

MINOR SUBDIVISION APPLICATION

(a total of three or fewer lots)

City of Rochester, New Hampshire DEC 1 0 2019

Date: DECEMBER 3, 2019	Is a conditional needed? Yes: No: V Unclear:			
	(If so, we encourage you to submit an application as soon as possible.)			
Property information				
Tax map #: <u>262</u> ; Lot	#('s): 43 ; Zoning district: (A) - AGRICULTURAL			
Property address/location:	75 JONATHAN AVENUE, ROCHESTER, NH			
Name of project (if applicable	e): DELISLE			
Size of site: SIX (6) acres;	overlay zoning district(s)? (COD) CONSERVATION OVERLAY DISTRICT			
Property owner				
Name (include name of indi	vidual): SUSAN D. DELISLE			
Mailing address: 75 JONATHAI	N AVENUE, ROCHESTER, NH 03839			
Telephone #: (603)-817-5264	Email: suedtad@metrocast.net			
Applicant/developer (if	different from property owner)			
Name (include name of indiv	vidual):			
/lailing address:				
	Email:			
Engineer/surveyor				
lame (include name of individual): _JOEL RUNNALS C/O NORWAY PLAINS ASSOCIATES, INC.				
lailing address: PO BOX 249, RC	OCHESTER, NH 03866-0249			
elephone #: (603)-335-3948	Fax #:			
	RWAYPLAINS.COM Professional license #: NHLLS 865			
Proposed project				
lumber of proposed lots: TV	, Are there any pertinent covenants? NONE			
umber of cubic yards of earth being removed from the site? UNKNOWN AT THIS TIME				
ity water? yes no; How far is City water from the site?1,400 FEET ACROSS THE RIVER				
ity sewer? yes no <u></u>	How far is City sewer from the site? 2,100 FEET ACROSS THE RIVER			

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Updated 3/27/19



Wetlands: Is any fill proposed? NO; area to be filled:	N/A ; buffer impact? NONE
Comments	
Please feel free to add any comments, additional information	mation, or requests for waivers here:
Submission of application	
This application must be signed by the property owner, property owner), <i>and/or</i> the agent.	applicant/developer (if different from
I (we) hereby submit this Subdivision application to the pursuant to the <u>City of Rochester Subdivision Regulation</u> knowledge all of the information on this application formaterials and documentation is true and accurate. As property owner)/as agent, I attest that I am duly authority	ons and attest that to the best of my and in the accompanying application applicant/developer (if different from
Signature of property owner:	Leliel.
	Date:
Signature of applicant/developer:	
Signature of agent: <u>bel D Runnall</u>	, Date:
	Date: 12-10-19
Authorization to enter subject property	
I hereby authorize members of the Rochester Planning Conservation Commission, Planning Department, and aboards and agencies to enter my property for the purpoincluding performing any appropriate inspections during post-approval phase, construction phase, and occupant specifically to those particular individuals legitimately in inspecting this specific application/project. It is understoreasonable care, courtesy, and diligence when entering Signature of property owner:	other pertinent City departments, ose of evaluating this application of the application phase, review phase, cy phase. This authorization applies evolved in evaluating, reviewing, or bood that these individuals must use all
	Date: $\frac{12/10/19}{1}$

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NORWAY PLAINS ASSOCIATES, INC.

LAND SURVEYORS • SEPTIC SYSTEM DESIGNERS • CIVIL ENGINEERS

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PROJECT NARRATIVE

PREPARED FOR:

SUSAN D DELISLE

75 JONATHAN AVENUE, TAX MAP 262, LOT 43 ROCHESTER, NH 03839

The intent of this application is to illustrate the proposed subdivision of a parcel of land located at 75 Jonathan Avenue, said parcel also known to the city of Rochester as Tax Map 262, Lot 43. This parcel is owned by Ms. Susan Delisle, who resides at the existing home on the premises.

