



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

NOTICE OF DECISION

September 15, 2016

Robert Diberto
334 Route 108
Madbury, NH 03823

Re: 5-Lot subdivision. Case# 255 – 13 – OC – 15

Dear Applicant:

This is to inform you that the Rochester Planning Board at its September 12, 2016 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: _____ ROD received? _____]

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 12, 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) Add the following new E-911 street address to the plan(s):

Lot 13-1:	321 Rochester Hill Road
Lot 13-2:	325 Rochester Hill Road
Lot 13 :	331 Rochester Hill Road
Lot 13-3:	335 Rochester Hill Road
Lot 13-4:	14 Quail Drive
 - b) Add the location of the house outlines to the plan.
 - c)
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) Add a note indicating that the lots were investigated for wetlands but none exist (note the wetland scientist who investigated the existence of wetlands, and the date when the property was checked). This note shall be added to sheets 2 & 4.
 - b) All State and Federal permit numbers will be added to the plan.
 - c) A note shall be added to sheet 2 stating that all utilities shall be located underground.
 - d) Add a note indicating the five (5) year agreement to only allow single family or duplex homes on these lots.
- 3) Driveway permits will be required by NHDOT and the City of Rochester. Copies of driveway permits as well as driveway easements shall be provided to the Planning & Development Department.
- 4) Proposed Lot 13-3 and 13-4 shows a conceptual lot development plat with related stormwater drainage features. The conceptual drainage design utilized City Right-of Way land to slow the runoff. Rochester Department of Public Works requires that the deed to lot 13-4 contain language about the needed routine maintenance of this system and language detailing that if the system fails and has to be maintained or fixed by the city, the developer will be billed for the related expenses. After the five year period it will be the responsibility of the property owner.
The applicant shall work with Public Works on this language and submit a draft deed for this property which contains said language.
- 5) The applicant shall submit draft deed language and submit a draft deed for this property which contains said language.
- 6)# State plane coordinates. The plans are to be tied into the State Plane Coordinate System.

- 7) 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 June 29, 2016).

General and Subsequent Conditions

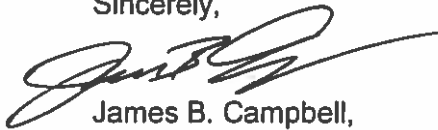
All of the conditions below are attached to this approval.

- 1) Prior to any permitted construction on these lots, water flow and site access requirements of NFPA Chapter 18 must be met and approved by Rochester Fire Department.
- 2) The developer (Robert Diberto) is 100% responsible for all drainage operations and drainage maintenance for five (5) years (until September 12, 2021). The applicant/applicant's agent agreed to this condition at the September 12, 2016 Planning Board meeting.
- 3) The developer (Robert Diberto) agreed to only developing single family or duplex units on the subdivided lots for a period of five (5) years (until September 12, 2021). The applicant/applicant's agent agreed to this condition at the September 12, 2016 Planning Board meeting.
- 4)# Recording. The plat, this notice of decision (per RSA 676:3III), 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; see precedent conditions above) must be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified (e.g. if certified September 9th they must be recorded by November 9th). See RSA 478:1-a regarding plat requirements. **Failure to comply with this requirements herein shall render the lot line adjustment null and void**
- 5) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 6) 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.

- 7) 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.

(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
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