

City of Rochester Planning Board
Monday, March 4, 2024
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on March 18, 2024)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Alan Dews
Donald Hamann
James Hayden
Peter Bruckner
Rick Healey

Alternate Members Present

Matthew Richardson
Michael McQuade

Members Absent

Staff: Shanna B. Saunders, *Director of Planning & Development*
Tracy Gora, Senior Planner

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting, as well as the meeting's minutes can be found on the Planning Boards Webpage at www.rochesternh.gov/planning-board. Paper minutes may be copied at the Planning & Development Office for a fee.)

I. Call to Order

Chair, Mark Collopy, called the meeting to order at 6:30 p.m.

II. Roll Call

Planning Department Director, Shanna B. Saunders, conducted roll call.

III. Seating of Alternates

There was no seating of Alternate members.

IV. Communications from the Chair

There were no communications from the Chair.

V. Approval of Minutes

A. February 5, 2024

A motion was made by Mr. Bruckner to approve the February 5, 2024, Planning Board meeting minutes and seconded by Mr. Dews. The motion carried unanimously.

VI. Opening Discussion/Comments

A. Public Comment

There were no comments from the public to discuss.

B. Discussion of general planning issues

There were no General Planning Issues that were discussed.

VII. Review of CIP Committee ranking of projects

Ms. Saunders introduced David Walker, the Chair of the Capital Improvements Program Committee and briefly explained the CIP process and how the projects were reviewed and ranked based on nine criteria. Ms. Saunders reviewed the members of the CIP Committee.

Mr. Walker, Chair of the CIP Committee, explained the schedule of the CIP review and how the projects were presented and reviewed. Mr. Walker read the nine criteria used to score the individual projects. Mr. Walker explained that cost of projects was not part of the reviewed criteria.

Ms. Saunders explained the layout of the CIP project ranking sheet and explained how calculations were prepared for a few projects that were missing scores.

Mr. Dews asked what the numbers to the left on the ranking sheet were. Ms. Saunders explained that the number signified the project number.

Mr. Walker stated his support of the CIP Committee process and stated that the process allowed for questions to be asked to better understand the projects.

Ms. Saunders stated that the process also allowed for the concern of cost to be removed in the review process and only review by the nine criteria provided.

Mr. Bruckner stated that some projects will rank lower based on the scores of the criteria but should be higher ranked due the priority of the project.

Ms. Saunders explained that the Planning Board can submit a memo to the City Manager explaining if they feel that certain projects that are not higher ranked but have a higher priority level.

Mr. Collopy asked about timelines for projects. Ms. Saunders explained that the projects that were requested and reviewed this year are for the next fiscal year, 2025.

Mr. Hamann explained that the CIP Committee did not review the cost because of the criteria and because the CIP book did not have the correct funding sources listed for the projects.

Mr. Dews stated that he felt the Planning Board was well represented in the CIP Committee and felt that the rankings could be pushed forward for further review without changes. Mr. Bruckner explained that some projects had a higher priority but did not score as high because of the nine criteria that the review was based on.

Ms. Saunders explained a few projects related to the City's Master Plan that scored lower on the ranking but may be considered a high priority and explained alternative ways to review and update the Master Plan as a whole rather than individual chapters.

Mr. May stated his confusion regarding Master Plan review and updated and stated that he supports the CIP Committee's review and ranking and that the ranking should be forwarded as is.

A motion was made by Mr. Hamann to approve the CIP Projects ranking, as is and submit for further review by the City Manager and Council and seconded by Mr. Dews. The motion carried unanimously. ,

Mr. Collopy thanked Mr. Walker and the other CIP Committee members for their efforts.

