



PLANNING & DEVELOPMENT DEPARTMENT

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Planning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

MEMORANDUM

TO: Applicants for a **MINOR SITE PLAN** (involving a total of four or more lots)

FROM: Planning & Development Department

DATE: March 2019

SUBJ: **Submission Requirements and Review Process for Formal Applications**

Please file the following items with the Planning Department:

- Complete application form
- A narrative, explaining in detail the proposed use and site changes
- Completed abutters list form (*See Planning Secretary*)
- Proposals for structures under 1,000 square feet or under will be charged the \$300 Minor Site Plan Fee plus the cost of abutter notification. Proposals over 1,000 square feet will be charged the \$300 minor site plan fee, the “commercial/industrial per square foot fee” or the “Per new unit” fee, and the cost of abutter notification. Fees are all listed in the Schedule of Fees.
- A site plan drawing, clearly depicting both existing conditions and proposed changes (either 8 ½ X 11 or 11 X 17 size), including exterior building dimensions, setback distances from property lines, paving, parking, landscaping, utilities, and general use and arrangement of the site.

Does my project qualify as a Minor Site Plan?

Minor site plans include the following types of development:

1. Multi-family of 3 to 5 dwelling units;

2. Change of use within an existing structure that involves no building additions or site changes;
3. Parking areas of 10 spaces or less;
4. Building additions of 1,000 square feet or less.

At the discretion of the Minor Site Review Committee, projects that are straightforward, clearly meet the intent of the regulations, and clearly will have no adverse impacts may also be reviewed as Minor Site Plans.

Minor Site Plan Procedure:

After the applicant submits the above items, the Planning Department will schedule an on-site meeting. These meetings are held on *Tuesday and Thursday afternoons only*.

The Applicant is then responsible for obtaining names and mailing addresses for all abutting property owners (please see the Planning Dept. Secretary). The Planning Department will send a Public Hearing notice by certified mail to all abutters at the applicant's expense. State law requires that abutters be notified of the meeting at least 10 days in advance.

Following the meeting, the committee (Planning staff, Building Inspector, and the City Engineer) will issue a Notice of Decision either approving (often with conditions) or denying the application, ***or referring it to the Planning Board for review. In accordance with RSA 674:43 III any person may appeal the committee's decision to the Planning Board if done so in writing, within 20 days of the date stated on the Notice of Decision.*** Projects that are appealed will be scheduled for the next available Planning Board meeting for which there is sufficient time for renotification of abutters and notice of a public hearing.

If you have any questions regarding the application or Minor Site Review procedure, please contact the Planning & Development Department at (603) 335-1338.



MINOR SITE PLAN APPLICATION
City of Rochester, New Hampshire

Date: _____

Property information

Tax map #: _____; Lot #'(s): _____; Zoning district: _____

Property address/location: _____

Brief project description: _____

Property owner

Name (include name of individual): _____

Mailing address: _____

Telephone #: _____ Email address: _____

Applicant/developer (if different from property owner)

Name (include name of individual): _____

Mailing address: _____

Telephone #: _____ Email address: _____

Engineer/surveyor/designer (if applicable)

Name (include name of individual): _____

Mailing address: _____

Telephone #: _____ Email address: _____

Check one:

- Nonresidential project Home Occupation II or III
 Multi-Family Residential project

Check all that apply:

- change of use new building building addition
 new parking area expansion of existing parking area
 new signage; exterior lighting other site changes

Describe current use/nature of property: _____

Describe proposed use/activity: _____

parking spaces: existing: _____ ; total proposed: _____

Current square footage of building _____; Proposed square footage of building _____

City water? yes ___ no ___; How far is City water from the site? _____

City sewer? yes ___ no ___; How far is City sewer from the site? _____

If City water, what are the estimated total daily needs? _____ gallons per day

Where will stormwater be discharged? _____

Number of existing dwelling units: _____ Total number of proposed dwelling units: _____

New building(s)? _____ Addition(s)/modifications to existing building(s)? _____

Describe current use/nature of property: _____

Describe proposed use/activity: _____

of parking spaces: existing: _____ total proposed: _____

Hours of Operation: _____ Days of Operation: _____

Number of employees: _____ Square footage to be used for new proposed use: _____

Maximum Number of Pupils at one time (for classes): _____

Comments

Please feel free to add any comments, additional information, or requests for waivers here:

This application must be accompanied by the following:

- Site plan drawing with:
 - All building dimensions (including any additions, if applicable)
 - Parking areas or spaces with size, spaces, flow pattern, and drive aisles as applicable.
 - Location of proposed change of use/addition/home occupation.

