



## PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

33 Wakefield Street

Rochester, New Hampshire 03867-1917

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Web Site: [www.rochesternh.gov](http://www.rochesternh.gov)

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

### NOTICE OF DECISION

March 11, 2024

Robert Higgins Revocable Trust  
Robert Higgins, Trustee  
P.O. Box 849  
Rochester, NH 03866-0849

**Re: 2 – Lot Subdivision. Case# 250 – 32-2 – A – 24 at 381 Washington Street**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its March 5, 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 4, 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: None.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings: none
- 3) If a single shared driveway is proposed because of NH DOT restrictions, please provide draft cross-easement documents.
- 4) 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).
- 5) Final Drawings and Easement. (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 emailed or submitted on a flash drive plus (d) a copy of the linework in CAD format (DWG or DGN) emailed or 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 as 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. 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 on trees or 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.
2. 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.

3. 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.

4. Please call the Planning Department to confirm E-911 Addressing prior to submitting of a building permit for the structure on the new lot. . Applicant must receive an address confirmation letter prior to submitting the building permit to assure proper Tax Map/Lot numbers were assigned.
5. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
6. 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.
7. 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.
8. 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.

9. 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-24-1