VIII. Extension Applications

A. [Elm Grove Realty, LLC, 29 Wadleigh Road](#) (Jones & Beach) Site Plan to construct a 52-Unit apartment building. Case# 137 – 35-1 – HC – 21 **EXTENSION to April 4, 2025**

Ms. Saunders explained the project and current status of the project. Ms. Saunders stated that Elm Grove Realty has recently bought the property and plans to move forward quickly with requirements necessary before construction. Ms. Saunders stated that the Elm Grove Realty has expressed the possibility of an amendment coming forward due to the views of the new owner and stated that the Planning Department Staff recommend this extension to allow time for the new owner to present plans.

Mr. Hamann asked if the process has been approved. Ms. Saunders stated that the project was approved previously but that final plans have not been received showing that precedent conditions have been met for the project to move forward.

Mr. Dews asked that if an amendment is presented if the process and timelines started over. Mr. Saunders responded stated that was correct.

Mr. Dews stated his support for a 6-month extension rather than a year.

A motion was made by Mr. Hamann to approve the extension to meet precedent conditions to April 4, 2025 and seconded by Mr. Bruckner. The motion carried with Mr. Dews opposing.

IX. New Applications

A. [City of Rochester, 27 Maple Street](#) (Norway Plains/Scott Lawler) Site Plan to construct parking lot for School Case# 121 – 191 – R2 – 24 **Public Hearing/Planning Board Review Only**

Ms. Saunders explained that this project would not require a decision from the Planning Board, that this presentation is for review and to give a chance for the public to ask questions.

Mr. Scott Lawler, Norway Plains, introduced himself, David Totty, Director of Facilities for the Rochester School Department, and Erin Mahoney, Principal of Maple Street Magnet School. Mr. Lawler presented the project and explained the on-site improvements for circulation and increased parking. Mr. Lawler explained the current space is narrow and that emergency vehicles struggle to fit in the space. Mr. Lawler stated that the parking lot will consist of 18 parking spaces and explained the entry and exit of the parking lot. Mr. Lawler stated that a fence will be installed to separate the play area from the parking for security and safety of the students. Mr. Lawler explained the stormwater management system design and explained the restriping of the existing spaces.

Mr. Hamann stated that the area surrounding the exit has a slope and catch basin. Mr. Lawler demonstrated where the area was and explained how the space will be filled to accommodate the elevation changes.

Mr. Hamann asked how much fill would be required for the space. Mr. Lawler stated that approximately 4 feet of fill is required.

Mr. Hamann asked if a wall would be present. Mr. Lawler explained that a guardrail would be present.

Mr. Collopy opened the public hearing. There were no comments from the public regarding this project.

Mr. Dews asked if it was possible to have a fence between the parking and the sidewalk to block headlights from the properties across the street. Mr. Lawler explained that space was limited between the edge of parking and the sidewalk. Mr. Lawler stated that the school department will take the recommendation of a fence into consideration.

Mr. Collopy asked if the driveway would have parking restrictions to prevent residents from overnight parking. Mr. Totty explained that restricting signage will be present.

Mr. Totty explained, to Mr. Dews concerns, that there is a future phase of this project that would include a vegetative screening to the residential areas across the street preventing headlights from shining into homes.

Mr. Saunders and Mr. Dews asked if space would be left for the proposed future screening. Mr. Totty showed, on the plan, where the proposed screening would be placed and stated it would be near the exit road.

Mr. Hayden asked how much pavement would be placed would be added in front of the school. Mr. Lawler responded that there would be a 24-foot-wide paved area and explained stormwater drainage of the paved areas.

Mr. Healey asked what the hours of the school were. Mr. Totty answered that custodians are present at 6:30am and last teachers are typically leaving at approximately 6:30pm.

Mr. Healey stated that he felt headlight screening concern was minimal because the residents would be at work and that employees of the school would not be present late at night.

Mr. Hamann asked about the presence of an existing drain on the property. Mr. Lawler confirmed the location of the drain.

Mr. Collopy asked if the project was reviewed by the Technical Review Group. Ms. Saunders responded that the group discussed the project once and was able to give their input and recommendations.

