



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

Planning Board
Zoning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

May 6, 2021

Steven Miller
Fownes Mill Development, LLC
95 Blackwater Road
Rochester, NH 03867

Re: Site plan amendment to revert back to 51 standard unit building from 80 elderly housing units, remove the footbridge over the Cocheco River, and minor adjustments to the landscaping plan. Case# 121 – 32 – R2 – 21

Dear Applicant:

This is to inform you that the Rochester Planning Board at its May 3, 2021 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 3 calendar months to the day of the board's approval – by November 3, 2021 - 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) A stop sign is required at the end of Fownes Mill Court. Top the stop sign with street sign and "private" sign. DPW has provided location and sign details directly to applicant. Please add to plan.
 - b) The City is still interested in someday expanding the Riverwalk to cross this property, and potentially use the footbridge designated on the plan. The PB has decided the footbridge is no longer the legal obligation of the applicant or successive property owners to construct but asks that a 15 foot easement be granted for the Riverwalk shown on the plan across the River at a crossing to be approved at a later date by the City.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) None at this time.
- 3) State plane coordinates. The plans are to be tied into the State Plane Coordinate System.
- 4) Pre-Construction meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 5) Drainage maintenance. If applicable, a drainage maintenance agreement approved by Public Works must be executed. In order to comply with the Stormwater Management IOP Manual, DPW staff shall be allowed periodic access to the parking areas for inspections related to the annual stormwater infrastructure report compiled for the City Engineer.

General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breeches shall be repaired within 48 hours of the storm event.
2. Landscaping: All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced in a timely manner as long as this site plan remains valid;
3. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
4. Snow storage - Snow shall be removed and stored such that the drainage structures can function properly and the required parking spaces can be utilized. Snow storage may not impact the City's access to the sewer pump station.
5. All previous conditions from the original 2009 & 2011 approval apply.

6. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
7. Approvals. 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.
8. 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.
9. 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.
10. APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 30 days of the date the Board made its decision.

(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,


Shanna B. Saunders,
Director of Planning & Development

cc: Norway Plains Assoc.
Viewpermit
File