



**PLANNING & DEVELOPMENT DEPARTMENT**  
**City Hall Annex**  
**33 Wakefield Street**  
**Rochester, New Hampshire 03867-1917**  
**(603) 335-1338 - Fax (603) 330-0023**  
**Web Site: [www.rochesternh.net](http://www.rochesternh.net)**

Planning Board  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

**NOTICE OF DECISION**

December 11, 2017

Waste Management of New Hampshire, Inc.  
30 Rochester Neck Road  
Rochester, NH 03867

**Re: Site plan for TLR-III Refuse Disposal Facility – South Area.**  
**Case# 267/268 – 2&3/2&2-1 – RI/A – 17**

Dear Applicant:

This is to inform you that the Rochester Planning Board at its December 4, 2017 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.

**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 4, 2018 - 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) If a waiver is granted to allow for overhead utilities, the Landscape Architect must review the plans and revise planting/specie locations accordingly (several trees are proposed directly under the utility lines).  
  
If the waiver(s) are denied, the plans must be revised to show underground utilities.
  - b) In the Residential Drop Off area, a sign is proposed 50' down the gravel driveway to the yard waste area; please move this sign to within the first 20' of the gravel driveway.
  - c) The Isinglass River access area shows 3 parking spaces, please enlarge the ends of this area so that a total of 5 parking spaces are proposed.
  - d) The Isinglass River access area appears to have a grading conflict where a 7% grade is shown across the parking lot but a 2% grade is called out. Please work with the City's Assistant Engineer to correct and propose acceptable grading; plans are to reflect the agreed upon proposed grading.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
  - a) In the Residential Drop Off area add a note stating that during construction the property owner is to work with Planning Department Staff to determine if the proposed fencing and landscaping between the drop-off area and the homeless shelter is the most appropriate buffer (i.e. – a stockade fence and/or evergreen vegetation may be more fitting). The owner is to implement what is agreed upon with Planning Staff/Planning Board.
  - b) Residential Drop Off area: Add a note on the plans that if the existing corrugated metal pipe shown to remain then it shall be inspected during construction and replaced if there are signs of deterioration.
  - c) Residential Drop Off area: Add a note stating that the swale/depression around the windrow areas is to be vegetated (grass seed is acceptable).
- 3) The applicant shall submit approval from the Conservation Commission for the Conservation Overlay District (wetlands) conditional use permit application; if the Commission does not approve the Conditional Use Permit, the applicant must return to the Planning Board for further discussion.
- 4) The applicant shall submit a detailed narrative which explains the best management practices associated with the operation of the Residential Drop Off area. This should include directions on how and at what frequency the operator/Waste Management will handle: the collection of windblown refuse; spills; hazardous materials; general housekeeping; and, etc...
- 5) The applicant shall add the table of pre and post stormwater runoff volumes to the final drainage report.
- 6)# Notarized deed. Not applicable to this application.
- 7) Current use. These parcels have land in Current Use; please provide the Assessing Department with revised current use maps.
- 8) State Plane Coordinates. Not applicable to this application.

- 9) 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).
- 10) Pre-construction meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 11) Other permits. All required state and federal permits must be obtained – including any water and sewer, DOT (if modifications to Route 108 need to be made the applicant will need to go back to the Planning Board) as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
- 12) Drainage maintenance. If required by the Department of Public Works, a drainage maintenance agreement approved by Public Works must be executed.
- 13) Final Drawings. (a) three sets of large black-line plus (b) one set of 11"x17" final approved site plan drawings plus (c) one electronic version by pdf or CD must be on file with the City. (The applicant need only submit additional black-line sets of drawings or individual sheets, as needed, to make three complete sets – consult with the Planning Department). At the discretion of the Planning Department minor changes to drawings (as required in precedent condition, above) may be marked by hand. Note: If there are significant changes to be 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 November 7, 2017). An updated set of architectural drawings shall be included.

### **General and Subsequent Conditions**

All of the conditions below are attached to this approval.

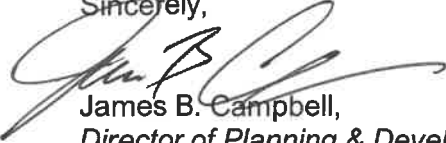
- 1) The applicant shall continue working with the Fire Department and Assessing Department on E-911 street addresses to bring the properties addressing into conformance.
- 2) The Rochester Neck Road plans must be designed closely with and approved by the Department of Public Works prior to construction of the roadway.
- 3) Lot Line Revision applications will be required to transfer land and change lot lines (due to and at the time of relocation of Rochester Neck Road).
- 4)# Site work. **No site work may be undertaken until: a) all of the precedent conditions are met; b) the pre-construction 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 pre-construction meeting in order that they may be inspected at the meeting. Contact the City of Rochester Planning Department to arrange for the pre-construction meeting.

- 5) 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.
- 6) Variances. Not applicable
- 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 the ground surface in order to function properly. Best management practices must be followed for wetlands protection.
- 8) As built. An as-built survey plan for this project shall be provided showing the final location of improvements, site conditions, and location and size of utilities. Please submit three full-size paper copies, one 11"x17" paper copy, one electronic copy, and one AutoCAD file of the final as-built plan. Submissions of as-built plans are required prior to: issuance of Certificate of Occupancy's; release of performance escrow money; and, determination of the project being complete. If the applicant seeks a Certificate of Occupancy prior to 100% completion of all improvements, an as-built must be submitted documenting the site at the time. A final, additional, as-built will be required once the project is 100% complete.
- 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'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.

(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: Sanborn, Head & Assoc.  
Viewpermit  
File