

**ROCHESTER CITY COUNCIL SPECIAL MEETING**  
**May 20, 2014**  
**CITY COUNCIL CHAMBERS**  
**7:00 PM**

**COUNCILORS PRESENT**

Councilor Collins  
Councilor Gates  
Councilor Gray  
Councilor Hamann  
Councilor Keans  
Councilor Kittredge  
Councilor Lachapelle  
Councilor Larochelle  
Councilor Lauterborn  
Councilor Torr  
Councilor Walker  
Deputy Mayor Varney

**OTHERS PRESENT**

City Manager Fitzpatrick  
Deputy City Manager Cox

**MEMBERS EXCUSED**

Mayor Jean

**MINUTES**

**1. Call to Order**

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

**2. Resolution Adopting the Granite Ridge Development Tax District:  
Tax Increment Development Program & Financing Plan, and  
Establishing the Granite Ridge Development District – **First  
Reading, Refer to a Public Hearing****

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION ADOPTING THE GRANITE RIDGE DEVELOPMENT TAX  
DISTRICT: TAX INCREMENT DEVELOPMENT PROGRAM & FINANCING  
PLAN, AND ESTABLISHING THE GRANITE RIDGE DEVELOPMENT  
DISTRICT**

The Rochester Mayor and City Council will conduct a public hearing to take citizen input on the question of whether, pursuant to the provisions of Chapter 162-K of the N.H. Revised Statutes Annotated, entitled "Municipal Economic Development and Revitalization Districts", the City of Rochester should:

- A. Establish/Designate a so-called tax increment development district within the City of Rochester, to be known as the "Granite Ridge Development District" (sometimes herein referred to as the "District"), such District to consist of properties and/or lots and/or portions of lots located within the land area depicted on **Exhibit A** related to this Notice of Public Hearing (a listing of the Rochester Tax Map and Lot Numbers of the Rochester properties located within the District are listed in **Exhibit B** related to this Notice of Public Hearing), which Notice shall be posted in two (2) public places in the City of Rochester and on the web site of the City of Rochester at least seven days prior to the Public Hearing noticed herein (see "**NOTE**" below); and
- B. Establish/Adopt a development program and a tax increment financing plan for such Granite Ridge Development District, such program and plan being incorporated in a document entitled "Granite Ridge Development District: Tax Increment Development Program & Financing Plan" (sometimes hereinafter referred to as the "Plan"), dated May 6, 2014.

In the event that the above resolution is adopted by the Rochester Mayor and City Council by an affirmative vote taken at a public meeting held no less than fifteen (15) days after the above mentioned Public Hearing, the so-called Granite Ridge Development District will be established and the Granite Ridge Development District: Tax Increment Development Program & Financing Plan will be adopted, so that thereafter, real property taxes collected within the District will be collected and allocated in accordance with the provisions of the Plan and pursuant to the provisions of Chapter 162-K of the N.H. Revised Statutes Annotated.

***Attachment A and B can be found attached to this set of minutes as an Addendum***

Councilor Lachapelle **MOVED** to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

### **3. Recess to Public Hearing**

Deputy Mayor Varney called for a recess to the Public Hearing at 7:03 PM.

### **4. Reconvene Special City Council Meeting after Public Hearing**

Deputy Mayor Varney reconvened the Special City Council Meeting at 7:09 PM.

### **5. AB 55 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, Water Works for the So-Called South Main Street Project and Authorizing Bonding in Connection There with – First Reading, Refer to a Public Hearing**

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Keans seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, WATER  
WORKS FOR THE SO-CALLED SOUTH MAIN STREET PROJECT  
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Forty-Five Thousand Dollars (\$45,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of Rochester, Department of Public Works, Water Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called South Main Street project (the "Project"), and provided further that such appropriation shall be drawn in its

entirety from the proceeds of bonds and/or notes to be issue by the City of Rochester with respect to the aforesaid Project.