The lot as it currently exists contains six acres, and has frontage on both Huckins Lane, and Jonathan Avenue. It was created in its current configuration by, and depicted as lot 11, on a subdivision plan, prepared by Norway Plains Survey Associates, INC., in November of 1988. Said plan having been prepared for Paul Chapman, and recorded at the Strafford County Registry of Deeds as plan 037A-0102. In accordance with the protective covenants placed on the lots as part of said subdivision, this lot may be subdivided only once. The lot also has a drainage easement for runoff from what is now Huckins Lane.

There is an area of poorly drained jurisdictional wetlands on the Northwest corner of the property, which runs from Huckins Lane, downslope, and off of the property. Aside from the existing home on the property, the remainder of the parcel is currently wooded.

Ms. Delisle would like to subdivided this parcel into two tracts. 3.08 acres are proposed to stay with the existing home, and the newly created lot would be 2.92 acres. Access for the new lot would come from Jonathan Avenue, as access from the frontage on Huckins Lane is incumbered by the poorly drained soils on the lot.

*		

For consideration paid, We, William Gregory Otash and Carolyn Otash, husband and wife, both of 75 Jonathan Avenue, Rochester, County of Strafford and State of New Hampshire grants to Susan D. Delisle, a single person, of 33 Colonial Drive, Epsom, County of Rockingham and State of New Hampshire 03234, with Warranty Covenants, the following described locus:

A certain tract or parcel of land, with the buildings thereon, if any, situated in Rochester, County of Strafford and State of New Hampshire, and shown as Lot 11 on a plan entitled "Subdivision of Land, Rochester, NH, for Paul Chapman" dated November, 1988, by Norway Plains Survey Associates, Inc. recorded in the Strafford County Registry of Deeds as Plan #37A-102, said parcel being more particularly described as follows, all courses and distances being more or less.

Beginning at a point on the northerly side of Harris Avenue which point marks the junction of the southeasterly corner of the within described premises with the southwesterly corner of Lot 12 as shown on said Plan and running thence by and along the northerly side of Harris Avenue the following courses and distances: \$ 70° 10' 55" W, 118.02 feet; thence on a curve to the left with a radius of 325 feet a distance of 121.66 feet to a point; thence S 57° 44' 00" W a distance of 164.04 feet; thence on a curve to the right with a radius of 125 feet a distance of 60.94 feet to a point; thence on a curve to the right with a radius of 25 feet a distance of 37.03 feet to a point at the end of the present right of way of Harris Avenue and Chapman Drive as shown on said Plan; thence on a curve to the left with a radius of 425 feet a distance of 15.37 feet to a point; thence N 11° 32' 35" W, 148.52 feet to a point; thence on a curve to the right with a radius of 350 feet a distance of 95.78 feet; thence N 04° 08' 15" E, 91.77 feet to a point on the southeasterly line of land of Normand D. and Sylvia H. Lachance; thence by and along said Lachance land N 59° 02' 20" E, 665.08 feet to a point on the westerly line of Lot 12; thence by and along the westerly line of Lot 12 S 27° 56' 30" E, 228.50 feet; thence continuing along the westerly line of Lot 12 S 30° 05' 15" W, 387.69 feet to the point of beginning.

Containing 6.00 acres, more or less.

Conveying also a right in common with others to pass and repass over, upon and along Harris Avenue and Chapman Drive to and from Route 125 for all purposes of ingress and egress and access to the above-described premises.

STATE OF NEW HAMPSHIRE

DEPARTMENT
OF
REVENUE
ADMINISTRATION

XXX 2thousand XXX hundred and x5 fdollars

MONTHALTERED

\$ 2055.00

BK2198Pc0188

This conveyance is made subject to all conditions and restrictions as may be set forth on the above-referenced plan or companion plans with respect to the Chapman Subdivision of which the subject premises are a part.

This conveyance is also subject to the terms and conditions of certain protective covenants declared by the grantors on March 6, 1990 and recorded in said Registry at Book 1496, Page 235, as amended by instrument dated April 17, 1990, recorded in said Registry at Book 1502, Page 293.

Subject also to a proposed 30 foot drainage easement for the benefit of others situated in the southwesterly portion of the above-described premises.

