

**Rochester City Council Public Hearing
January 6, 2015
COUNCIL CHAMBERS
7:00 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Collins
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Fitzpatrick
Deputy City Manager Cox
Attorney Wensley
Jennifer Marsh, Economic
Development Specialist
Newton Kershaw, Elm Grove
Companines
Steve Flemming, Property
Manager of 124 North Main St.
John Hajjar, Owner of North and
South Property Advisors
Jason Garland, North and
South Property Advisors
[1 Wakefield Street]

MINUTES

1. Call to Order

Mayor Jean called the meeting to order at 7:03 PM. Kelly Walters, City Clerk, took a silent roll call. All Council members were present.

2. AB 88 Resolution Granting Community Revitalization Tax Relief to the Property Situate at 1 Wakefield Street Under the Provisions of RSA 79-E In Connection with its Proposed Rehabilitation Project

Mayor Jean read the following resolutions and invited the public to speak on these specific items:

**RESOLUTION GRANTING
COMMUNITY REVITALIZATION
TAX RELIEF TO THE PROPERTY SITUATE AT 1 WAKEFIELD STREET
UNDER THE PROVISIONS OF RSA 79-E
IN CONNECTION WITH ITS PROPOSED REHABILITATION PROJECT**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted Chapter 79-E of the New Hampshire Revised Statutes Annotated, entitled "Community Revitalization Tax Relief Incentive"; and

WHEREAS, the City of Rochester on October 7, 2008 availed itself of the opportunities and benefits available through the adoption of Chapter 79-E, by adopting the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to the Provisions RSA Chapter 79-E on October 7, 2008; and

WHEREAS, the owner(s) of the so-called 1 Wakefield Street property in downtown Rochester is/are desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-E and they have, therefore, proposed a substantial rehabilitation project with respect to the so-called 1 Wakefield Street property structure; and

WHEREAS, Chapter 79-E requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial rehabilitation project in order for the structure subject to such rehabilitation project to qualify for the Chapter 79-E Community Revitalization Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed substantial rehabilitation proposal for the so-called 1 Wakefield Street property contemplated by the owner's Community Revitalization Tax Relief Application dated September 23, 2014, to wit:

- (1) Any tax relief under the provisions of Chapter 79-E or this resolution that is to be accorded with respect to the so-called 1 Wakefield Street property project shall be accorded only after the property owners grant to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find a public benefit(s) under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 1 Wakefield Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 1 Wakefield Street provides the following public benefits to downtown Rochester:

I. It enhances the economic vitality of the downtown;

II. It enhances and improves a structure that is culturally or historically important on a local level, within the context of Rochester's Historic District and/or the City center in which the building is located;

III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the Council approved by the Community Development Committee at its December 15, 2014 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-E, the Mayor and City Council hereby grants the requested tax relief for a period of seven (7) years beginning with the completion of the substantial rehabilitation of the so-called 1 Wakefield Street property structure. **CC FY15 01-06 AB 88**

3. AB 89 Resolution Granting Community Revitalization Tax Relief to the Property Situate at 124 North Main Street Under the Provisions of RSA 79-E In Connection with its Proposed Rehabilitation Project

RESOLUTION GRANTING
COMMUNITY REVITALIZATION
TAX RELIEF TO THE PROPERTY SITUATE AT 124 NORTH MAIN
STREET

UNDER THE PROVISIONS OF RSA 79-E
IN CONNECTION WITH ITS PROPOSED REHABILITATION PROJECT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, in a effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted Chapter 79-E of the New Hampshire Revised Statutes Annotated, entitled "Community Revitalization Tax Relief Incentive"; and

WHEREAS, the City of Rochester on October 7, 2008 availed itself of the opportunities and benefits available through the adoption of Chapter 79-E, by adopting the provisions of such the Community Revitalization Tax Relief Incentive Program pursuant to the Provisions RSA Chapter 79-E on October 7, 2008; and

WHEREAS, the owner(s) of the so-called 124 North Main Street property in downtown Rochester is/are desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-E and they have, therefore, proposed a substantial rehabilitation project with respect to the so-called 124 North Main Street property structure; and

WHEREAS, Chapter 79-E requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial rehabilitation project in order for the structure subject to such rehabilitation project to qualify for the Chapter 79-E Community Revitalization Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed substantial rehabilitation proposal for the so-called 124 North Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated November 14, 2014, to wit:

- (1) Any tax relief under the provisions of Chapter 79-E or this resolution that is to be accorded with respect to the so-called 124 North Main Street property project shall be accorded only after the property owners grant to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find a public benefit(s) under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 124 North Main Street property project; and

(3) The proposed substantial rehabilitation provides the following public benefits to downtown Rochester:

I. It enhances the economic vitality of the downtown;

II. It enhances and improves a structure that is culturally or historically important on a local level, within the context of Rochester's Historic District and/or the City center in which the building is located;

III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Community Development Committee at its December 15, 2014 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-E, the Mayor and City Council hereby grants the requested tax relief for a period of nine (9) years beginning with the completion of the substantial rehabilitation of the so-called 124 North Main Street property structure. **CC FY15 01-06 AB 89**

No member of the public addressed the City Council. Mayor Jean closed the Public Hearing at 7:04 PM

4. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the City Council Public Hearing at 7:04 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters
City Clerk