, the driveway easement deed must be provided to the Planning Department. (After the plat is certified by the Planning Department the original deed, driveway easement, and the plat will then be recorded simultaneously (see below). The deeds may refer to the plat and state that the conveyance is not effective until such time as the plat is certified and all documents are recorded).
- 6)# Current Use. The subject property or a portion of it is presently in Current Use. The applicant must provide to the City of Rochester Assessing Department a revised current use map and/or any other items needed to assure that the requirements of RSA 79-A and the New Hampshire Department of Revenue's Administrative Rules are satisfied. We encourage you to contact the Assessing Department at 332-5109 as soon as possible to discuss with them the financial ramifications of converting current use land. It will facilitate the process for you if you contact the department well in advance of commencing the project. The applicant shall provide the Planning Department with written verification from the Assessor that this has been done.
- 7) Final Drawings. (a) One set of mylar plus (b) five sets of large black-line plus (c) one set of 11" x 17" 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 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 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 July 9, 2013).

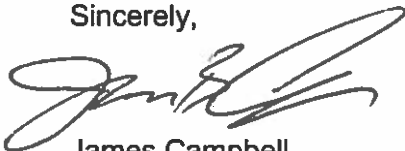
### **General and Subsequent Conditions**

All of the conditions below are attached to this approval.

- 1) # **Recording.** The plat, this notice of decision (per RSA 676:3 III), and deed (a deed is required if the lots are owned by two separate parties or if one lot is sold prior to the recording of this plat; see precedent condition above) must be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified (e.g. if certified September 9<sup>th</sup> they must be recorded by November 9<sup>th</sup>). See RSA 478:1-a regarding plat requirements. **Failure to comply with this requirement herein shall render the lot line adjustment null and void.**
- 2) **Execution.** The project must be built and 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/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).

Sincerely,



James Campbell,  
Chief Planner

cc: Norway Plains Associates, Inc./Joel Runnals  
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