Submission of application & acknowledgement about process

This application must be signed by the property owner, applicant/developer (if different from property owner), *and/or* the agent.

I (we) hereby submit this Site Plan application to the City of Rochester Planning Board pursuant to the City of Rochester Site Plan Regulations and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant/developer (if different from property owner)/as agent, I attest that I am duly authorized to act in this capacity. **I also acknowledge that this project could be referred to the Planning Board for a new, full Planning Board review at the request of any person after any Minor Site Approval and that I would need to renotify abutters in that case** (in accordance with RSA 674:43 III).

Signature of property owner: _____

Date: _____

Signature of applicant/developer: _____

Date: _____

Signature of agent: _____

Date: _____

Authorization to enter property

I hereby authorize members of the Rochester Planning Board, Zoning Board of Adjustment, Conservation Commission, Planning Department, and other pertinent City departments, boards and agencies to enter my property for the purpose of evaluating this application including performing any appropriate inspections during the application phase, review phase, post-approval phase, construction phase, and occupancy phase. This authorization applies specifically to those particular individuals legitimately involved in evaluating, reviewing, or inspecting this specific application/project. It is understood that these individuals must use all reasonable care, courtesy, and diligence when entering the property.

Signature of property owner: _____

Date: _____

Home Occupation: An occupation or business activity which is conducted by a resident within his/her own dwelling or in a garage or barn-type outbuilding and which is clearly subordinate to the principal residential use. Home occupations are designated as Home Occupations – 1,2,and 3. (See Section 42.24 – Home Occupations)

Requirements for All Home Occupations. The following standards apply to all home occupations - 1, 2, and 3: *(If any of these cannot be met, it will be deemed **not** an allowed use)*

1. On Resident's Property. Home occupations shall be conducted by the individual on the property in which he/she resides.
2. Inside the Dwelling. All activity related to the home occupation shall be conducted inside the dwelling or inside a garage or barn-type outbuilding.
3. Character. Home occupations must be subordinate to the residential use and must have little or no impact upon the neighborhood. There must be minimal indication of the home occupation evident from the road or from neighboring properties.
4. Retail Sales. There shall be no retail sales of goods or products on the premises, except:
 - a. as may be incidental to the primary office or personal services occupation (such as sales of hair products to a salon customer);
 - b. for goods shipped pursuant to mail/email/telecommunication order;

- c. to customers who visit by pre-arranged appointment only; or
- d. for barn sales as specified under Home Occupation - III.
5. Delivery of Goods. The regular receipt or delivery of merchandise, goods or supplies to or from the business shall be limited to U.S. mail service, a standard parcel delivery service utilizing a two-axel vehicle, or a private passenger automobile.
6. Outside Storage/Parking. There shall be no outside storage or parking of materials, equipment, or vehicles (except for one ordinary passenger vehicle, pick up truck, or van related to the business). Box trucks are permitted by special exception subject to a determination that adequate buffering can be provided.
7. Performance Standards. There shall be no emission of noise, odor, dust, fumes, vibration, or smoke beyond the property or, in the case of multifamily dwellings, beyond the dwelling unit;
8. Septic System. Septic system design/capacity for home occupations that utilize significant additional water or waste water volumes, such as hair salons and catering services shall be verified in writing by a licensed NH septic designer or a professional engineer;
9. Multifamily Dwellings. Home occupations are allowed in all residential property. Any proposal for a Home Occupation-2 or Home Occupation-3 in a dwelling other than a single family dwelling shall be reviewed as a special exception (see Section F., below). In addition, the owner and residents of all units in the dwelling shall be notified of the hearing by certified mail.
10. Parking. Adequate parking must be provided either on street or on site as determined by the Planning Department (or the ZBA where a special exception is required).

