



PLANNING & DEVELOPMENT DEPARTMENT
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Planning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

January 10, 2019

Dorothy Thone
92 Chesley Hill Road
Rochester, NH 03839

Re: 2-Lot subdivision and lot line revision. Case# 246 – 24 – R1 – 18

Dear Applicant:

This is to inform you that the Rochester Planning Board at its January 7, 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.

The Planning Board hereby grants the following waivers:

- 1) The applicant is requesting a waiver from a complete boundary survey of the subject parcel. The Planning Board grants this waiver because there is no proposed development at this time and enough detail is shown to verify that the lots conform to Zoning Ordinance and Subdivision Regulations, only a small portion of the properties are being affected by the lot line revisions and because previous records show more details for some of the subject parcel.
- 2) Subdivision Regulation 4.3 topographic mapping of the entire lot. The Planning Board grants this waiver because no development is proposed at this time and enough detail is shown to verify that the lots conform to Zoning Ordinance and Subdivision Regulations.
- 3) Subdivision Regulation Section 5.2.5 prohibits lots with an average depth that is more than three times the average width. The four lots (Map 246 Lot 24-1; 24-2; 24-3; and 24-4) are proposed to exceed this 3:1 ratio. The Planning Board grants this waiver because these lots will contain the back land from the parent parcel Map 246 Lot 24 which wraps around the rear of the four properties.

This lot line revision and subdivision distributes the land between all four parcels. All of the current lots Map 246 Lot 24-1 and Map 246 Lot 24-2 meet the zoning requirements for the Residential-1 Zone which states minimum lot area required is 10,000 square feet meets the intent of the subdivision regulation.

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 July 7, 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) None at this time.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) If variance for barn is granted, a note shall be added to the final plans that there can be no horses or other large livestock [per 42.32 Accessory Uses (b)(3)(A)(B)(C)(D)(E) in the Residential-1 zoning district].
- 3) The Assessor will assign a parcel number and address to this lot, please add address to the plan.
- 4) The applicant must obtain a variance for the existing barn on Map 246 Lot 4-4 as accessory use or remove the barn so that there will be no nonconformities. If variance is granted, final plans are to note that the variance was granted and the date it was granted. If the variance is denied the barn must be removed from Map 246 Lot 24-4, or proposed lot 24-4 has to be abandoned prior to recording the subdivision plan.
- 5) The applicant submit a completed Lot Line Revision application signature page.
- 6)# Current use. The subject property or a portion of it is presently in Current Use. The applicant must provide to the City of Rochester Assessing Department a revised current use map and/or any other items needed to assure that the requirements of RSA 79-A and the New Hampshire Department of Revenue's Administrative Rules are satisfied. We encourage you to contact the Assessing Department at 332-5109 as soon as possible to discuss with them the financial ramifications of converting current use land. It will facilitate the process for you if you contact the department well in advance of commencing the project.

- 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 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 December 12, 2018).

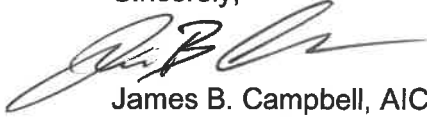
General and Subsequent Conditions

All of the conditions below are attached to this approval.

- 1) A driveway permits shall be obtained from the Department of Public Works.
- 2) The surveyor is to submit a signed letter to the Planning Department stating that the new lot corner monuments have been set.
- 3)# 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.**
- 4) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 5) 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.
- 6) 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 'J. B. Campbell', with a stylized flourish at the end.

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

cc: J. Pohopek
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