



PLANNING & DEVELOPMENT DEPARTMENT
City Hall Annex
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Rochester, New Hampshire 03867-1917
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Web Site: www.rochesternh.net

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

NOTICE OF DECISION

January 6, 2022

Public Service Co of NH
PO Box 270
Hartford, CT 06141-0270

Re: Site Plan to install one (1) 2,600 +/- sf prefabricated fleet storage enclosure within the existing paved storage yard. Case# 136 – 20 – R1 – 21

Dear Applicant:

This is to inform you that the Rochester Planning Board at its January 3, 2022 meeting **APPROVED** your application referenced above. The approval is good for two years. By January 3, 2024 the Quonset hut must be removed unless the applicant has returned to the Planning Board and requested an extension.

"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.

The Planning Board hereby grants the following waivers:

Site Plan Regulation Section 9(A) allows the Planning Board to restrict Hours of Operation; the applicant has requested that the Site be allowed continued 24-hour/day, 365-days/year operations.

The Planning Board grants this wavier, for EMERGENCY SITUATIONS ONLY. This means that on any day of the year where there is an emergency situation the site can operate 24 hours a day. All other days of the year the site must operate under normal business hours as long as the conditions of this approval stay in place. The noise ordinance cites “daytime noise allowed from 7AM to 10 PM. IN addition, in order to operate 24 hours a day the site must remain in compliance. This means the fence is in good working order, the vegetated buffer has had no die offs and the trucks are not being parked on the street.

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 3, 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. Please move the structure to within the already fenced in area. This will change the building from being within 10 feet of the side property line to being within 25 feet of the property line. This is more consistent with uses in industrial areas that border on residential areas (275-7.2.B.2 requires 100 ft with a reduction to 50)
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a. Please meet with the abutters and verify that the following is sufficient to meet their concerns: add arborvitae for screening around the sides and rear of the property starting at the rear horizontal plane of the building and going toward the back of the lot. Arborvitae must be at least 4 feet in height at planting time.
 - b. Please add a note to the plan that all utility vehicles are to be parked within PSNH’s Facility. (neighbor’s complained of vehicles parked on several residential side streets)
 - c. Please add a note to the plan that there is a limit of 4 additional trucks to be added to the site bringing the total to 17.
- 3) State plane coordinates. The plans are to be tied into the State Plane Coordinate System.
- 4) 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).
- 5) Other permits. All required State and Federal permits must be obtained – including any Driveway/Curb Cut permit, Water Service Connection Permit, Drainage Permit, Cross Connection Control Permit, etc., as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
- 6) 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 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

- 7) The applicant is to set a time for trash pick-up no earlier than 9AM. This shall be done with a confirmation letter submitted PROR to the Building Permit being submitted for the new structure.

General and Subsequent Conditions

All of the conditions below are attached to this approval.

1. Pre-Construction meeting. A preconstruction meeting is required prior to the start of work. Please contact the Department of Planning and Development to schedule this no more than 2 week prior to breaking ground; The pre-construction meeting agreement is to be signed by the property owner prior to signing of final plans.
2. By January 3, 2023 Eversource shall have submitted a Master Plan for this location showing what further expansion may be requested within the next 10 years, and/or what drawdown of services are expected because a new site, in a more conforming location, has been chosen to begin to transfer operations to. The City is happy to work with Eversource to find a new location for the operation that is centrally located, yet conforming to zoning status.
3. Landscaping: All landscaping shown on plans or required by this decision 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. 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 landscaping (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.
7. 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.

8. Execution. The project must be built and executed exactly as specified in the approved application unless changes are approved by the City.
9. 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.
10. 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.
11. 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.
12. 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: TFMoran Inc
c/o Nicholas Golon, PE
SP-21-38
File