All parking design requirements stipulated in Article V – Residential Zoning Districts shall be met.

Parking shall be located in a regular residential driveway, in the side yard, or in the rear yard. Parking can occur in the front yard if the Code Enforcement Officer has found that no other alternative exists. Back to back parking is permitted. If the amount of parking is noticeably greater than that for a typical single family dwelling then it shall be fully screened or buffered. *It is emphasized that if parking cannot be handled properly and unobtrusively then the home occupation shall not be permitted.*

11. Hours of Operation. Hours for customers to visit the home occupation are restricted to the following unless otherwise specifically approved: 8:00 a.m. to 7:00 p.m., Monday through Friday; 9:00 a.m. to 6:00 p.m. Saturday.

12. Nontransferability. Home occupation approvals are not transferable: they are issued to a specific individual applicant for a specific home occupation at a specific site.
13. Certificate of Occupancy. Prior to the commencement of any home occupation, a certificate of occupancy must be obtained from the Code Enforcement Officer, when deemed necessary by the Code Enforcement Officer or requested by the applicant.
14. Expansion. No expansion of the scope, or significant change in the nature, of any home occupation for which an approval has been granted shall occur without subsequent review and approval.
15. Revocation. An approval for a home occupation may be revoked by the Code Enforcement Officer for violation of any provisions of this chapter or of any conditions of the approval. Appeals of any such revocation shall be made to the Zoning Board of Adjustment.
16. Commercial Districts. Within commercial districts, where the use is allowed, it need not be pursued as a home occupation even if the business owner operates from his/her house. However, site review approval is still required and the applicant is responsible for obtaining all other applicable permits.

Home Occupation-2. A home occupation-2 is an office or personal services type home occupation which may be more intensive than a Home Occupation-1. All of the following standards apply:

1. Employees. There shall be no more than one employee working on site other than household members who reside with the operator;
2. 500 Square Feet. There shall be no more than 500 square feet of area used for the business;
3. Signage. There may be only one sign for the business visible from the street. The sign shall be non-illuminated and shall not exceed three square feet in area per side;
4. Classes. Instruction in classes shall be limited to four pupils at one time.

Home Occupation-3. A home occupation-3 is an office, personal services, processing, or small scale craft-production type home occupation which is more intensive than home occupations 1 and 2. All of the following standards apply:

1. Employees. There shall be no more than two employees working on site other than family or household members who reside with the operator;
2. 1,000 Square Feet. There shall be no more than 1,000 square feet of area used for the business;

3. Signage. There may be only one sign for the business visible from the street. The sign shall be non-illuminated and shall not exceed four square feet in area per side;
4. Barn Sales. If there is a barn on the property which was built prior to 1960 it may be used for retail sales (but not for the sales of any vehicles). The ZBA shall approve the type of items offered for sale as part of a special exception review to ensure there is no adverse impact upon the neighborhood.
5. Classes. Instruction in classes shall be limited to 8 pupils at one time.

Review Process Without Special Exception. A Home Occupation-II or a Home Occupation-III where no special exception is required shall be subject to the minor site plan review process as set forth in the Rochester Site Review regulations.

Review Process with Special Exception. The review process for a Home Occupation-II or a Home Occupation-III where a special exception is involved requires the submission of a Special Exception application to the Zoning Board of Adjustment, ZBA approval, and then minor site plan review approval as set forth in the Rochester Site Review regulations.

Prohibited Home Occupations. The following occupations/activities shall not be considered home occupations:

1. Bed and breakfast
2. Contractor's storage yard
3. Funeral home
4. Kennels or stables, commercial
5. Nursing home
6. Any vehicle or other heavy equipment repair
7. Restaurant
8. Retail sales operation (except as noted above)
9. Veterinary clinic
10. Commercial yard sales (except for barn sales as noted above)