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9 and/or Section 45 of the Rochester City Charter, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Forty-Five Thousand Dollars (\$45,000.00) through the issuance of bonds and/or notes for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 55**

Councilor Lachapelle **MOVED** to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**6. AB 60 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, ~~Water~~ Sewer Works for the So-Called South Main Street Project from State of New Hampshire CWSFR Funds – First Reading, Refer to a Public Hearing**

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn stated that some of the Agenda items are listed incorrectly and the Deputy Mayor ought to read the resolutions directly from the packet to avoid confusion. She asked for clarification about the need for these resolutions. Deputy City Manager Cox explained that there are a total of 37 Agenda Bills/Resolutions being presented to the City Council over the next two weeks in order to close out the Washington Street and South Main Street Projects. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, SEWER  
WORKS FOR THE SO-CALLED SOUTH MAIN STREET PROJECT  
FROM STATE OF NEW HAMPSHIRE CWSRF FUNDS**

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

That the sum of Sixteen Thousand Five Hundred Forty-Eight Dollars and Ninety-Nine Cents (\$16,548.99) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of Rochester, Department of Public Works, Sewer Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called South Main Street project (the "Project"), and provided further that such appropriation shall be drawn, in its entirety, from the proceeds of borrowing from the State of New Hampshire Clean Water State Revolving Fund ("NH CWSRF").

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9 and/or Section 45 of the Rochester City Charter, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Sixteen Thousand Five Hundred Forty-Eight Dollars and Ninety-Nine Cents (\$16,548.99) through the issuance of notes, and/or other legally authorized forms of borrowing for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 60**

Councilor Lachapelle **MOVED** to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**7. AB 70 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, Water Works for the So-Called Washington Street Project and Authorizing Bonding in Connection Therewith– First Reading, Refer to a Public Hearing**

Councilor Lachapelle **MOVED** to read the resolution by title only for the first time. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, WATER  
WORKS FOR THE WASHINGTON STREET PROJECT  
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of Rochester, Department of Public Works, Water Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called Washington Street project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonds to be issue by the City of Rochester with respect to the aforesaid Project.

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 70**

Councilor Lachapelle **MOVED** to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**8. AB 73 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, Water Works for the So-Called Washington Street Project and Authorizing Bonding in Connection Therewith – First Reading, Refer to a Public Hearing**

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution for the first time by title only as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, WATER  
WORKS FOR THE WASHINGTON STREET PROJECT  
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Fifty-Five Thousand Three Hundred Sixty Dollars and Thirty-Three Cents (\$55,360.33) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of Rochester, Department of Public Works, Water Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called Washington Street project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonds and/or notes to be issue by the City of Rochester with respect to the aforesaid Project.

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter, the City Treasurer,

with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Fifty-Five Thousand Three Hundred Sixty Dollars and Thirty-Three Cents (\$55,360.33) through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 73**

Councilor Walker **MOVED** to refer the matter to a Public Hearing. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**9. AB 78 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, ~~Water~~ Sewer Works for the So-Called Washington Street Project and Authorizing Bonding in Connection Therewith – First Reading, Refer to a Public Hearing**

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution for the first time by title only as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, SEWER  
WORKS FOR THE WASHINGTON STREET PROJECT  
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Thirty Thousand Thirty-One Dollars and Sixty-Five Cents (\$30,031.65) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of



Rochester, Department of Public Works, Sewer Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called Washington Street project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonds to be issued by the City of Rochester with respect to the aforesaid Project.

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Thirty Thousand Thirty-One Dollars and Sixty-Five Cents (\$30,031.65) through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 78**

Councilor Walker **MOVED** to refer the matter to a Public Hearing. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**10. AB 84 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Improvements Budget of the City of Rochester, Department of Public Works, ~~Water~~ Sewer Works for the So-Called Washington Street Pump Station and Authorizing Bonding in Connection Therewith – First Reading, Refer to a Public Hearing**

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2013-2014 CAPITAL IMPROVEMENTS BUDGET OF THE**

**CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, SEWER  
WORKS FOR THE WASHINGTON STREET PUMP STATION  
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of One Hundred Sixty-Five Thousand Dollars (\$165,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 capital improvements budget of the City of Rochester, Department of Public Works, Sewer Works for the purpose of providing sums necessary to pay expenditures with respect to the so-called Washington Street Pump Station project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonds and/or notes to be issue by the City of Rochester with respect to the aforesaid Project.

