



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

December 17, 2019

Real Estate Advisors, Inc.
76 Exeter Street
Newmarket, NH 03867

Re: Amendment to an approved subdivision to change road length, stormwater management, and configuration of lots. Case# 223 – 21 – A – 19

Dear Applicant:

This is to inform you that the Rochester Planning Board at its December 16, 2019 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 June 16, 2020 - 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 existing approved phase lines to the plan.
 - b) Sheet 94 of 100: Details for sloped and vertical granite curbing to be revised to eliminate concrete embedment and to set granite curbing in crushed gravel material.
 - c) Final plans need to show all lot sizes meet the regulations of the Zoning Ordinance.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) Sheet 22 of 100: Note 31 on this sheet indicates that a separate "Letter of Credit" to be issued for revegetation of all disturbed areas. Revise note to indicate that cost of this work is to be included in the overall "Surety Estimate".
- 3) Plan and Profile Sheets: Several Plan and Profile sheets indicate that some home sewer service connections are 6-inch SDR 21 PVC FM connections. This will need to be clarified to the satisfaction of the Planning and Development Department and the Department of Public Works.
- 4) Because of new lot locations, new addresses must be assigned and the applicant shall work with Staff on the addresses.
- 5) Please ensure plans call for trees to be planted along the lot lines of Lots 1 – 5 which are shared with abutting lots not subject to this proposal.
- 6)# Current use. The subject property is not in current use.
- 7) State plane coordinates. The plans are to be tied into the State Plane Coordinate System as per the Subdivision Regulations.
- 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 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 November 5, 2019).

General and Subsequent Conditions

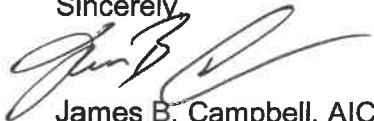
All of the conditions below are attached to this approval.

- 1) The existing conditions of approval noted on the Planning Board's Notice of Decision dated March 7, 2018 remain in effect unless otherwise amended in this approval.

- 2) Active and substantial development for this project is defined as, "*Construction and completion of Phase I and the widening of the southbound shoulder of Portland Street at the intersection of Portland Street & Evelyn Drive (proposed road). These improvements must be completed within 24 months of the Planning Board approval date*".
- 3) For vesting purposes under 674:39 "substantial completion" for this project is defined as, "*The construction and completion of Phases I and II, the widening of shoulders at the intersection of Portland Street and Franklin Street and the intersection of Portland Street and Evelyn Drive (proposed road), and the payment/contribution towards or construction of offsite sidewalk*".
- 2)# 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.**
- 3) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 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, AICP,
Director of Planning & Development

cc: Berry Surveying & Engineering
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