



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

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Web Site: www.rochesternh.gov

Planning Board
Zoning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

October 6, 2023

Jennifer Hartford
42 Front Street, LLC
P.O. Box 671
Rochester, NH 03866

**Re: 2 – Lot Subdivision at 42 Front Street; Tax Map 102 Lot 41
Case# 102 – 41 – R2 – 23**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its October 2, 2023 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: _____; CO signed off? _____; As- Builds received? _____; All surety returned? _____]

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 April 2, 2024 - 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. The shed located within the rear setback of lot 102-41 must be moved outside of any setback area as required by Rochester Zoning Ordinance 275-30.7
- 2) **Plan notes.** Add the following notes (or equivalent) to the plan drawings:
 - a. Please add a note to the plan that at the time of the building permit the applicant shall provide a lot grading and drainage plan, whether or not a drainage permit is required under Chapter 218. This plan shall consider the stable conveyance of existing drainage across the lot including what flows through the culvert and drainage conditions from Front Street, as well as incorporation of lot development drainage all without increasing flows on adjacent properties.
 - b. Please add a note to the plan that at the time of the building permit, applicant shall provide proposed finish floor elevation for building safely above the 100 year flood elevation. Lot grading should not increase flood elevations on adjacent lots.
 - c. Please add a note to the plan that because of the drainage and seasonal high water issues, the structure allowed on the new lot must be built on an at-grade slab foundation.
- 1) **Final Drawings.** (a) Three sets of 24" x 36" black-line final approved plans plus (b) one set of 11" x 17" final approved plan drawings plus (c) one electronic version in pdf on a flash drive plus (d) a copy of the linework in CAD format (DWG or DGN) on a flash drive must be submitted to 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. Plans must include (a) at least two points showing north and easting referenced in NH State Plane North American Datum 1983 coordinates, (b) Elevations referenced in North American Vertical Datum of 1988 (NAVD 88).

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. Once the plan is recorded at the Registry of Deeds, submit two 11x17 recorded copies of the recorded plan. Assessing will need an 11x17 recorded copy of the plan.

- 3) **Recording.** The plat, this notice of decision (per RSA 676:3 III), must be recorded together at the Strafford County Registry of Deeds within six calendar months to the date the plat is certified See RSA 478:1-a regarding plat requirements. Failure to comply with this requirement herein shall render the subdivision null and void.

General and Subsequent Conditions

1. **Other permits.** All required Municipal, State and Federal permits must be obtained prior to pre construction meeting— including any Driveway/Curb Cut permit, Water Service Connection Permit, Cross Connection Control Permit NHDES AOT/SWPPP Stormwater Permit, NHDES Wetlands Permits, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.

Development on the lot/s beyond 5,000 SF will require a Stormwater Permit from DPW per Ch 218 Stormwater Management and Erosion Control ordinance. Applicants requiring a Stormwater Management and Erosion Control Plan shall establish an account with the NHDES Pollutant Tracking and Accounting Project (PTAP). Relevant pollutant tracking information shall be entered

into the PTAP database prior to holding a pre-construction meeting. Post construction pollutant information must be entered at the time as-builts are submitted.

2. Should a duplex be proposed for the new plot, Section 75-15 of the City Code requires the following: In addition to sprinkler requirements for structures under the provisions of the applicable NFPA (National Fire Protection Association) code and/or any other applicable law or regulation, all newly constructed duplexes, triplexes and single-family dwelling unit combination structures that are attached to each other shall be sprinklered in accordance with National Fire Protection Association (NFPA) code standards as contained in the New Hampshire State Fire Code.
3. The establishment an easement between lots 102-41 and 102-42 for the shared driveway is highly recommended. Any disputes between property owners regarding the shared driveway or property line infringements must be managed as a civil matter.
4. A waiver from Public Works for minimum spacing for the driveway (from both Mill Street and from the abutting driveway) will be required as part of the driveway(s) permit, prior to obtaining a building permit.
5. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breeches shall be repaired within 48 hours of the storm event.
6. Wetland buffer areas shall not be impacted by any construction activities (other than those impacts permitted under the CUP and DES wetlands permit). Wetland buffers shall be marked with construction tape markers placed on trees or on wooden stakes prior to any onsite activity, and such markers shall be maintained throughout construction. Wetland Buffers shall be marked with Conservation Overlay District tags prior to CO's for homes (available for a nominal fee at the Rochester Planning Office), and such markers shall be maintained in perpetuity.
7. Backflow prevention device permits will be required for domestic and fire service lines. At the time of the building permit submittal the applicant shall apply for the required backflow prevention device permits thru the Department of Public Works. The applicant is to provide adequate information such as but not limited to plumbing plans/schematics, design flow calculations and equipment cut-sheets with respect to facility operations as it relates to domestic water use, fire suppression system type, irrigation and any intended need for process water. The Department of Public Works will determine hazard classification for all proposed devices related to cross-connection control. Prior to the Certificate of Occupancy, inspections and passing test results of all backflow prevention devices related to cross-connection control are required.
8. Water and Sewer connection permits will need to be applied for prior to building permits. Only licensed contractors with the City of Rochester may perform water or sewer service work. The Sewer System Development Fee of \$4.33/gpd per Table 1008-1 of Env-Wq 1008.03 applies.
9. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
10. A Surveyor is to submit a signed letter to the Planning Department stating that the new lot corner monuments have been set (Subdivision Regulation 6.1) and that reference pins have been set on all easement bounds (Subdivision Regulation 5.7.4)
11. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.

12. Approvals. 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.
13. Violations. In the event of any violations of these conditions of approval or of any pertinent local, state, or federal laws – such as those regarding erosion and sedimentation control, wetlands, stormwater management, and general site development standards – the City of Rochester reserves the right to take any appropriate permissible action, including, but not limited to, withholding of building permits, withholding of certificates of occupancy, withholding of driveway permits, revocations of permits/approvals, referring violations to other agencies, and calling of bonds.
14. 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's Building, Zoning and Licensing 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. Finally, please contact the Department of Public Works for any stormwater, sewer, or water permits or fees that are required.
15. APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 30 days of the date the Board made its decision.

Sincerely,


Shanna B. Saunders,
Director of Planning & Development

Cc: File
SUBD-23-2