Additionally, and to the extent applicable, the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of One Hundred Sixty-Five Thousand Dollars (\$165,000.00) through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Furthermore, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY14 05-06 AB 84**

Councilor Walker **MOVED** to refer the matter to a Public Hearing. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**11. Resolution Authorizing City Manager to Enter into a So-Called "Skyhaven Airport Rochester, NH, Surface and Overhead Avigation Easement" with the Pease Development Authority –  
First Reading and Adoption**

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING CITY MANAGER TO  
ENTER INTO A SO-CALLED "SKYHAVEN AIRPORT, ROCHESTER, NH  
SURFACE AND OVERHEAD AVIGATION EASEMENT"  
WITH THE PEASE DEVELOPMENT AUTHORITY**

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

That the City Manager be, and hereby is, authorized, on behalf of the City of Rochester (the "City"), to enter into a so-called "Skyhaven Airport, Rochester, NH, Surface and Overhead Avigation Easement", or similarly entitled easement or amended easement document (the "Easement") with the Pease Development Authority ("PDA") the owner of Skyhaven Airport ("Skyhaven"), with respect to land owned by the City, as part of the so-called Granite State Business Park located off NH Route 108 and abutting said Skyhaven Airport, for the purpose of establishing and maintaining improved lighting for Skyhaven Airport required by the Federal Aviation Administration ("FAA") in connection with the PDA's runway extension project (the "Project") at Skyhaven. Such Easement shall be upon such terms and conditions as the City Manager deems to be in the best interests of the City of Rochester, and in a form similar to Exhibit A annexed hereto, as well as consistent with presentations and representations, with respect to such Easement, made by the PDA to the Rochester Planning Board in connection with its approval of the Project, and to this Mayor and City Council on May 20, 2014. Further, that the City Manager be, and hereby is, authorized to take all such additional actions, and to execute any and all such documents as are necessary to effectuate and implement the purposes of this Resolution.

***Exhibit A is attached to this set of minutes.***

Councilor Keans **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. City Manager Fitzpatrick explained that the Pease Development Authority is seeking to expand the airport "runway" and is in need of a expansion of the original easement with the City of Rochester. Councilor Walker stated that this would be an extension of the current easement the PDA already has with the City. Councilor Lachapelle asked if this action would limit potential development on the other side of the

