



**PLANNING & DEVELOPMENT DEPARTMENT**  
**City Hall - Second Floor**  
**31 Wakefield Street**  
**Rochester, New Hampshire 03867-1917**  
**(603) 335-1338 - Fax (603) 335-7585**  
**Web Site: [www.rochesternh.net](http://www.rochesternh.net)**

Planning and Development  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

## **NOTICE OF DECISION**

September 21, 2016

Wissler Properties, LLC  
c/o Dwight Wissler  
20 Farmington Road  
Rochester, NH 03867

**Re: Site plan and conditional use permit to expand paved and gravel parking areas.. Case# 216&221 – 1&162 – GRD – 16**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its September 19, 2016 meeting **APPROVED** your application referenced above.

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"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 March 19, 2017 - 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 add the address for Lot 221-162 to the coversheet title. Consult with Planning Staff to ensure address is correct.
  - b) Snow storage areas shown are not practical (i.e.- snow is proposed to be stored on the backside of granite curb and/or on a mulched berm). Please delete snow storage areas and add a note(s) stating that snow is to be removed and hauled offsite.
  - c) Please add the wetland bounds to the lighting plan
  - d) There is a conflict between site plan sheets. Some plans show that a light is adjacent to southern abutter, yet that does not appear to be shown on the lighting plan. Please correct and make sure all plans are updated for pole locations, conduit locations, and foot candles.
  - e) Additional native wetland/wetland buffer plantings are required. The applicant shall work with Planning Staff and the projects Wetland Scientist to address this condition.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
  - a) A note shall be added to Sheets 2, 5, and 6 stating: "Other than the vehicles for residents of the single family home, vehicles are prohibited from parking anywhere on the lot other than the 24 space parking lot".
- 3) The maintenance schedule for the porous asphalt must be amended to reflect the NH Stormwater Manual; the applicant shall submit a revised Operation and Maintenance Plan shall also be required to be recorded with the easements so that all of the required maintenance items are known and are accurately followed.
- 4) Surveyor, Engineer, and Wetland Scientist stamps and signatures are needed on final plans.
- 5) Less lights, lower luminaries, and/or back-shields must be utilized so as to prevent the lighting extending into the wetland.
- 6) The applicant shall have the project Wetland Scientist review all plant/tree species proposed in the wetland/wetland buffer, and have him submit a letter to the Planning & Development Department stating that the species are appropriate.
- 7) Draft easements. The applicant shall have their legal counsel draft and submit easement language for, but not limited to drainage, grading, parking, lighting, electrical conduit, utilities, landscaping, access, and maintenance.
- 8)# Current use. The subject property or a portion of it is not presently in Current Use.

- 9) State plane coordinates. Not applicable.
- 10) 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 an amount that is determined by the Public Works Department. (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).
- 11) Preconstruction meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 12) Other permits. All required state and federal permits must be obtained – including any water, sewer, as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
- 13) Drainage maintenance. If required by the Department of Public Works, a drainage maintenance agreement approved by Public Works must be executed.
- 14) 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 be made to the plans, as specified above, on 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 August 31, 2016).

#### **General and Subsequent Conditions**

All of the conditions below are attached to this approval.

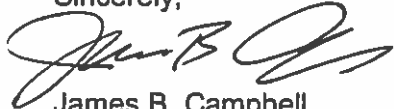
- 1) The wetland and wetland buffer is not to be cut any longer. It must be left to grow naturally.
- 2) Stormwater operation and maintenance plan and schedule must be recorded with the property(s) deed(s).
- 3) Final copies of all required easements/restrictions must be submitted to the Planning Department and then recorded at the Registry of Deeds.

- 4)# **Site work.** No site work may be undertaken until: a) all of the precedent conditions are met; b) the preconstruction meeting with City Staff has taken place; c) the limits of the proposed tree line are marked; and d) all appropriate erosion and sedimentation control structures are in place. These erosion and sedimentation control measures and the orange fence must be in place prior to the preconstruction meeting in order that they may be inspected at the meeting. Contact the City Planning Department to arrange for the preconstruction meeting.
- 5) **Performance guarantee.** If applicable, the applicant, prior to issuance of a building permit or beginning site work, 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 equal to 110% of the estimated cost for remaining site work. (Any existing surety being held at this time may be considered 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. 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.
- 6) **Variances.** Variances were granted by the Zoning Board of Adjustment at their September 14, 2016 meeting.
- 7) **Erosion control.** All erosion and sedimentation control structures must remain in place and be maintained until vegetation is established or ground surface is suitably stabilized. Note that the filter fabric on silt fences must be buried at least 12" below surface in order to function properly. Best management practices must be followed for wetlands protection.
- 8) **As builds.** A plan shall be provided showing the final location and size of any new utilities for this project.
- 9) **Execution.** The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 10) **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.

- 11) 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.
- 12) 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,



James B. Campbell,  
*Director of Planning & Development*

cc: Berry Surveying & Engineering  
Viewpermit  
File