

**Rochester City Council Special Meeting
September 17, 2019
Council Chambers
7:00 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Michael Scala, Director of Economic
Development
Jennifer Marsh, Economic Development
Specialist

COUNCILORS EXCUSED

Councilor Hamann

Minutes

1. Call to Order

Mayor McCarley called the City Council Special Meeting to order at 7:00 PM. Kelly Walters, City Clerk, took a silent roll call. All Councilors were present except for Councilor Hamann who had been excused.

2. Resolution Granting Community Revitalization Tax Relief to the Property Located at 73-77 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *second reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for the second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

See Addendum A

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the City Council Special Meeting at 7:02 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

Resolution Granting Community Revitalization Tax Relief to the Property Located at 73-77 North Main Street Under the Provisions of RSA 79-E in Connection with a 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 RSA Chapter 79-E, entitled “Community Revitalization Tax Relief Incentive”; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, Justin Gargiulo, owner of the so-called 73-77 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and he has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 73-77 North Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA 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 findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 73-77 North Main Street property contemplated by the owner’s Community Revitalization Tax Relief Application dated July 19, 2019, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 73-77 North Main Street property project shall be accorded only after the property owner grants 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 public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 73-77 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 73-77 North Main 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 and historically important on a local level, within the context of the City's Historic District and 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 City Council approved by the Community Development Committee on August 12, 2019; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and 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 RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of eleven (11) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 73-77 North Main Street property.