Mr. Healey asked what the maintenance process would be for the proposed drainage system. Mr. Lawler explained that a maintenance program would be in place and explained that the same proposed drainage system resides in Strafford Square on Main Street.

B. [Robert Higgins Revocable Trust, 381 Washington Street](#) (Norway Plains Associates/ Glenn Griswold) 2-Lot Subdivision Case# 250 – 32-2 – A – 24 **Public Hearing/ ACCEPTANCE/FINAL DECISION***

Mr. Ashley Rowe, Norway Plains, presented the proposed subdivision and displayed how the lot would be divided on a colored plan. Mr. Rowe explained the measurements, size, and frontage for the new lots. Mr. Rowe explained that a driveway easement would be in place for the newly created lot to utilize the current driveway in place. Mr. Rowe explained that test pits were not placed on the plan and that a contractor reviewed the space this morning to perform those test pits. Mr. Rowe brought the test pit log information into the Planning Department.

Mr. Collopy opened the Public Hearing.

William LaMaire, 374 Washington Street, stated his concerns of the driveway being directly across from his driveway. Mr. LaMaire stated that he was concerned of erosion issues and increased water flow and accumulation. Mr. LaMaire stated that he was also concerned about an additional sewage system contaminating his water well.

Mr. Rowe explained that there would be no changes to the existing driveway entrance, and this would be a shared drive and that there would be no extra driveway for the second lot from Route 202.

Ms. Saunders reviewed the staff recommendation and explained that the current lot has a duplex and that the newly created lot is permitted by right to have a duplex built. Ms. Saunders reviewed the condition of approval for the applicant to provide the driveway easement to the Planning Department and stated that other conditions are standard conditions of approval, and that staff recommends that the application be accepted as completed and approved by the Planning Board.

Mr. Hayden asked if the test pit review noted any issues with ledge. Mr. Rowe responded that there were no issues with ledge on the test performed.

A motion was made by Mr. Bruckner to accept the application as complete and seconded by Mr. Healey. The motion carried unanimously.

Mr. Collopy asked for an overview of the septic for the abutter. Mr. Rowe explained that the septic would be a state approved design that will meet all rules and regulations.

A motion was made by Mr. Bruckner to approve the application with the conditions as stated and seconded by Mr. Healey. The motion carried unanimously.

C. **Morgan & Kimberly Edgerly, 142 Tebbetts Road** (Norway Plains Associates/ Glenn Griswold) 3-Lot Subdivision Case# 244 – 5 – A – 24 **Public Hearing/ ACCEPTANCE/FINAL DECISION***

Mr. Ashley Rowe, Norway Plains, presented the proposed subdivision. Mr. Rowe explained the sizing of the newly proposed lots and explained what was currently present on the existing 142 Tebbetts Road lot. Mr. Rowe stated that all lots would be using a single driveway by an easement and that each lot will be serviced with individual, on-site water, and sewage systems. Mr. Rowe reviewed the waiver requested for length of a dead-end driveway and waiver requested for not paving the driveway.

Mr. Collopy opened the Public Hearing. There were no comments from the public.

Mr. Dews stated that the waiver stated a cross-section but did not see the cross-section on the plans and asked where the cross-section would be located. Mr. Rowe pointed to the small cross section insert on the subdivision plan sheet.

Mr. Hayden asked if there would be a maintenance agreement between the 3 lot for the driveway. Mr. Rowe stated that would be necessary.

Ms. Saunders reviewed the waivers requested by the applicant. Ms. Saunders explained that the first waiver request is regarding the cul-de-sac length and stated the recommended conditions of approval proposed by the Fire Department and Department of Public Works and stated that the Planning Department supports the recommended conditions.

Ms. Saunders stated the second requested waiver is in relation to not paving the new driveways and explained the stated statute regarding paving of driveways. Ms. Saunders explained the preferences of Emergency Service staff. Ms. Saunders stated that City staff support the approval of the requested waiver.

