



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

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

NOTICE OF DECISION

December 10, 2021

Kerry Norton
Hope on Haven Hill, Inc.
PO Box 1272
Rochester, NH 03866

Re: Site Plan to remove existing church and build a two-story office building at 38 Charles Street. Case# 125 – 214 – R2 – 21

Dear Applicant:

This is to inform you that the Rochester Planning Board at its December 6, 2021 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.

The Planning Board hereby grants the following waivers:

1) Site Plan Regulation Section 10(A) requires that the minimum number of designated off street parking shall be provided on each side based on use. This site requires 28 parking spaces. The applicant is requesting a reduction based on the fact that there is public transportation (COAST Bus), public parking

lots and on street parking within 660 feet (1/8 miles) of the site. The site plan depicts a total of 12 parking spaces.

The Planning Board grants this waiver because a very similar waiver was supported in February of 2019. This proposal includes more parking spaces than were proposed in 2019.

*Please note** If all of the precedent conditions are not met within 6 calendar months to the day of the board's approval – by June 6, 2022 - 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 show the existing water and sewer utilities on the site for the Recovery House. Contact the Department of Public Works to assist in locating if needed.
 - b) Please install orange construction safety fence prior to demolition to designate construction area from area open to the public. Please add this to the plan.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) None
- 3) State Plane Coordinates. The plans are to be tied into the State Plane Coordinate System.
- 4) In accordance with RSA 676:4-b the Public Works Department may, at its discretion dependent on project complexity, require 3rd Party Construction inspection of all subdivision plan improvements. Payment of construction inspection services by the applicant whether performed by a 3rd Party firm or DPW will be via a signed Construction Inspection Services agreement. All required subdivision plan improvements shall additionally be subject to inspection by the City Engineer or designee who shall act as the agent of the Board in enforcing the standards and specifications called for in these regulations.
- 5) 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).
- 6) 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.
- 7) Drainage maintenance. If applicable, a drainage maintenance agreement approved by Public Works must be executed. In order to comply with the Stormwater Management IOP Manual, DPW staff

shall be allowed periodic access to the parking areas for inspections related to the annual stormwater infrastructure report compiled for the City Engineer.

- 8) Final Drawings. (a) four sets of large black-line plus (b) one set of 11" x 17" final approved site plan drawings plus (c) one electronic version by pdf or flash drive 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. Once the plan is recorded at the Registry of Deeds, submit two 11x17 recorded copies of the plan. Assessing will need an 11x17 recorded copy of the plan.

General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. Pre-Construction meeting. A preconstruction meeting is required prior to the start of work. Please contact the Department of Planning and Development to schedule this no more than 2 week prior to breaking ground; The pre-construction meeting agreement is to be signed by the property owner prior to signing of final plans.
2. Drainage report notes that test pits will be performed to confirm assumed ESHWT. Provide test log to DPW prior to pre-construction meeting.
3. Please confirm domestic and fire service sizing with plumbing and fire suppression engineers. Provide calculations to DPW. A detector check assembly is required on the fire service.
4. A post indicator valve may be required on the fire service line. Check with Fire Department and update plans if needed.
5. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breeches shall be repaired within 48 hours of the storm event.
6. Landscaping: All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced in a timely manner as long as this site plan remains valid;
7. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
8. Snow storage - Snow shall be removed and stored such that the drainage structures can function properly and the required parking spaces can be utilized. Snow storage may not impact the City's access to the sewer pump station.

9. The new drainage infrastructure must be constructed prior to construction of the new building and associated parking. If the infrastructure is used as a temporary settling area during construction, the infrastructure shall be cleaned out and brought down to proposed bottom elevation prior to CO of new building.
10. No certificate of occupancy will be issued until a testable backflow device is installed and registered with Utility Billing and backflow prevention devices test results have been provided to Utility Billing. The applicant should work with DPW well ahead of CO to ensure approved backflow device with correct hazard class are installed.
11. 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.
12. Performance Guarantee. If applicable, prior to issuance of a building permit or beginning site work, the applicant 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 in the form of either letter of credit or cash equal to 110% of the estimated cost for remaining work. (Any existing surety being held at this time may be converted toward this amount). This amount shall include preparation of as-built plans.
13. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
14. 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.
15. 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.
16. 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.

17. 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: Norway Plains Assoc.
SP-21-41
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