



PLANNING & DEVELOPMENT DEPARTMENT
City Hall Annex
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Web Site: www.rochesternh.net

Planning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

October 2, 2018

Chris Strickler
SDJ Development of Rochester, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054

Re: 24-Lot subdivision. Case# 237 – 3&8 – PUD – 18

Dear Applicant:

This is to inform you that the Rochester Planning Board at its October 1, 2018 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.

The Planning Board hereby grants the following waivers:

1) Subdivision Regulation 4.3 requiring all topography and soils for the entire parcel be shown. The applicant has surveyed the immediate area of the proposed development for soils, wetlands, and topography, etc... Only the areas outside of the proposed improvement areas have not been recently surveyed (however, these areas have been mapped using older aerial photo and survey plans). The plans contain enough detail to verify that the lots conform to Zoning Ordinance and Subdivision Regulations. The Planning Board hereby grants this waiver request because there is no development proposed in the areas where topography/soils are not shown and because Staff has used other data sources to determine topography and soil/wetland complexes within this area, and the waiver will properly carry out the spirit and intent of the regulations.

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 April 1, 2019 - 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) Label future Lots 237 – 3-65&66&67&68 as Live-Work units.
 - b) Please increase the height of the berm at the end of the swale in open space behind lots 55 – 63. This berm is located above lots 63, 122, and 123.
 - c) Change language on the cover sheet referencing the proposed water tower location so that the language matches the language on Sheet 2.
 - d) Update plans so that catch basin frames and grates are hinged ductile iron in compliance with City of Rochester standards.
 - e) Catch basin details: updated to show or call-out the hoods.
 - f) Diamond pattern is no longer the City standard for trenches, match infrastructure standards for mill and overlay post trenching.
 - g) Add a light pole arm detail to the plans.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) Subdivision Regulations 5.1.2 speaks to problematic natural land characteristics. One of those is defined as “high water table (water table within 2 feet of the surface)”. The test pit data submitted shows that several test pits have ESHWT closer than 24”. Please add notes to the plan addressing how to construct homes in these marginal areas (cite best management practices that will prevent/reduce wet basements).
 - b) Change/note that sewer services within the Right-of-Way are to be 6”.
 - c) Add a note(s) to the utilities plan that sewer services are to be sub-slab if that is the intent. If it is not, the units with sub-slab sewer should be called out specifically to avoid any chance of improper installation moving forward.

- d) Change/note that water services within the Right-of-Way must be 1" copper.
 - e) ADA truncated domes must run parallel to direction of travel. Note this on the related detail.
- 3) Draft easement plans and deed/easement language must be revised: a) Add the easement numbers to the plans. b) Easement language for access, drainage, maintenance, etc... must be revised and approved by the City Legal Department, the Department of Public Works, and the Planning Department. Work with these departments to ensure that all responsible parties are cited.
 - 4) Several lot must be merged. Lot merger applications and documents are to be submitted and processed.
 - 5) A payment arrangement for the booster station must be agreed to and signed by the City and applicant.
 - 6) The applicant will work with the Assessing Department to determine appropriate parcel numbers and addresses for these lots.
 - 7) Bring all engineering details into compliance with CoR infrastructure standards.
 - 8) The utility locations of both the water and sewer at the intersection of Eisenhower and Fillmore need to be re-evaluated. The very deep sewer should be looked at and the utilities should stay under the road if possible and should not in any case be outside of the Right-of-Way. Approval from the Department of Public Works will be required as a precedent condition on utility layout.
 - 9) Provide details of the sewer pump station prior submission to NHDES for sewer expansion.
 - 10) Phase 1B(a) water design is approved with the condition that the applicant will continue to work with the City of Rochester to evaluate and contribute an agreed upon fair share value towards the water system in subsequent phases.
 - 11) The drainage located behind private residences on private property for the sole benefit of private residences must be owned and maintained privately. It is highly recommended that the easements for this be granted to a Home Owners Association or other similar entity.
 - 12) Acquire a letter from the Fire Department stating the plans conform to their rules; submit this letter to the Planning Department.
 - 13)# Current use. Map 237 Lot 3 has 17.52 total acres with 17.31 acres in Current Use. Map 237 Lot 8 have 43.57 acres in Current Use. The Assessor's Office will need an updated Current Use Map of the property prior to recording of this subdivision.
 - 14) State plane coordinates. The plans are to be tied into the State Plane Coordinate System.

- 15) Inspection Fees: The applicant must sign the Agreement for Payment of Inspection Fees and pay surety or 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).
- 16) Pre-construction meeting: The pre-construction meeting agreement is to be signed by the property owner.
- 17) Drainage maintenance: A drainage maintenance agreement approved by the Department of Public Works must be executed.
- 18) 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 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 September 18, 2018).

General and Subsequent Conditions

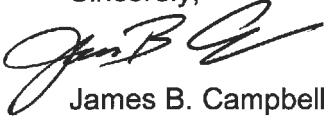
All of the conditions below are attached to this approval.

- 1) Available firefighting flow at the end of the project in conjuncture with the Lewis report dated September 17, 2018 and the Wright-Pierce report dated August 1, 2018 is noted to be 1090gpm – 207gpm = 883gpm at the bottom of Phase I-B(a) and 750gpm – 207gpm = 543gpm at the top of Phase I-B(b). This only takes into account Phase I and II of Highfield Commons, the Makris Development, and the Chesley Farm Estate Development. If additional units are planned/built then the number will need to be re-evaluated. All homes must be designed to meet applicable fire code per NFPA 1.
- 2) Monuments and pins must be set on the lot prior to a Certificate of Occupancy being issued for that lot. A licensed surveyor is to submit a signed, stamped letter stating the pins/monuments were set.
- 3) All the pins and monuments must be set before the road is conveyed to the City of Rochester. A licensed surveyor is to submit a signed, stamped letter stating the pins/monuments were set.
- 4) The construction cost estimate is to include for the stabilization of and removal of the proposed fill pile.

- 5) Full surety will be required prior to the commencement of any work on the site. This is full surety must remain in place until the road is accepted or a Home Owners Association is created to define ownership and responsibility of the road and road drainage. If phased, the surety can be permitted per phase.
- 6) Prior to the issuance of any building permit for this subdivision, the developer shall post: a) construction zone signs per the Manual of Uniform Traffic Control Devices Standards; and b) street acceptance signs with the following language at all entry points to the subdivision: "POSTED. This subdivision is under construction. These streets have not yet been accepted by the City of Rochester and are not eligible for City services. Travel at your own risk. (Per order of Planning Board)". The location and design of the signs shall be as stipulated by the Public Works Department, but in no case shall they be less than 2' x 4'. The sign shall be erected prior to the issuance of any building permits.
- 7) In accordance with City Ordinance 19.3, the City of Rochester (through its arrangement with Waste Management) will not collect rubbish generated from houses within this subdivision until the new street is formally accepted as a city street. Until such time as the new street is accepted: a) the developer shall be responsible for making arrangements for the collection of rubbish, either from a dumpster that he/she shall place in a appropriate location on site or via curbside pick-up; and b) individual property owners may not place any rubbish at the street (or on any other public streets in the city), unless approval is granted from the Public Works Director or private arrangements are made with Waste Management or another private hauler for pick up at the street.
- 8)# 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 requirement herein shall render the subdivision null and void.**
- 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) 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,

A handwritten signature in black ink, appearing to read "James B. Campbell".

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

cc: Keach Nordstrom Assoc.
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