



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

33 Wakefield Street

Rochester, New Hampshire 03867-1917

(603) 335-1338 - Fax (603) 330-0023

Web Site: www.rochesternh.gov

Planning Board

Zoning Board

Conservation Commission

Historic District Commission

Arts & Culture Commission

NOTICE OF DECISION

April 12, 2024

All Purpose Storage Rochester, LLC

Jeremiah Boucher

4023 Dean Martin Drive

Las Vegas, NV 89103

Re: Site Plan to construct 2 contractor bay buildings and associated parking and site improvements, located at 303 & 305 North Main Street. Case# 114 – 8 – HC – 23

Dear Applicant:

This is to inform you that the Rochester Planning Board at its April 1, 2024, meeting **CONDITIONALLY 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- Built received? _____; All surety returned? _____]

All 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 October 1, 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.

In addition, the Board was clear that conditions and amendments requested are NOT minor, administrative or relating to the issuance of other approvals and therefore final approval shall require a hearing and notice per 676:4.I.i.

- 1) Plan modifications. Add the following notes (or equivalent) to the plan drawings:
 - a. Please add a note to the site plan that applicant is required to abide by all pertinent AUR restrictions and obligations as specified in the Notice of Activity and Use Restriction document (Bk 2417/Pg258-263).
 - b. Please add a note to the site pan that abandonment of any water or sewer lines requires DPW inspection with 24-hr advanced notice.
 - c. Please add a note to the site plan that states: Nearest point of the building approximately 400'-425' in a sprinkled building. With the proximately of the nearest hydrant just outside of the required 400' and with the applicant addition of the sprinkler system the Fire Department approves "not adding" a hydrant within the site.
 - d. Please add a note to the plan that states: Dead end fire department access road in excess of 150ft shall be provided with approved provision for fire apparatus turn around. [118.2.3.5.4]
 - e. There is no snow storage shown on this site, LCA 3. Please add a note to the plan that all snow will be removed.
 - f. No outside storage is allowed. Please add a note to the plan.
 - g. Please amend the note about the Knox box to read: Police has a concern for safety with unauthorized individuals accessing the bathrooms. If this design is a must-have the Police Department requires Knox Boxes so they are able to gain access to the bathrooms if needed for emergency purposes.
 - h. Please add two signs to the plan, at the end of each hammer head that states that there can be no blocking or plowing of the snow into the hammerheads as they are for emergency vehicle turn-around.
 - i. Please add rain garden details to the plan including substrate materials, elevations and plantings.
 - j. Please add conduit to the building design so that solar panels may be added to the roof in the future.
 - k. Please add a note to the plans that the arborvitaes and trees used to soften the visual character of the building shall be no less than 6 feet in height.
- 2) 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) for the subdivided lot with the homestead and that reference pins have been set on all easement bounds (Subdivision Regulation 5.7.4)
- 3) Please provide a written memo or email from Eversource stating that they will not install the electrical underground, as the applicant has stated.
- 4) Please call the Planning Department to confirm E-911 Addressing prior to recording of the Site Plan. Applicant must receive an address confirmation letter prior to recording of the plan to assure proper Tax Map/Lot numbers were assigned.

- 5) **Final Drawings and Easement.** (a) Three sets of 24" x 36" black-line final approved plans plus (b) two sets of 11" x 17" final approved plan drawings plus (c) one electronic version in pdf on a flash drive or emailed plus (d) a copy of the linework in CAD format (DWG or DGN) on a flash drive or emailed 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 nothing 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 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.

- 6) Recording. The plat, this notice of decision (per RSA 676:3 III), and any Easements 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 Planning Board decision null and void.

General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. Pre-Construction meeting. A preconstruction meeting is required prior to the start of work. Please contact the Department of Planning and Development to schedule this no more than 2 week prior to breaking ground; The pre-construction meeting agreement is to be signed by the property owner prior to signing of final plans. AOT/SWPPP Stormwater permit must be submitted prior to the Pre-Construction Meeting.
2. In accordance with RSA 676:4-b and prior to the pre-construction meeting the applicant must sign the Construction Inspection Services Agreement and make a cash deposit to cover the expected costs of inspections, in an amount that is determined by the Public Works Department. The amount in the fund is an estimate and additional funds may be required depending upon complexity and quality of work. The inspections will be conducted by the City of Rochester Public Works Department or its designee, such as a 3rd party inspection firm. The applicant must pay for inspections – at an hourly rate as determined by the Public Works Department or based upon 3rd party inspection firm hourly rates – of the site, including all new infrastructure serving the site.
3. Prior to the Pre-Construction meeting a Construction Cost estimate for this project shall be submitted for review and approval. Estimate shall be based on the Department of Public Works Construction Surety Schedule and shall include a 10% Contingency. Costs for items not specifically addressed in the Surety Schedule will be based on 1) City standards, 2) NHDOT weighted averages, 3) industry standards, or 4) contractor estimates.