Ms. Saunders reviewed the staff recommendation and recommended conditions of approval and stated that staff recommends acceptance and approval of the application.

Mr. Hayden asked if the applicant would return to the Planning Board when the driveway plans are finalized. Ms. Saunders stated that the Planning Board can require to see the driveway plan as a condition of approval.

Mr. Hayden stated his concern for lack of snow panel in the proposed cross-section.

Mr. Rowe stated that the land is flat that the driveway would be constructed on.

Mr. Dews asked if the cross-section was a typical cross-section. Mr. Rowe responded yes.

Mr. Dews asked if the cross-section plans would be presented to the Planning Department and Department of Public Works. Mr. Rowe stated that plans would be submitted from the existing driveway to the newly created lots.

Mr. Dews asked why the plans would not be submitted for the entire driveway length from the road. Mr. Lawler explained that they plan to review the gravel that is present, rather than removing gravel just to re-lay it.

Ms. Saunders asked for verification that if the tests proved that the gravel was unable to withstand firetrucks, that new plans would be submitted to The Planning and Public Works Departments. Mr. Lawler stated that was correct.

Mr. Healey stated that he felt a driveway would be too narrow for firetrucks and other large vehicles to turn around and expressed his support for turning the space into a road and naming the street. Mr. Healey stated his concerns for addressing the newly created lots with letters.

Mr. Healey asked what the colors on the plan were. Mr. Rowe responded that the colors were a visual aid to represent the proposed new lots. Mr. Rowe explained a thin piece of land that connects to Lowell street is being included on one of the newly created lots.

Mr. McQuade asked if the E911 statute was advisory or a binding statute. Ms. Saunders responded that the statute was advisory. Ms. Saunders explained that E911 has had multiple struggles with porkchop subdivision addressing.

A motion was made by Mr. Hamann to accept the application as complete and seconded by Mr. Bruckner. The motion carried unanimously.

Mr. Collopy stated his concern with the driveway rather than creating a road and explained the complications with emergency services regarding addressing. Mr. Collopy stated that he does not support the driveway placement instead of requiring a road in place. Ms. Saunders clarified that the space would be a private road but would not be paved.

Ms. Saunders reviewed the additional conditions of approval for the proposed application.

A motion was made by Mr. Bruckner to approve the Section 5 Waiver for Cul-de-sacs not exceeding 1,200 feet in length and seconded by Mr. Hamann. The motion carried unanimously.

A motion was made by Mr. Hamann to approve the Section 6 Waiver for all roadways being paved and seconded by Mr. Bruckner. The motion carried unanimously.

A motion was made by Mr. Bruckner to approve the application with conditions as stated and seconded by Mr. Bruckner. The motion carried unanimously.

D. Granite State Housing, LLC, 5 Crockett Street (Northam Survey/Eric Salovitch) 3-Lot Subdivision Case# 127 – 89 – R1 – 24 **Public Hearing/ ACCEPTANCE/FINAL DECISION***

Mr. Eric Salovitch, Northam Survey, introduced himself and presented the proposed subdivision. Mr. Salovitch explained the zoning and sizes of the current and proposed lots. Mr. Salovitch explained the variance that was obtained to allow for less frontage on the lots. Mr. Salovitch explained utilities for the properties and explained the updated notations on the plans. Mr. Salovitch asked for the removal of the requirement to have electrical utilities notated that they would be underground and explained that the applicant preferred to have one pole placed and power lines hung above the street to service the 3 lots. Mr. Salovitch explained the drainage notation on the plans.

Mr. Collopy opened the public hearing. There were no comments from the public.

Ms. Saunders reviewed the application and reviewed recommendations from the Technical Review Group including having power run under the road. Ms. Saunders reviewed the recommended conditions of approval for the proposed subdivision. Ms. Saunders also reviewed the standard conditions of approval and stated that staff recommended the application to be accepted as complete and approved with the conditions as stated.