Meaning and intending to describe and convey the same premises conveyed to William Gregory Otash and Carolyn Otash by warranty deed of Paul R. Chapman and Florence Chapman, dated January 30, 1991 and recorded at Book 1579, Page 624 in the Strafford County Registry of Deeds.

Signed by the grantor this _____ day of May, 2000.

State of New Hampshire County of Strafford

The foregoing warranty deed was acknowledged before me this ____day of May, 2000 by William Gregory Otash and Carolyn Otash, to be their voluntary act and deed.

Notary Public

My Commission Expire

inted Name

SEAL

es:		
THE STATE OF THE PARTY OF THE P	COMMISSION EXPIRES MARCH 6. 2001	Typed or Pri
1	WARY POPULITIES	2

PROTECTIVE COVENANTS

This declaration made this 6th day of MARCH R. Chapman and Florence Chapman, hereinafter: Declarants;

WHEREAS, Declarants own certain real property consisting of approximately 75 acres and located on the westerly side of Route 125 in Rochester, County of Strafford and State of New Hampshire, as shown on a plan entitled "Subdivision of Land, Rochester, NH, for Paul Chapman" by Norway Plains Survey Associates, Inc., to be recorded in the Strafford County Registry of Deeds, which property was conveyed in whole or in part to Declarants by deed of Harris Chapman dated March 7, 1960, recorded in the Strafford County Registry of Deeds at Book 714, Page 320, and deed dated April 4, 1966, recorded in said Registry at Book 810, Page 176, and

WHEREAS, Declarants intend to divide the property into lots for purposes of sale as residential building sites and in so doing desire to enhance and protect the value, attractiveness and desirability of the lots constituting such subdivision;

NOW, THEREFORE, Declarants hereby make the following declarations as to limitations, restrictions and uses to which the lots constituting such subdivision may be put and hereby specify that such declarations shall constitute covenants to run with all the land and shall be binding upon all parties and all persons claiming under them and for the benefit and limitations on all future owners in such subdivision, this declaration of restrictions being designed for the purpose of keeping subdivision desirable, uniform and suitable for use as residential building sites.

- 1. RESIDENTIAL USE. No lot shall be used for any purpose other than single family residential use. No building whatsoever except a private dwelling house with the necessary out buildings, including a private garage, shall be erected, placed or permitted to remain on any lot or any part thereof and such dwelling house permitted on the lot shall be used as a private single family residence only.
- 2. LIMITATION ON SUBDIVISION. With the exception of Lots 1, 2 and 3, there shall be no further subdivision or resubdivision of the lots subject to these covenants. In the case of Lots 11, 13 and 15, each lot may be subdivided hereafter only once and each lot so created shall be subject to

each and every one of these protective covenants.

- 3. PROHIBITED STRUCTURES. No trailer, basement, tent, shack, garage, barn, recreational vehicle, mobile home, manufactured housing, or pre-site built housing or out building erected on the tract shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be placed upon a lot for use as or be used as a residence.
- 4. REFUSE DISPOSAL AND CONDITION OF LOT. No rubbish, trash or garbage or other waste material shall be kept or permitted on any lot except in sanitary containers located in appropriate areas concealed from public view. There shall be no placement or accumulation of offensive or noxious materials nor may the property be used for the disposal of rubbish, trash, vehicles (motored or otherwise), appliances or any other unnatural matter. No more than one unregistered vehicle shall be stored on any lot at any one time. The owners of all lots shall keep the lots free from accumulations of natural substances or matter that shall render the premises visually offensive when viewed from any other lot or any public way and shall take care that the lots be managed in such fashion as to preserve or enhance the natural beauty of the lot. Clear-cutting of any lot or the indiscriminate felling and/or storage of felled wood upon any lot in any manner not in keeping with generally recognized forestry or soil conservation techniques is prohibited.
- 5. ANIMALS. Except for the keeping of no more than two horses per lot in stables, barns or other reasonably suitable quarters, no animals, livestock or poultry of any kind shall be raised, bred or kept on any lot. However, dogs, cats and other household pets in such numbers as shall make them suitable as pets in a single family dwelling may be kept on lots so long as they are not kept, bred, or maintained for commercial purposes.
- 6. OFF HIGHWAY VEHICLES. No snowmobiles, dirt bikes, off highway recreational vehicles or all-terrain vehicles shall be used upon any lot except that they may be stored for use off premises provided such storage is accomplished in a manner which is not visually offensive when viewed from

other lots or from the public way. 7. DRAINAGE. Grantees of each and every lot in the subdivision recognize that other lots and/or the public ways in and around the subdivision may benefit from drainage over and through the lot of the

