

**Rochester City Council Workshop
March 20, 2018
Council Chambers
(Immediately following the City Council Public Hearing)**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lauterborn
Councilor Torr
Councilor Walker
Councilor Varney
Mayor McCarley

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Terence O'Rourke, City Attorney
human, Resident
Molly Meulenbroek,, HDC
Peter Bruckner, HDC
Sherry Beaudoin, Business Owner
Susan Page, Resident
Joe Luvisi, Resident
Paul Martin, Resident
Sandy Averill, Resident
Carter Ames, Resident
Jerrine Larochele, Resident
Josh Levy, Waterstone Development

COUNCILORS EXCUSED/ABSENT

Councilor Lachapelle

MINUTES

1. Call to Order

Mayor McCarley called the City Council Workshop to order at 7:02 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present except for Councilor Lachapelle, who was excused.

2. Public Input

Mayor McCarley invited members of the public to approach the podium and speak.

human, resident, thanked the Mayor as well as the Mayors of Dover and Somersworth for collaborating to form the task force to address the issue of homelessness in the Tri-City area and inquired about what action was being taken and the progress of the task force so far. human suggested it would be a good idea to see a line item in the CDBG budget to directly address helping the homeless population.

Molly Meulenbroek, chair of the Rochester Historic District Commission, spoke against tearing down the building at 38 Hanson Street.

Peter Bruckner, Historic District Commission, prepared to speak. Mayor McCarley suggested that Mr. Bruckner speak not during public input, but later when the council has a discussion specifically regarding 38 Hanson Street.

Sherry Beaudoin, owner of the Artisan's Gallery, shared some concerns on parking downtown. Ms. Beaudoin noted that there is a 2-hour parking policy downtown, but the policy is not being enforced. Ms. Beaudoin also noted the policy which allows parking from Friday evening through Monday morning without a vehicle having to be moved. This is allowing downtown tenants to park their car in one spot for the entire weekend taking away parking from business customers. Ms. Beaudoin suggested the City might have a policy issue as well as an enforcement issue with the parking downtown.

Susan Page, former Opera House employee, agreed that the Opera House could use more parking, but doesn't feel that tearing down the property at 38 Hanson Street is the solution.

Joe Luvisi, resident, spoke in favor of the City building the new Department of Public works building at 54 Pickering Road as opposed to the land being purchased at the Rochester Fairgrounds.

Paul Martin, resident, shared some concerns about how the Planning Board conducts its business, specifically in regards to sidewalks.

Sandy Averill, resident, spoke against building a new Department of Public Works at the Rochester Fairgrounds. Ms. Averill indicated that the City already owns 6 other properties which would meet the criteria for

this build. Ms. Averill also questioned the potential need for rezoning of the fairgrounds parcel in order to accommodate the public works building.

Carter Ames, resident, expressed concern about the new DPW building being built at the Rochester Fairgrounds and how it could affect the residents on the narrow streets in respect to increased traffic of large trucks.

Jerrine Larochelle, resident, expressed concern about the new DPW facility being built at the fairgrounds and questioned how this new facility could affect the water and sewer rates in the area.

Mayor McCarley closed public input at 7:39 PM.

3. Communications from the City Manager

No Communications from the City Manager.

4. Communications from the Mayor

No Communications from the Mayor.

5. Presentation: Waterstone

Josh Levy, representative for Waterstone Development, gave an update on new store openings at the Ridge and on Phase I of development at the Ridge Marketplace as well as an overview of the next steps in the process. Waterstone is asking the City to increase the TIF on Phase II by 5 million dollars to allow them to combine the funds with Phase I to support and cover the debt service payment. Mr. Levy reported that there were many unknowns from the time they purchased the property and a lot has changed on the plan which is why they are coming back to Council to ask for this modification.

