



## PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

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

### NOTICE OF DECISION

December 15, 2023

Tesla Properties, LLC  
Justin Gregoire  
323 Racoon Hill Road  
Salisbury, NH 03268

**Re: 5-Unit Condominium Conversion at 38-40 Lafayette Street; Tax Map 121 Lot 62  
Case# 121 – 62 – R2 – 23**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its December 11, 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- Builts 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 June 11, 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 parcel numbers for the Condo units will be Unit 1 = 0121-0062-0001, Unit 2 = 0121-0062-0002, Unit 3 = 0121-0062-0003, Unit 4 = 0121-0062-0004, and Unit 5 = 0121-0062-0005.
    - b. Please paint on the ground where exactly unit #4's driveway parking spot is located.
  - 2) Plan notes. Add the following notes (or equivalent) to the plan drawings: None
  - 3) The garage bays need to be deeded to the owner of each individual unit. Please provide copies to the Assessing Department.
  - 4) Please call the Planning Department to confirm E-911 Addressing prior to recording of the Condo Conversion/ Subdivision Plan. Applicant must receive an address confirmation letter prior to recording of the plan to assure proper Tax Map/Lot numbers were assigned. A Meeting before the E-911 Committee may be recommended.
  - 5) CONDOMINIUM DOCUMENT REQUIREMENTS - In the case of a condominium form of ownership, Condo Documents and Bylaws shall be submitted to the Planning Department with the following information included:
    - a. The Condo Bylaws must clearly delineate how utility billing including sewer and water will be allocated to be paid across the 5 Condo Units.
    - b. The Condo Bylaws must clearly indicate that the Condo Association will be responsible for maintenance of water lines from Master Box location to individual units. Association will be responsible for maintenance of sewer lines from hookup to the main Street to the individual units.
  - 6) Final Drawings. (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 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 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.
- 7) 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 recording of this plat) must be recorded together at the Strafford County Registry of Deeds within six calendar months to the date the plat is certified (e.g. if certified September 9th they must be recorded by March 9th). See RSA 478:1-a regarding plat requirements. Failure to comply with this requirement herein shall render the lot line adjustment null and void.

### General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
2. 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.
3. 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.
4. 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  
COND-23-6