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grantee, whole or in part. The grantees of each lot in the subdivision shall do nothing to interfere with the installation, maintenance and use of drainage swales or ditches or other drainage facility and shall take such steps as are reasonably necessary to prevent the acceleration of the natural erosion and deterioration processes with respect to such drainage facilities.

- 8. ENFORCEMENT. These restrictions shall operate as covenants running with the land for the benefit of any and all persons who now may own, or who may hereafter own, property in the subdivision and such persons are specifically given the right to enforce these restrictions through any proceedings, at law or in equity or both, against any person or persons violating or threatening to violate such restrictions and also to recover any damages suffered by them from any violation thereof. There shall be no obligation of the Declarants, their heirs and assigns, to enforce these covenants or seek recovery at law for or on behalf of any person, including themselves.
- 9. AMENDMENT. These restrictive covenants may be revoked or amended in whole or in part only by written agreement executed by at least three-fourths of the then owners of lots in the subdivision and such amendment or revocation shall be effective upon recording of same in the Strafford County Registry of Deeds.
- 10. SEVERABILITY. The provisions of this declaration are severable and if any covenant or condition or restriction herein contained, or any portion thereof, is found invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction.

IN WITNESS WHEREOF, Paul R. Chapman and Florence Chapman have hereunto set their hands on the day and year first above written.

to 60th

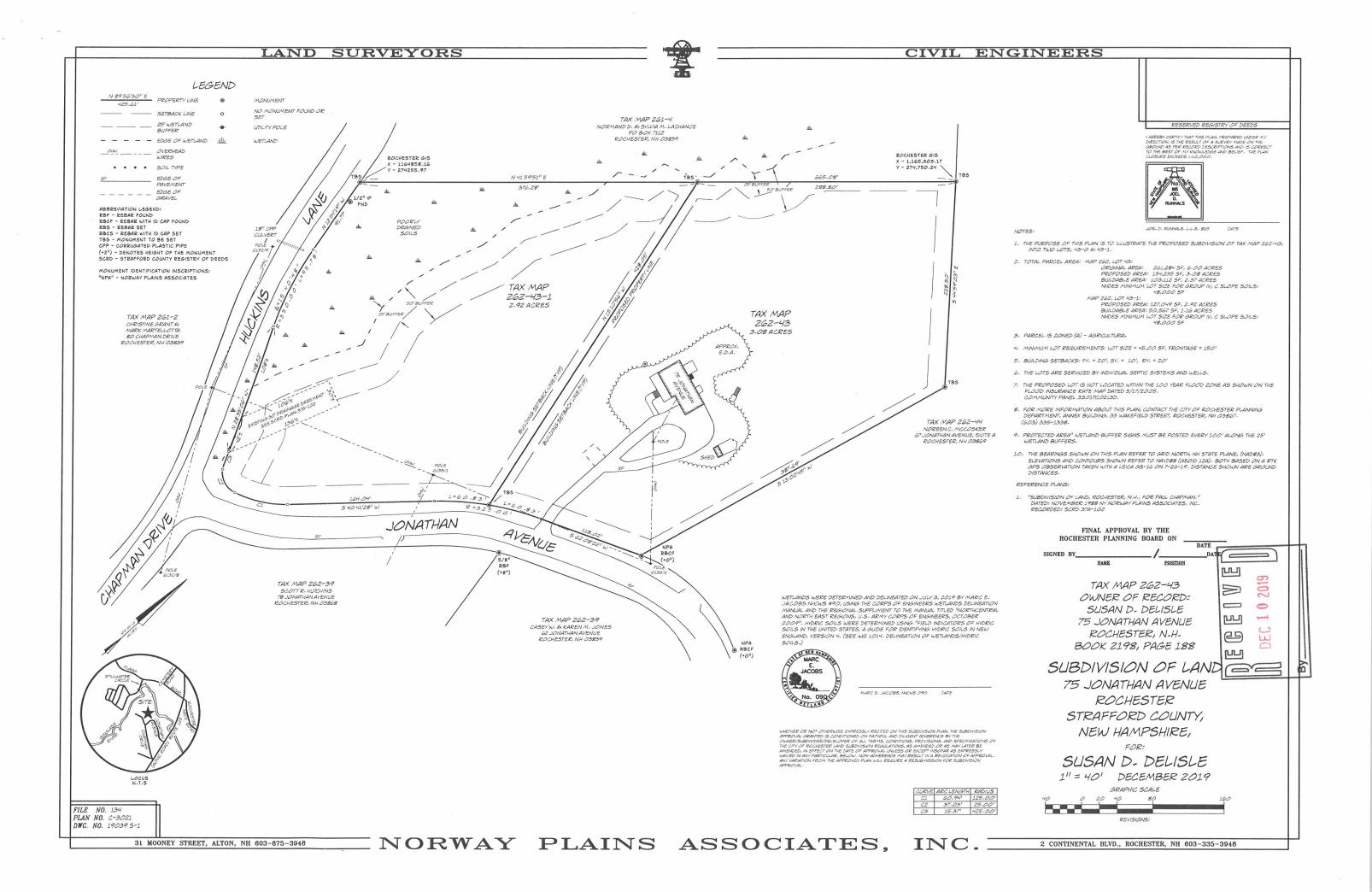
State of New Hampshire Strafford, SS.