Tom Severino, Site Contractor for the Ridge, gave a history of his involvement with the Ridge site going back to early 2000. Severino worked with the developer who owned the parcel at that time for several years. He reported that development wasn't plausible on the site until around 2009 because of all the excess material at the site. In 2009, the Exit 15 project was underway which was a big "borrow job" needing a lot of import material to build the highway embankments. It was at this time that Severino got an excavation permit and started using the Ridge

parcel as a borrow pit for Exit 15, allowing them to remove much of the surplus material from the site while deferring the majority of the cost for the excavation. The leveling and excavation of the Ridge was a \$28 million project and they were able to defer close to \$7 million of that total by using the surplus material for the Route 16 job.

There is a similar set of circumstances and challenges at Phase II of the Ridge Project, with too steep a grade needing to be leveled and too much surplus material needing to be removed prior to development occurring. In this phase, there isn't the opportunity to defer the cost to another project which would benefit from the excavated materials. There are also greater wetland impacts at the Phase II site. All of these circumstances contributed to a greater cost for Phase II

Josh Levy, gave a summary of the proposed work for Phase II: The completion of the overlay from Phase I, the road widening, adding a traffic signal, a roadway over the wetlands, building an entranceway, and building a community park at Waterstone's cost between 110 Grill and MooYah.

Mr. Levy reported that they have been working with Rochester Main Street Association and other community organizations on a recreational trail which runs from the ridge to downtown. Waterstone has spoken to DOT and says they are amenable to not only allowing snowmobile crossing, but pedestrian and bicycle crossing on this trail. Mr. Levy also indicated that in the future Waterstone would come back and place approximately 40 acres of the conservation land behind Phase I into a trail park/recreation area for the community.

Councilor Bogan asked what would happen if Council did not grant Waterstone the increase in the TIF. Mr. Levy said that the City has the full guarantee of the property, both Phase I and Phase II as well as the guarantee of Waterstone. Phase I combined with Phase II, based on the full build out Waterstone is projecting, should deliver approximately \$2 million - \$4.5 million in extra tax revenue above and beyond the debt service payment to the City as well as creating a couple hundred jobs. Mr. Levy also spoke of timelines and safeguards that have been put in place to ensure that money doesn't get expended without the build.

Councilor Varney inquired if the City had determined who would be plowing the roundabouts at the Ridge. Peter Nourse, Director of City Services, reported that they are currently looking into who will be in charge of the roundabouts and reaching out to discuss it with

Waterstone. Terence O'Rourke, City Attorney, reported that the City is trying to set up a time to sit down with Waterstone and Rochester DPW on this issue.

6. Discussion: 38 Hanson Street

Peter Bruckner, Historic District Commission, gave a presentation regarding the former Robbin's building at 38 Hanson Street. Mr. Bruckner and the Historic District Commission recommend leaving the building standing to maintain and define the existing streetscape and to avoid a large, uncontained lot on the street. Mr. Bruckner feels the building is in good shape and has the opportunity to accommodate many uses and enhance the street as a commercial street.

Mayor McCarley reminded Council that a vote was taken last September to demolish the building and build a parking lot, but the decision was delayed to explore the options of the building being purchased and repurposed as a "Makers Space." The amount of investment and money that was needed to be put into the building before such an organization could even get started in the building was prohibitive and they were unable to secure the financing needed. The Mayor said that to her knowledge no other businesses have stepped forward and expressed interest in the property, which brings Council back to the same place they were last September; getting a sense of Council and deciding how to proceed with the property. There was also the zoning amendment change regarding density in downtown which has occurred since the discussion in September, and this may cause an increased need for parking downtown. The Mayor said that what Council needs to do next in the process is make a motion to not demolish the building.

Councilor Lauterborn recommended not rushing the demolition of the building for a parking lot. Council should wait to see if the right project for the building comes forward.

Councilor Walker indicated that he felt there had already been several senses of Council. Mayor McCarley said that the City gets a lot of comments on transparency and how publicly their business is conducted. Since so much time has passed since this issue was first raised, they felt it was best to get another sense of Council and discuss the issue to keep the public informed.

Councilor Bogan said she didn't want to make a recommendation on whether to raze the building or keep it, but felt that if the City decided to not

demolish the property, she didn't want to see it left as is for the next 10 years.

City Manager Fitzpatrick said that there is no guarantee that there is an adaptable use for the building and that the building will not stay vacant if nobody comes forward to purchase it.

