



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

AMENDED NOTICE OF DECISION

May 24, 2016

Tom Aubert
5 Gary Drive
Rochester, NH 03867

**Re: Major subdivision to create nine house lots and a cul-de-sac.
Case # 107 & 108 – 54&53-1 – R1 – 16**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its April 18, 2015 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 October 18, 2016 - 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.**

- 1) Plan modifications. The plan drawings are to be modified as follows:
 - a) The map/lot numbers assigned to the proposed lots on the plans may not be the actual map/lot numbers assigned by the Assessing Department. Some of those lot numbers may already be assigned to other parcels, or may have been used previously for retired parcels. Please work with the Assessing Department on correct lot numbers, and add them to the plan set.
 - b) Please work with Staff to determine the E-911 street address for the new lots and have the final plans reflect these.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) All State and Federal permit numbers will be added to the plan.
- 3) Please submit a paper copy of the final drainage report.
- 4) Submit proof of cul-de-sac design approval by the Fire Department.
- 5) Several slope and drainage easements will be required, some will be civil/private/home owners association, and others will be municipal. The applicant is to work with Staff (Public Works, Assessing, Planning, Legal, etc.) on creating these easements.
- 6)# State Plane Coordinates. The plans are to be tied into the State Plane Coordinate System.
- 7) ^{SMC 6/2/16} 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. (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).
- 8) Pre-construction meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 9) <sup>SMC ✓
6/2/16</sup> Drainage maintenance. If required by the Department of Public Works, a drainage maintenance agreement approved by Public Works must be executed. In addition, a stormwater operations and maintenance plan and schedule shall be submitted.
- 10) Final Drawings. (a) One mylar of overall site plan/subdivision sheet 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 April 13, 2016).

General and Subsequent Conditions

All of the conditions below are attached to this approval.

- 1)# 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**
- 2) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 3) Performance guarantee. 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 structure 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.
- 4) 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.

- 5) 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
J. Grant, BLZ Services (via email)
R. Vincent, Assessor (via email)
O. Friend-Gray, City Engineer (via email)
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