MARCH 6, MSO

Personally appeared the above named Paul R. Chapman and Florence Chapman and acknowledged the foregoing instrument to be their voluntary act STIEN J and deed before me.

_ & Dan NOTARY Notary Public/Justice of the Peace MY COMMISSION EXPIRE'S OCT. 12,1993 PUBLIC

REGISTER OF DEEDS STRAFFORD COUNTY



LAND SURVEYORS CIVIL ENGINEERS LEGEND N 89 56'30" E PROPERTY LINE MONUMENT NO MONUMENT FOUND OR SET SETBACK LINE TAX MAP 261-4 25' WETLAND NORMAND D. EL SYLVIA M. LACHANCE UTILITY POLE BUFFER PO BOX 7112 ROCHESTER, NH 03839 - - EDGE OF WETLAND POCHESTER GIS WIRES POCHESTER GIS X - 1,165,303.17 Y - 274,750.24 JOEL D. RUNNALS, L.L.S. 865 SOIL TYPE 4.000 SF - 274255-97 SUITABLE FOR E.D.A. PLACEM EDGE OF PAVEMENT 288-80 • 376.28 ABBREVIATION LEGEND: PBF - PEBAR FOUND RBCF - REBAR WITH ID CAP FOUND RBS - REBAR SET RBCS - REBAR WITH ID CAP SET TBS - MONUMENT TO BE SET CPP - CORRUGATED PLASTIC PIPE 1. THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE PROPOSED SUBDIVISION OF TAX MAP 262-43, INTO TWO LOTS, 43-0 & 43-1. INTO TWO LOTS, 45-U A 1-2 Z. TOTAL PARCEL AREA: MAP 262, LOT 43: ORIGINAL AREA: 261,284 SF, 6-00 ACRES PROPOSED AREA: 134,235 SF, 3-08 ACRES BUILDABLE AREA: 103,112 SF, 2-37 ACRES NHDES MINIMUM LOT SIZE FOR GROUP IV, C SLOPE SOILS: 48,000 SF (+2") - DENOTES HEIGHT OF THE MONUMENT SCRD - STRAFFORD COUNTY REGISTRY OF DEEDS "NPA" - NORWAY PLAINS ASSOCIATES NHDES MINIMUM 148,000 GI MAP 262, LOT 48-1: 48,000 GI MAP 262, LOT 48-1: 127,049 SF, 2-92 ACRES BUILDABLE AREA: 50,567 SF, 1-16 ACRES NHDES MINIMUM LOT SIZE FOR GROUP IV, C SLOPE SOILS: 48,000 SF TAX MAP -262-43-1 2-92 ACRES TAX MAP TAX MAP 261-2 262-43 3-08 ACRES 3. PARCEL IS ZONED (A) - AGRICULTURAL 4. MINIMUM LOT REQUIREMENTS: LOT SIZE = 45,00 SF, FRONTAGE = 150 5. BUILDING SETBACKS: FY. = 20', SY. = 10', RY. = 20' 6. THE LOTS ARE SERVICED BY INDIVIDUAL SEPTIC SYSTEMS AND WELLS. 