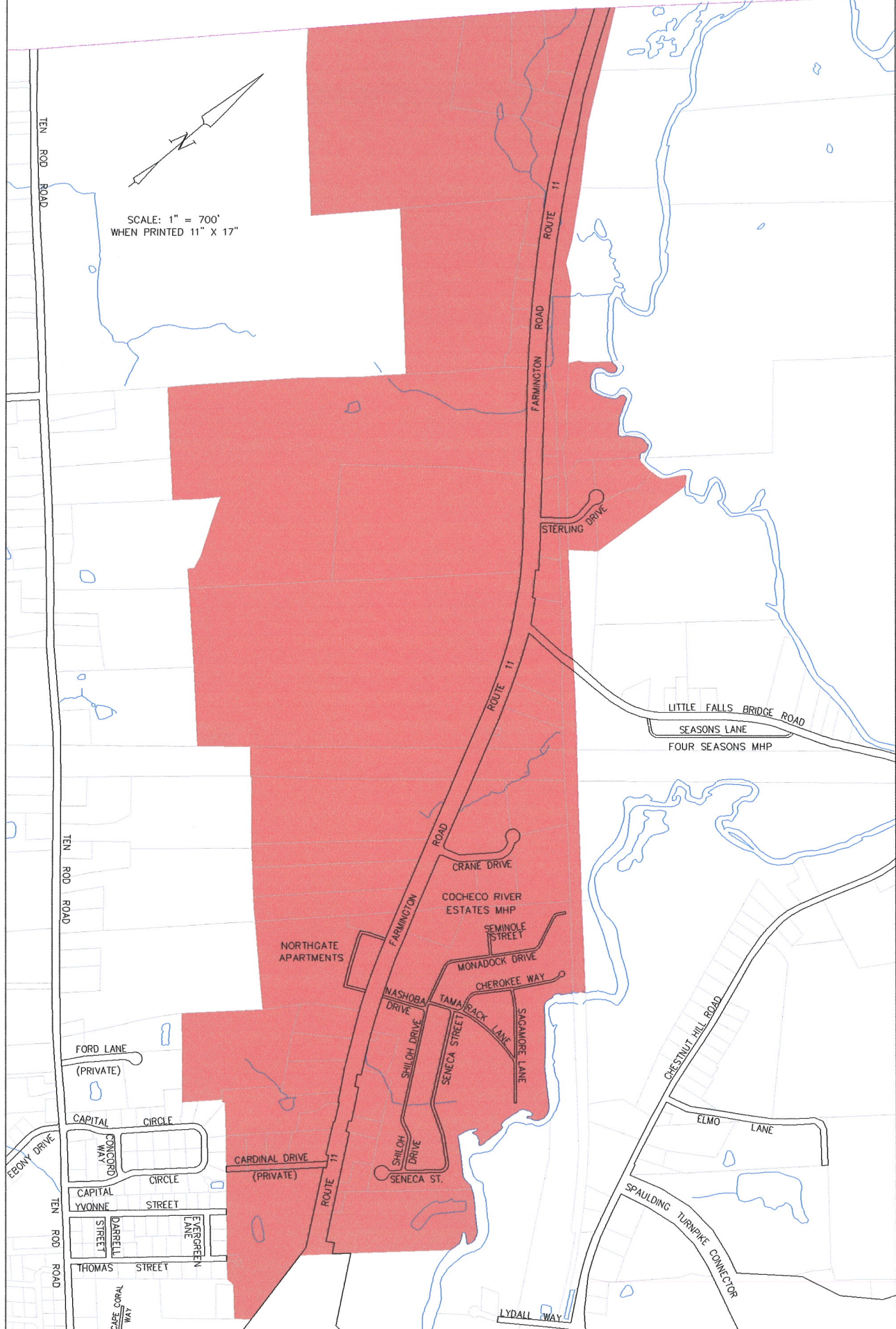
runway. City Manager Fitzpatrick replied no. Councilor Gray recalled that the width is being expanded as well. The **MOTION CARRIED** by a unanimous voice vote.

## **12. Adjournment**

Councilor Walker **MOVED** to **ADJOURN** the Special City Council meeting at 7:19 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters  
City Clerk





**Table 2: Granite Ridge Development District TIF Parcels**  
 Estimate of Original Assessed Valuation (Baseline)  
*Updated: January 2014*