Mr. Healey stated that he supports the subdivision and explained that the utilities such as water and sewer will require to be laid underground and recommended to have the power lines run underground as well.

A motion was made by Mr. Dews to accept the application as complete and seconded by Mr. Bruckner. The motion carried unanimously.

Mr. Dews stated that newly created lots are required to have underground power. Mr. Dews stated that a waiver would have to be requested in order to have the power run above the road. Mr. Salovitch stated that the applicant will move forward with underground power. This will be a condition of approval.

Mr. Dews stated his recommendation for the driveway to be long enough to fit a vehicle without being in the City's right-of-way. Ms. Saunders stated that the length of 24 feet can be added as a plan modification within the conditions of approval.

A motion was made by Mr. Hayden to approve the application with conditions as stated and seconded by Mr. Healey. The motion carried unanimously.

- E. **Fieldstone Land Consultants, PLLC/All Purpose Storage Rochester, LLC, 303 North Main Street** (Fieldstone Land Consultants/Chad Branon and Brandon Richards) Amendment to Approved Site Plan to construct 6 new parking spots and removal of existing pavement and parking islands. Case# 114 – 8 – B2 – 03 ***CONTINUANCE requested to April 1, 2024 meeting***

Ms. Saunders explained that the applicant has requested to be continued to the April 1, 2024 meeting.

A motion was made by Mr. Healey to continue the application to the April 1, 2024 meeting and seconded by Mr. Hamann. The motion carried unanimously.

X. Other Business

A. Planning Update

Ms. Saunder explained that the Culture and Historic Master Plan Chapter is being submitted in draft form to the Arts & Culture Commission and the Historic District Commission for review next month. Ms. Saunders explained the status of the Natural Resources Master Plan Chapter.

Ms. Saunders also stated that the Recreation Master Plan Chapter is underway with Mr. May as the Planning Board Representative.

Mr. May provided an overview of the Recreation Master Plan and stated that the review is currently in the public input stage. Mr. May stated a few of the highlights of the public outreach, such as an art contest for the public. Mr. May stated that the drafting of the document has been contracted to the Strafford Regional Planning Commission. Mr. May stated that the Recreation Master Plan section would be covering more of the Recreation Department, rather than recreation opportunities within the City of Rochester.

Ms. Saunders reviewed the Porkchop subdivision section of the ordinance with the Planning Board members. Ms. Saunders stated that staff are moving forward to update the requirements to fit with current City standards and explained that the section of the ordinance is dated. Ms. Saunders asked the Planning Board members if they wanted to continue allowing porkchop subdivisions, or to remove the allowance of porkchop subdivisions altogether.

Mr. Healey stated that other Cities call the lots “flag subdivisions”, or “flag lots”. Mr. Healey provided an example of how porkchop subdivisions can be used and stated that to disallow these subdivisions is to make parcels with a large amount of property in their rear not subdividable. Mr. Healey stated that he does not prefer porkchop subdivisions but does not support the limitation of landowners subdividing their land.

Mr. Dews stated his concerns for porkchop subdivisions.

Mr. McQuade stated porkchop subdivisions create complications for first responders and stated that he does not support porkchop subdivisions and supports removing porkchop subdivision from the ordinance.

Mr. Hayden stated that he supports Mr. Healey and stated that if the section of the ordinance is rewritten, that strong review be taken with respect to accessibility.

Mr. Collopy recommended that the review of porkchop subdivisions should be discussed at a workshop meeting, so that changes can be made and further submitted to City Council.

Mr. May suggested utilizing Special Exceptions for porkchop subdivisions. Mr. May stated his concerns with porkchop subdivisions in respect to allowing them, as well as what consequences could come from limiting homeowners.

B. Other

There was no other business.

XI. Adjournment

A motion was made by Mr. Dews and seconded by Mr. Hayden to adjourn the meeting at 8:02pm. The motion carried unanimously.

Respectfully submitted,

Jaclyn Millard,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development