7. THE PROPOSED LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD INSURANCE EATE MAP DATED 5/17/2005. COMMUNITY PANEL 33017C0213D. 8. FOR MORE INFORMATION ABOUT THIS PLAN, CONTACT THE CITY OF ROCHESTER PLANNING DEPARTMENT, ANNEX BUILDING, 33 WAKEFIELD STREET, ROCHESTER, NH 03867. TAX MAP 262-44 (603) 335-1338. 67 JONATHAN AVENUE, SUITE A ROCHESTER, NH 03869 PROTECTED AREA" WETLAND BUFFER SIGNS MUST BE POSTED EVERY 100' ALONG THE 25' WETLAND BUFFERS. 10. THE BEARINGS SHOWN ON THIS PLAN REFER TO GRID NORTH, NH STATE PLANE, (NAD83). ELEVATIONS AND CONTOURS SHOWN REFER TO NAVDB8 (GEOID 12a). BOTH BASED ON A RTK GPS OBSERVATION TAKEN WITH A LEICA GS-16 ON 7-26-19. DISTANCE SHOWN ARE GROUND DISTANCES. 1. "SUBDIVISION OF LAND, ROCHESTER, N.H., FOR PAUL CHAPMAN." DATED: NOVEMBER 1988 NY NORWAY PLAINS ASSOCIATES, INC. RECORDED: SCRD 37A-102 CHAPHAN DENVE JONATHAN AVENUE TAX MAP 262-39 TAX MAP 262-43 SCOTT R. HUTCHINS OWNER OF RECORD: 78 JONATHAN AVENUE WETLANDS WERE DETERMINED AND DELINEATED ON 1111 Y 3, 2019 BY MARCE WETLANDS WEER DETERMINED AND DELINEATED ON JULY 3, 2019 BY MARC E. JACOBS NEWS #49, USING THE CORPS OF ENSINEERS WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLIMENT TO THE MANUAL TITLED "NORTHCENTRAL AND NORTH EAST REGIONS, U.S. ARMY CORPS OF ENGINEERS, OCTOBER 2009". HOPIC SOILS WERE DETERMINED USING "FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, A GUIDE FOR IDENTIFYING HYDRIC SOILS IN NEW ROCHESTER, NH 03868 SUSAN D. DELISLE TAX MAP 262-39 75 JONATHAN AVENUE CASEY W. E KAREN M. JONES ROCHESTER, N-H-ENGLAND, VERSION 4. (SEE WQ 1014, DELINEATION OF WETLANDS/HYDRIC ROCHESTER, NH 03839 SOILS.) BOOK 2198, PAGE 188 NHDES SUBDIVISION OF LAND 75 JONATHAN AVENUE MARC E. JACOBS, NHCWS 090 DATE ROCHESTER STRAFFORD COUNTY, NEW HAMPSHIRE, FOR: SOILS LEGEND SUSAN D. DELISLE 1" = 40' DECEMBER 2019 GRAPHIC SCALE FILE NO. 134 PLAN NO. C-3021 DWG. NO. 19039 S-1 NORWAY PLAINS ASSOCIATES, INC. 31 MOONEY STREET, ALTON, NH 603-875-3948 2 CONTINENTAL BLVD., ROCHESTER, NH 603-335-3948