



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

NOTICE OF DECISION

January 6, 2011

Next Wave Homes Estates, LLC
Kevin Grondin & David Jacobs
40 Lilac Drive
Rochester, NH 03867

RE: 2-lot subdivision to place the existing maintenance facility on a separate tract of land and to redesignate the use as a contractor's storage yard. The proposed lot will contain 7.84 acres.
Case # 256-70-A-10

Dear Kevin and David:

This is to inform you that the Rochester Planning Board at its January 3, 2011 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 July 5, 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 plan drawings are to be modified as follows:
 - a) Show the new lot as Lot 256-71-1.
 - b) Add an easement across the mother lot, Lot 256-70 for the new lot for use of the driveway and the water line.
 - c) Add any information required as part of the checklist.

- d) Make sure that the required 25 foot side setback is met for the outbuilding on the new lot; adjust the location of the lot line as needed.
- 2) Add the following notes (or equivalent) to the plan drawings:
- a) "The maintenance facility is designated as a Contractor's Storage Yard as part of this approval herein."
 - b) "On-site maintenance and repair of heavy vehicles is restricted to those owned by the contractor storage yard owner and operator. Commercial maintenance and repair of heavy equipment and vehicles owned by others is not permitted unless it is allowed under zoning and the work is approved as part of the contractor storage yard site plan review process."
 - c) "Salts, and any bulk materials containing salts, commonly used in snow and ice removal, shall not be exposed to precipitation. A permanent, impermeable surface shall be installed beneath the salts to prevent ground infiltration. This provision applies to any bulk materials containing salt."
 - d) "All waste materials shall be contained in dumpsters or similar receptacles, provided, however, that any material or substance that is subject to state or federal regulations regarding its handling and storage shall be handled and stored in accordance with such regulations."
- 3)# 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.
- 4) Set boundary markers (actually physically set in place in the field) and note on plans ("marker set" or equivalent)
- 5) The plans are to be tied into the State Plane Coordinate System or \$50.00 is to be contributed to the Monumentation Fund.
- 6) All required state and federal permits must be obtained with copies of permits or confirmation of approvals delivered to the Planning Department.
- 7) (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 December 7, 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