Parcel ID (PID)	Acres	Total Baseline Assessment
0208-0001-0000	77.06	\$ 1,062,671.00
0208-0001-0001	34.18	\$ 13,838,300.00
0208-0001-0002	5.44	\$ 291,600.00
0208-0002-0000	32.00	\$ 1,736.00
0208-0004-0000	1.30	\$ 155,200.00
0208-0005-0000	0.63	\$ 144,300.00
0208-0006-0000	1.05	\$ 328,200.00
0208-0006-0001	0.94	\$ 392,800.00
0208-0007-0000	1.33	\$ 348,100.00
0208-0008-0000	60.00	\$ 2,423,333.00
0208-0008-0001	11.61	\$ 467,400.00
0208-0009-0000	4.30	\$ 915,900.00
0208-0010-0000	1.02	\$ 712,800.00
0208-0011-0000	4.00	\$ 394,100.00
0208-0012-0000	75.00	\$ 177,580.00
0208-0013-0000	16.09	\$ 118,061.00
0208-0014-0000	165.49	\$ 2,623,500.00
0208-0015-0000	0.29	\$ 46,800.00
0208-0016-0000	1.66	\$ 234,900.00
0208-0017-0000	8.90	\$ 233,100.00
0208-0018-0000	1.65	\$ 234,700.00
0208-0018-0001	2.08	\$ 241,200.00
0208-0018-0002	2.88	\$ 1,638,700.00
0208-0018-0003	5.02	\$ 285,300.00
0208-0018-003A	0.64	\$ -
0208-0019-0000	1.16	\$ 520,100.00
0208-0019-0001	1.25	\$ 990,400.00
0208-0019-0002	0.57	\$ 554,500.00
0209-0001-0000	1.70	\$ 297,500.00
0216-0001-0000	3.20	\$ 728,900.00
0216-0002-0000	2.60	\$ 455,200.00
0216-0003-0000	2.90	\$ 197,200.00
0216-0004-0000	17.10	\$ 4,763,500.00
0216-0005-0000	1.24	\$ 674,000.00
0216-0006-0000	5.62	\$ 1,515,200.00
0216-0007-0000	7.60	\$ 390,500.00
0216-0008-0000	6.30	\$ 680,500.00
0216-0009-0000	20.00	\$ 668.00
0216-0010-0000	21.00	\$ 485,700.00
0216-0011-0000	85.00	\$ 469,715.00
0216-0012-0000	1.89	\$ 187,900.00
0216-0013-0000	11.80	\$ 39,700.00
0216-0017-0000	12.00	\$ 40,300.00
0216-0018-0000	3.50	\$ 1,565,400.00
0216-0018-0001	2.75	\$ 769,400.00
0216-0018-0002	3.60	\$ 2,675,200.00
0216-0019-0000	4.50	\$ 303,800.00
0216-0020-0000	6.09	\$ 1,979,800.00
0216-0021-0000	4.80	\$ 259,500.00
0216-0022-0000	5.30	\$ 267,000.00
0216-0023-0000	3.16	\$ 257,400.00
0216-0024-0000	4.01	\$ 1,562,700.00
0216-0025-0000	2.60	\$ 1,339,100.00
0216-0026-0000	68.00	\$ 4,745,600.00
0216-0027-0000	3.40	\$ 11,900.00
0216-0028-0000	1.70	\$ 1,136,300.00
0216-0028-0001	0.10	\$ 181,500.00
0216-0029-0000	2.15	\$ 366,800.00
0221-0154-0000	20.80	\$ 235,095.00
0221-0156-0000	1.20	\$ 186,800.00
0221-0157-0000	1.20	\$ 60,700.00
0221-0158-0000	1.30	\$ 157,200.00
0221-0159-0000	2.45	\$ 246,800.00
0221-0160-0000	1.32	\$ 159,800.00
0221-0162-0000	6.40	\$ 160,100.00
0221-0163-0000	15.00	\$ 309,414.00
0221-0164-0000	1.16	\$ 862,900.00
0221-0165-0000	1.70	\$ 855,100.00
0221-0166-0000	1.10	\$ 530,500.00
0221-0167-0000	0.30	\$ 254,000.00
0221-0168-0000	14.00	\$ 172,200.00
0221-0169-0000	12.01	\$ 384,300.00
0208-0001-A000	0.00	\$ 28,700.00
	913.09	\$ 62,326,773.00

**RESOLUTION AUTHORIZING CITY MANAGER TO  
ENTER INTO A SO-CALLED “SKYHAVEN AIRPORT, ROCHESTER, NH  
SURFACE AND OVERHEAD AVIGATION EASEMENT”  
WITH THE PEASE DEVELOPMENT AUTHORITY**

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

That the City Manager be, and hereby is, authorized, on behalf of the City of Rochester (the “City”), to enter into a so-called “Skyhaven Airport, Rochester, NH, Surface and Overhead Avigation Easement”, or similarly entitled easement or amended easement document (the “Easement”) with the Pease Development Authority ("PDA") the owner of Skyhaven Airport (“Skyhaven”), with respect to land owned by the City, as part of the so-called Granite State Business Park located off NH Route 108 and abutting said Skyhaven Airport, for the purpose of establishing and maintaining improved lighting for Skyhaven Airport required by the Federal Aviation Administration ("FAA") in connection with the PDA’s runway extension project (the “Project”) at Skyhaven. Such Easement shall be upon such terms and conditions as the City Manager deems to be in the best interests of the City of Rochester, and in a form similar to **Exhibit A** annexed hereto, as well as consistent with presentations and representations, with respect to such Easement, made by the PDA to the Rochester Planning Board in connection with its approval of the Project, and to this Mayor and City Council on May 20, 2014. Further, that the City Manager be, and hereby is, authorized to take all such additional actions, and to execute any and all such documents as are necessary to effectuate and implement the purposes of this Resolution.

