



PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex

33 Wakefield Street

Rochester, New Hampshire 03867-1917

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Web Site: www.rochesternh.net

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

NOTICE OF DECISION

July 13, 2021

10 Farmington Road, LLC
549 Route 1 By-Pass
Portsmouth, NH 03801

Re: Site plan and conditional use permit to construct an 8,000 s.f. building addition and parking lot expansion. Case# 221 – 158&159 – GRD – 21

Dear Applicant:

This is to inform you that the Rochester Planning Board at its July 12, 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 6 calendar months to the day of the board's approval – by January 12, 2022 - 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) None at this time.
- 3) Copies of draft maintenance agreements to be submitted to the City for review and approval, namely associated with Cardinal Dr. *Note: Draft Agreements submitted June 18th and under review. Revisions may be needed.*
- 4) State plane coordinates. The plans are to be tied into the State Plane Coordinate System.
- 5) Inspections. The applicant must sign the Agreement for Payment of Inspection Fees and 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).
- 6) In accordance with RSA 676:4-b the Public Works Department may, at its discretion dependent on project complexity, require 3rd Party Construction inspection of all subdivision plan improvements. Payment of construction inspection services by the applicant whether performed by a 3rd Party firm or DPW will be via a signed Construction Inspection Services agreement. All required subdivision plan improvements shall additionally be subject to inspection by the City Engineer or designee who shall act as the agent of the Board in enforcing the standards and specifications called for in these regulations.
- 7) Stormwater Management Inspection, Operation and Maintenance (IOM) records do not exist for the existing drainage system as agreed in the approved 2014 IOM plan. Prior to pre-construction meeting, perform inspection and maintenance of existing CBs, water quality unit, stormtech chambers and other systems listed in the plan. Provide completed inspection and maintenance log to DPW with supporting information (photos, invoices, volumes of sediment removed).
- 8) Provide updated Stormwater Management IOM for existing and proposed systems and signed updated drainage maintenance agreement.
- 9) Prior to pre-construction meeting, provide a wastewater design report describing the volume and quality of wastewater based on existing and proposed processes. Provide calculations to show that the existing pre-treatment systems are adequate to treat and convey the discharge from existing operations and proposed expansion. Provide design calculations for all additional pre-treatment systems proposed with new expansion. The report should be prepared by a licensed Civil or Sanitary Engineer and should address volume as well as pollutant treatment. The sewer discharge pre-treatment should be designed to meet all local, state and federal guidelines for pre-treatment of

wastewater from vehicle car wash and auto body shop uses, as well as regulations related to floor drains.

- 10) Prepare a Spill Prevention and Control Plan with inventory of chemicals, vehicle wash solutions, paints, oils and hazardous materials stored on site. Include spill prevention and control guidelines, and spill response procedures. Include cut sheets of spill control materials to be kept on site such as floor drain covers, absorbent pads, berms etc.
- 11) Develop a Wastewater Inspection, Operation and Maintenance plan for the site's sewer collection system, floor drains and pre-treatment units. The plan should include engineer report flow and system sizing and manufacturer's recommendations for inspection and maintenance. Frequency of oil/water separator cleaning shall be quarterly with reports kept on site and supplied to City personnel upon request. The plan should address good housekeeping and best management practices with respect to processes and use of the floor drains. Phosphate free cleaning solutions, including vehicle wash chemicals should be used whenever possible. The IOM should reference the Spill Prevention and Control Plan.
- 12) Pre-Construction meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 13) Other permits. All required State and Federal permits must be obtained – including any Demo Permits, Driveway/Curb Cut permit, Sewer Service Connection Permit, Stormwater Permit in accordance with updated Chapter 218 Ordinance., , etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department. For this proposal, a Commercial/Industrial Waste Questionnaire (attach Wastewater Design Report noted in comment #3) is also required.
- 14) Drainage maintenance. 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.
- 15) Lot combination application and deeds required to be approved by the City and recorded at the cost of the applicant at the Registry of Deeds.
- 16) Final Drawings. (a) three 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 flash drive 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. Once the plan is recorded at the Registry of Deeds, submit two 11x17 recorded copies of the plan. Assessing will need an 11x17 recorded copy of the plan.

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. Wetland buffer areas shall not be impacted by any construction activities (other than those impacts permitted under the CUP and DES wetlands permit). Wetland buffers shall be marked with orange snow fence prior to any onsite activity, and such markers shall be maintained throughout construction.
3. 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;
4. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
5. 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.
6. The new drainage infrastructure must be constructed prior to construction of the new building and associated parking. If the infrastructure is used as a temporary settling area during construction, the infrastructure shall be cleaned out and brought down to proposed bottom elevation prior to CO of new building.
7. A Surveyor is to submit a signed letter to the Planning Department stating that the new lot corner monuments have been set (Subdivision Regulation 6.1) and that reference pins have been set on all easement bounds (Subdivision Regulation 5.7.4)
8. Construction Cost estimate for this project shall be submitted for review and approval. Estimate shall be based on the Department of Public Works Construction Surety Schedule and shall include a 10% Contingency. Costs for items not specifically addressed in the Surety Schedule will be based on 1) City standards, 2) NHDOT weighted averages, 3) industry standards, or 4) contractor estimates.
9. Performance Guarantee. If applicable, prior to issuance of a building permit or beginning site work, the applicant shall provide site improvement and restoration security. The performance guarantee shall be an amount equal to 10% of the approved Construction Cost Estimate (including a 10% contingency) to ensure the proper and timely completion of site work and site restoration within the development. Before the subdivision/site plan can be recorded, lots deeded to third parties, or structures occupied the applicant shall provide a cost estimate of remaining site work including labor, and provide the City with a security in the form of either letter of credit or cash equal to 110% of the estimated cost for remaining work. (Any existing surety being held at this time may be converted toward this amount). This amount shall include preparation of as-built plans.

10. As-Built. Three sets of full size (measuring at least 22" x 34") or black line paper plus 1 set of 11" x 17" plus one digital pdf copy of the as-built site plans (or "record drawings") stamped and signed by the Engineer or Surveyor are to be submitted to the Planning Department prior to issuance of the Certificate of Occupancy (or use/occupancy of the site where no CO is required). The as-built drawings must include the following language or equivalent: "This as-built drawing substantially conforms with the final plans approved by the City of Rochester Planning Board and certified by the Planning and Development Department except for the following significant modifications: ...". If no significant modifications were made simply state "none". Otherwise, itemize the modifications on the as-built or on an accompanying letter. The Department relies on the good judgement and good faith of the Engineer/Surveyor in determining which modifications should be considered significant (for example, minor adjustments in locations of plant materials would not be significant whereas relocation of a catch basin would be).

As-builts are to include State Plane Coordinates. A copy of the Asbuilt line work is also to be submitted as a CAD file that is georeferenced to that same coordinate system.

11. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
12. 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.
13. 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.
14. 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.
15. 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.

Sincerely,


Shanna B. Saunders,
Director of Planning & Development

cc: TF Moran
Viewpermit #SP-21-23
File