



**PLANNING & DEVELOPMENT DEPARTMENT**  
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Planning  
Community Development  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

## NOTICE OF DECISION

August 20, 2014

Jason Gagnon  
57 Tonka Street  
Rochester, NH 03867

Re: Site plan to convert building into a used car dealership with a one bay detailing garage. Case# 210 – 44 – HC – 14

Dear Applicant:

This is to inform you that the Rochester Planning Board at its August 18, 2014 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: 12/30/14 ; CO signed off? Email Sent to Code 1/2/15 )  
As- Builts received? 1/2/15 ; All surety returned? N/A

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 February 18, 2015 - 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. Also, a building permit must be issued and substantially acted upon within 1 year of plan certification or the Planning Board approval is considered null and void. See RSA 674:39 on vesting.

SMC ✓  
12/30/14

1) Plan modifications. The plan drawings are to be modified as follows:

- a) Plans must be revised to reflect the changes Planning Board required regarding parking, buffer area, and tree plantings.
- b) The plans shall include a detail drawn by licensed NH Engineer that will show how to construct the crushed stone areas, and specifies what size and depth of crushed stone is to be used.

SMC  
12/30/14 ✓

2) Boundary location pins: The property's four corner pins must be set/reset.

N/A  
SMC  
12/30/14

3) Inspections. The applicant must sign the Agreement for Payment of Inspection Fees and make a cash deposit to cover the expected costs of inspections, in a amount that is determined by the Public Works Department, *if Public Works determines inspections are necessary*. (The inspections will be conducted by the City of Rochester Public Works Department or its designee. The applicant must pay for inspections – at an hourly rate as determined by the Public Works Department – of the site, including all new infrastructure serving the site).

SMC  
12/24/14 ✓

4) Pre-construction meeting. The pre-construction meeting agreement is to be signed by the property owner.

SMC  
12/17/14 ✓

5) Drainage maintenance. A drainage maintenance agreement approved by Public Works must be executed.

SMC ✓  
12/30/14

6) Final Drawings. (a) One set of mylar plus (b) six sets of large black-line plus (c) one set of 11" x 17" final approved site plan drawings plus (d) one electronic version by pdf or CD must be on file with 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.* (The applicant need only submit additional black-line sets of drawings or individual sheets, as needed, to make five complete sets – consult the Planning Department). At the discretion of the Planning Department minor changes to drawings (as required in the precedent conditions, above may be marked by hand. 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. (The primary set of plans was last received June 17, 2014).

### General and Subsequent Conditions

All of the conditions below are attached to this approval.

- 1) The permitted use is for vehicle sales only. Sales of parts, servicing, detailing, dismantling (scrapping) of vehicles, etc...are not permitted without additional review and approval.
- 2) There shall be no outside storage of tires, spare parts, materials, etc...
- 3) Vehicles are only to be stored or parked on the pavement or crushed gravel display area.

- 4) A 6-foot tall stockade fence is required along the southerly property line from where the exiting abutting structure on lot 210-45 begins easterly to the existing tree line; the fence should be set back approximately 2-feet from the property line (to allow room for maintenance without trespassing); this fence shall be installed prior to issuance of a Certificate of Occupancy.
- 5) Any new exterior lighting must be reviewed and approved by Rochester Planning staff to ensure the lights comply with Article 3, Section 6 (Lighting) of the Site Plan Regulations.
- 6) Six parking spaces are to remain open for customer/employee parking, one of which must be a handicap space.
- 7) The existing vegetation is to remain (*it is required per Article III, Section 7(E) of the Site Plan Regulations*) and the front planter must be replanted.
- 8) All outside trash storage/dumpster areas must be fenced in.
- 9) Cars are not to be washed onsite unless the washing occurs inside a garage bay with a floor drain that ties to an oil/water separator and then ties to the septic/sewer. Previously washed cars are allowed to be rinsed outside using only water.
- 10) Backflow preventers may be required on water line – confirm with DPW and Building departments.
- 11) The applicant shall work with City staff (Public Works, and Building, Zoning, Licensing Services) to determine if the existing freestanding sign is located in the Milton Rd ROW, and if so, if it can remain in that location.
- 12) There must be a 15' vegetated buffer established off the rear property line, this area is to be planted with evergreens at least 8' tall at time of planting. Applicant must work with the Planning Staff to determine the number and location of trees. All trees must be planted by June 30, 2015.
- 13) The hours of operation are to be: Detailing of Dealer-owned Inventory: Monday thru Saturday 8:00am to 5:00pm; Sales: Monday thru Saturday 8:00am to 7:00pm; Sunday by appointment only between 8:00am and 7:00pm, no detailing allowed on Sunday.
- 14) Not to exceed a total of 53 vehicles on the lot.
- 15)# Site work. No site work may be undertaken until: a) all of the precedent conditions are met and b) the pre-construction meeting with City staff has taken place. Contact the City of Rochester Planning Department to arrange for the pre-construction meeting.
- 16) Erosion control. Best management practices must be followed for erosion and sedimentation control.

- 17) As built. Three sets of full size (measuring at least 22" x 34") of 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 judgment 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).
- 18) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 19) Approval. 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.
- 20) 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.
- 21) 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 Building, Licensing, and Zoning 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.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

Sincerely,

A handwritten signature in black ink, appearing to read 'James Campbell', written over the printed name.

James Campbell,  
Chief Planner

cc: J. Grant, BZL Services(via email)  
T. Mullin, Assessor(via email)  
G. Young, City Engineer(via email)  
File# 210-44-HC-14