CC FY14 05-20 AB 94

**SKYHAVEN AIRPORT, ROCHESTER, NH  
SURFACE AND OVERHEAD AVIGATION EASEMENT**

**WHEREAS**, the City of Rochester, NH, hereinafter called the Grantors are the fee owners of the following specifically described parcel of land situated in City of Rochester, Strafford County, State of New Hampshire:

-Metes & bounds description of easement parcel (to be inserted)

hereinafter called "Grantors' property" and outlined on an attached Exhibit A map (attached below). *PDA to provide final map.*

**NOW, THEREFORE**, in consideration of the replanting of the existing landscape island situated within the Right Of Way of Innovation Drive, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns do hereby grant the following appurtenant rights and benefits to the Pease Development Authority, hereinafter called the "Grantee", for the use and benefit of the public.

The appurtenant rights and benefits include the uses, rights and restrictions described as follows:

The perpetual right of the Grantee to have ingress/egress in the easement area for the purpose of administering and maintaining all rights and improvements granted to them via this easement.

The unobstructed use and passage of all types of aircraft in and through the airspace at any height or altitude above the surface of the parcel of land.

The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of Skyhaven Airport is hereby granted; and Grantors do hereby fully waive, remise, and release any right or cause of action which they may now have or which they may have in the future against Grantee, its successor and assigns, due to such noise, vibrations, fumes, dust, fuel particles and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on said Skyhaven Airport. As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include jet, propeller-driven, civil, military or commercial aircraft; helicopters, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whoever owned or operated.

The continuing right of the Grantee to prevent the construction, erection, growth, of any structure, object, vegetation, or trees on the surface of the burdened property that is or will



be in violation of pertinent Federal Aviation Administration regulations, orders, and standards. The Grantee is responsible for maintaining vegetation heights, and accepts all responsibilities associated with, and damages resulting from, said maintenance.

The continuing right of the Grantee to remove or cause to be removed any structure, object, vegetation, or trees on the surface of the burdened property that is, or will be, in violation of pertinent Federal Aviation Administration regulations and standards.

The continuing right of the Grantee to erect any structure or object, or install (or cause to be grown) vegetation and or trees on the burdened property, in support of the Airport, and that is not, or will not be, in violation of pertinent Federal Aviation Administration regulations and standards; each proposed improvement must first be reviewed and approved by the Grantor (proper reviews/approvals may include but are not limited to Planning Board and City Council action).

The continuing right of the Grantee to construct underground electrical and communication infrastructure in support of the Airport; said infrastructure improvements must be must first be reviewed and approved by the Grantor (proper reviews/approvals may include but are not limited to Planning Board and City Council action). .

In addition:

The Grantor, for themselves, their heirs, administrators, executors, successors, and assigns, do hereby agree not to permit any places of public assembly or gatherings (as defined by the Federal Aviation Administration) within the easement area (examples include but are not limited to: churches, schools, day care facilities, hospitals, restaurants, stadiums, office buildings, etc.).

The Grantor, for themselves, their heirs, administrators, executors, successors, and assigns, do hereby agree to keep the easement area free of the following: structures (permanent or temporary) that might create glare or contain misleading lights that would interfere with aircraft operations; residences; fuel handling and storage facilities; smoke generating activities; creation of any means of electrical interference that could adversely impact aircraft operations.

Notwithstanding the foregoing, the Grantor shall retain the right to erect a street sign, welcome/identification sign, landscaping, lighting, utility services and other associated improvements, provided that such improvements not be in violation of pertinent Federal Aviation Administration regulations, orders, and standards. Before making any improvement in the easement area, the Grantor shall work with the Grantee to ensure compliance with Federal Aviation Administration regulations. Approval shall not be unreasonably withheld.

The Grantor agrees to waive all damages and claims for damages caused or alleged to be caused by the Grantor's violation of any aspect of this easement document.

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto the Grantee, its successors, and assigns, until said Skyhaven Airport shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon the Grantors, their heirs, administrators, executors, successors and assigns until said Skyhaven Airport shall be abandoned and shall cease to be used for public airport purposes.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_(SEAL)  
Grantor(s)