



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

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Rochester, New Hampshire 03867-1917

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Web Site: www.rochesternh.gov

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

NOTICE OF DECISION

March 22, 2024

Humoresque, LLC
Paul Delisle
1 Old Dover Road, Suite 2
Rochester, NH 03867

Re: Site Plan for 1 Old Dover Road to convert commercial space into 11 residential spaces. Case# 132 – 41 – NMU – 23

Dear Applicant:

This is to inform you that the Rochester Planning Board at its March 18, 2024 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 September 18, 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. Please show dumpster enclosure that screens the dumpster from the street and abutting properties by means of a fence, wall, vegetation or other method to a height of six feet or 1 foot above the dumpster, whichever is higher.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings: None
- 3) A Cross Connection Survey will need to be completed to confirm backflow prevention devices. Please contact Ian Rohrbacher at 603-335-7610 to coordinate. Be advised, following the survey, additional water service provisions may be necessary.
- 4) Inspections. In accordance with RSA 676:4-b 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.
- 5) Other permits. All required State and Federal permits must be obtained – including any Driveway/Curb Cut permit (for roadway cut off Blackwater Rd.), 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.

- 6) Final Drawings. (a) Four 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 sent in email or submitted on a flash drive plus (d) a copy of the linework in CAD format (DWG or DGN) sent in email or submitted on a flash drive must be provided 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 any Condo/HOA Documents and Homeowner Bylaws 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. Please provide floor layout at the time of building permit to help in E-911 Address Assignment. . Once it has been determined where the Egresses will be located the Planning Department will provide addressing for this interior layout. This must be completed before any building permits are applied for.
2. Active and substantial development for this project is defined as, "Submittal of permits and fees for utility upgrades as well as building permit issued for all interior." These improvements must be started within 24 months of the Planning Board approval date" in order to receive the 5 years of vesting.
3. For in perpetuity vesting purposes under 674:39 "substantial completion" for this project is defined as, "Completion of utilities and receipt of COs for all units".
4. 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.
5. 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.
6. 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.
7. 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;
8. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;

9. Snow storage - Snow shall be removed and stored such that the drainage structures can function properly and the required parking spaces can be utilized.
10. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
11. 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.
12. 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.
13. 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.
14. 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 and prior to the release of any COs. This info is for road and infrastructure, not individual house lots.

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-23-24