4. Costs for items not specifically addressed in the Surety Schedule will be based on 1) City standards; 2) NHDOT weighted averages; 3) industry standards; or 4) contractor estimates. This full surety must remain in place until the road is accepted or a Home Owner Association is created to define ownership and responsibility of the road and road drainage. If phased, the surety can be permitted per phase.
5. Prior to the Pre-Construction meeting or issuance of a building permit or beginning site work, the applicant shall provide site improvement and restoration security. The performance guarantee shall be an amount equal to 10% of the approved Construction Cost Estimate (including a 10% contingency) to ensure the proper and timely completion of site work and site restoration within the development. Before the subdivision/site plan can be recorded, lots deeded to third parties, or structures occupied the applicant shall provide a cost estimate of remaining site work including labor, and provide the City with a security in the form of either letter of credit or cash equal to 110% of the estimated cost for remaining work. (Any existing surety being held at this time may be converted toward this amount). This amount shall include preparation of as-built plans. Construction Cost estimate for this project shall be submitted for review and approval. Estimate shall be based on the Department of Public Works Construction Surety Schedule and shall include a 10% Contingency.
6. Other permits. All required State and Federal permits must be obtained – including any Driveway/Curb Cut permit, Water Service Connection Permit, Drainage Permit, Cross Connection Control Permit, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.

Development on the subdivided lots 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.

7. 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.
8. There shall never be allowed any work or storage of materials or vehicles from tenants of these units in the parking lot area. All work and storage is to be conducted within each unit.
9. Each bay is to keep an active and complete spill kit available for use of the tenant.
10. Active and substantial development for this project is defined as, “Construction of all site construction including utilities, drainage and pavement.

11. For in perpetuity vesting purposes under 674:39 “substantial completion” for this project is defined as, “Completion of site and buildings.”
12. 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.
13. The sprinkler system for the two rows of buildings will need to have testable backflow prevention devices that need to be permitted thru the city's OpenGov permitting portal. A master meter will be required for all domestic/fire service demands. Domestic demands for bathrooms may also require testable backflow prevention devices. The water treatment plant performs review and approval of all city backflow prevention devices. 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.
14. Water and Sewer connection permits will need to be applied for. 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.
15. Landscaping: All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced in a timely manner as long as this site plan remains valid;
16. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
17. Snow storage - Snow shall be removed and stored such that the drainage structures can function properly, and the required parking spaces can be utilized.
18. The new drainage infrastructure must be constructed prior to construction of the new building and associated parking. If the infrastructure is used as a temporary settling area during construction, the infrastructure shall be cleaned out and brought down to proposed bottom elevation prior to CO of new building.

19. As – builts - Three sets of full size (measuring at least 22” x 34”) or black line paper plus 1 set of 11” x 17” plus one digital pdf copy of the as-built site plans (or “record drawings”) stamped and signed by the Engineer or Surveyor 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 judgement 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).

As-built site plans are to include at minimum two points showing a northing and easting in NH State Plane North American Datum 1983 coordinates. Any elevations shall be referenced in North American Vertical Datum of 1988. A copy of the as-built linework is also to be submitted as a CAD file (DWG or DGN) that is georeferenced to that same coordinate system.

All applicants requiring a Stormwater Management and Erosion Control Plan shall submit relevant pollutant accounting information to an established PTAP account as required by the Department of Public Works. A completed PTAP report shall be submitted to the Planning Department at the time of as-builts.

20. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
21. 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.
22. 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.
23. 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.

24. 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,

A handwritten signature in blue ink that reads "Shanna B. Saunders". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Shanna B. Saunders,

Director of Planning & Development

Cc: File

SUBD-23-27