Councilor Abbott said he is oppose to tearing down the building indefinitely. He believes the change zoning in regards to downtown density could have a positive effect on the City, and if that's the case Council may want to consider rezoning in the area of Hanson Street as well to allow new development.

Councilor Gates inquired about parking and whether or not Council has the authority to change the parking regulations on downtown streets. City Manager Fitzpatrick answered in the affirmative. Councilor Gates then suggested that Council take a look at that regarding weekend parking and 2-hour parking which had been addressed at public input.

City Manager Fitzpatrick recommended that a couple of the City Councilors who were opposed to having the Hanson Street building torn down should work with the City attorney and/or the Mayor to put something on the April agenda to rescind the previous vote.

Councilor Keans spoke against tearing down the 38 Hanson Street property because the City has spent a significant amount of money on infrastructure, lighting fixtures and rehabilitation on this street to maintain its historic value to the City. Tearing down this building would counteract some of the work which had been done. There had been similar discussions in the past about tearing down the building which is now the City Hall Annex and Council has taken a lot of credit for its rehabilitation. This building on Hanson Street could be a similar situation.

Councilor Varney mentioned that at a previous meeting, Council asked for people to come forward with any ideas for the Hanson Street building. There has been talk of saving the building, but nobody has come forward with new ideas for developing the property. Councilor Varney indicated he wouldn't have agreed to buy the property if he knew they weren't going to tear it down.

A representative of the Rochester Main Street Association reported that while they didn't have any specific suggestions on what should happen with the building, they don't feel it makes sense to demolish it just because

it's vacant in favor of parking. It will take money to rehab, but they feel the building's plight is relatively new to the public eye and there might be someone who will come forward with an idea given time.

7. Department Reports

Councilor Keans questioned what an EBI program was as referenced in the Department of Public works report. Sonja Gonzalez, CIO, clarified that the EBI program reports out on all the HVAC equipment and how the services are functioning and, if there is an issue, the program alerts the appropriate party to address it. Councilor Keans asked if the reports generated by the EBI program were ever reviewed. Ms. Gonzalez verified that the reports are reviewed frequently to make sure everything is working properly.

Councilor Lauterborn inquired about a passage in the Police Department report which states that there has been a "decrease in the number of people accessing the Community Access to Recovery Program." Councilor Lauterborn asked what this program is all about. Police Chief Toussaint clarified that this program allows people to come to the police station any time to receive help with substance abuse issues, no questions asked. The police department will help connect them with recovery programs, counselors, or give them transportation to local hospitals and hopefully get them on the road to recovery.

Mayor McCarley spoke briefly about the reluctance of those in need going to the police for help which is why the recovery program in Manchester is run out of the Fire Department, because people feel more comfortable going there for help.

8. Other

Councilor Gates spoke out against the stigma of people with substance abuse issues going to the police for assistance and strongly encouraged those in need to reach out to the police for available treatment. Mayor McCarley agreed that there should be no shame in reaching out for help and credited the Rochester Police for all the work they do.

9. Non-Meeting/Non-Public

Councilor Lauterborn **MOVED** to enter into a Non-Public Session, under RSA 91-A:3,II (d) for land at 8:24 PM. Councilor Bogan seconded the

motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Lauterborn, Keans, Walker, Hutchinson, Gray, Abbott, Torr, Hamann, Bogan, Gates, Councilor Varney and Mayor McCarley voted in favor of the motion. Councilor Lachapelle was excused.

Councilor Lauterborn **MOVED** to exit the non-public sessions at 9:22 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn **MOVED** to seal the minutes indefinitely because it is determined that divulgence of this information likely would render a proposed action ineffective. Councilor Gates seconded the motion. The **MOTION CARRIED** by a majority roll call vote with Councilors Hutchinson, Lauterborn, Hamann, Abbott, Walker, Gates, Torr, Gray, Bogan, Varney and Mayor McCarley all voting in favor and Councilor Keans voting no.

10. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the City Council Workshop meeting at 8:25 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,
Cassie Givara
Deputy City Clerk