

**Regular City Council Meeting
May 3, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence, O'Rourke, City Attorney
Julian Long, Community Development
Coordinator
Mark Sullivan, Deputy Finance
Director

COUNCILORS EXCUSED/ABSENT

Councilor Rice

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM.

2. Opening Prayer

Mayor Callaghan requested a moment of silence.

3. Pledge of Allegiance

Councilor Beaudoin led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All Councilors were present, except for Councilor Rice, who had been excused.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: April 5, 2022,

consideration *for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of April 5, 2022. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager**6.1 City Manager's Report:****Contracts and Documents Executed Since Last Month:**

- **Department of Public Works**
 - Engineering Contract, Woodman Area – Wright Pierce
 - Memorandum of License, DPW Solar Array
 - Change order, carbon storage building completion
 - Task Order, Wakefield St Improvements – Hoyle, Tanner, Assoc.
 - Scope of Services, landfill groundwater permit – Nobis
- **Economic Development**
 - FY22 CDBG Environmental Review – CAP Weatherization 4-8
 - FY22 CDBG Environmental Review – CAP Weatherization 4-22
 - CDFA Account Access authorization
- **Standard Report(s)**
 - Personnel Action Report Summary

City Manager Cox announced that the Department of Revenue Administration (DRA) is offering a larger group of homeowners the opportunity to apply for property tax relief, through the New Hampshire Low & Moderate Income Homeowners Property Tax Relief Program, which can be applied for through the State until June 30, 2022. (*DRA State Form DP-8 Phone number 603-230-5920 or <https://www.revenue.nh.gov>*)

7. Communications from the Mayor**7.1. Proclamation: National Public Works Week, May 15 – 21**

Mayor Callaghan read a Proclamation in Honor of National Public Works week in the City of Rochester and declared that May 15th through the 21st shall be designated as National Public Works week in the City of

Rochester.

7.2. Proclamation: Municipal Clerks Week, May 1 – 7

Mayor Callaghan read a Proclamation (By the NH Governor) in Honor of Municipal City Clerk's Week, which will take place from May 1st through May 7th in the City of Rochester.

7.3. Recognition of Exemplary service (Assistant Chief Wilder)

Assistant Fire Chief Wilder addressed the City Council. He said on the morning of June 15, 2021, Rochester agencies were dispatched to a home in Gonic, NH for the apparent pre-mature birth of a set of twins (24 weeks). He gave details about the report which included calling other communities to assist and the successful transport of bringing three viable patients to Frisbie Memorial Hospital. Subsequently, they were transferred by the Barbara Bush Children's Hospital Critical Care Transport Ambulance to the Maine Medical Center. Mr. Wilder called upon the following agencies to come forward and be recognized with a citation certificate and an accommodations medal with the colors pink and blue for their efforts during the childbirth:

- Frisbie Memorial Hospital
 - Rick Morrill, Paramedic
 - Mariel Watson, Paramedic
 - Amanda Jenkes, Paramedic
- Farmington Fire Department
 - Corey Guile, Firefighter
 - Brett MacHenry, Firefighter
 - Hope Moore, Firefighter
- Dover Fire Department and Rescue Services
 - James Calderone, Firefighter
 - Hunter Holt, Firefighter/Paramedic
- Rochester Fire Department
 - Devon Pageau, Lieutenant
 - Pat Couch, Firefighter
 - Matt Woodbury, Firefighter
 - Paul Haggemiller, Firefighter
 - John Boodey, Firefighter

Mr. Wilder thanked all folks who have shown their support to the family involved and the emergency crews.

7.4. Response to Public Comment from the 4/19/2022 City Council Public Hearing

Councilor Gray requested the City Attorney research the legality of shutting the doors of the Council Chambers, while the City Council is in session. He said there are times that other events in the hallway at the same time the City Council holds its meetings.

Mayor Callaghan wished to take a moment to respond to some of the public comments which occurred at the April 19, 2022, Public Hearing, specifically to some of the unassigned fund balances questions.

There were technical difficulties with the laptop in displaying the PowerPoint presentation. Mayor Callaghan skipped to 7.5 and returned to the order of business.

Mayor Callaghan said comments were made at the last public meeting about the Rochester City Council not allowing enough time for public input. He explained that some local communities offer 2- or 3-minute restrictions for public hearings; however, the City of Rochester, consistently allows a 5-minute timeframe for public input participants at the Workshops as well as for public hearings. He added that public input is also welcome at the Committee meetings. Mayor Callaghan said he supports public comment at meetings.

Blaine Cox, City Manager, said in response to the recent public input held at the last Public Hearing, he has prepared a PowerPoint presentation about the Tax Cap. The full PowerPoint can be found as an Addendum to the May 3, 2022 City Council Packet.

City Attorney O'Rourke explained that during public input there has been some indication that there are additional tax cap restriction imposed by RSA 49-C33. Attorney O'Rourke said that indication is false, as was demonstrated in the New Hampshire Supreme Court Case of Teeboom v. City of Nashua back. He summarized the case findings and said RSA 49-C33 is not a further restriction on the tax cap but rather a "safety valve" that municipalities can use when necessary to override the tax cap.

Katie Ambrose led the PowerPoint presentation relative to Supplemental Appropriations and City Charter Section 44. See the full PowerPoint presentation as an Addendum to the May 3, 2022 Regular City Council packet.

The City Council briefly discussed the items.

7.5. Report from the Investigative Committee

Mayor Callaghan stated that the Investigative Committee has submitted their report relative to Christopher Rice. There shall be a Public Hearing Trial at 6:00 PM on May 12, 2022.

Councilor Hainey asked who should Councilors direct questions to about the trial. Attorney O'Rourke replied that questions should be submitted to him (City Attorney).

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Budget Presentation: School Department O & M and CIP

Linda Bartlet, Business Administrator for the Rochester School Department, gave a PowerPoint presentation for the School Department's budget. She said these numbers do not reflect what was originally approved by the School Board because the bottom line of that budget needed to be reduced in order to comply with the Tax Cap. She said this presentation will be based upon the School Board's recommendation, minus \$7,100 in order to comply with the City Manager's proposed budget guidelines/Tax Cap. It was determined that questions would be taken after all presentations were made by the School Department.

Dave Toddy, Director of Facilities for the Rochester School Department, gave a PowerPoint presentation about the FY 2023 School Department Budget Capital Improvement Program.

Kyle Repucci, Superintendent of Schools, presented one last slide which outlined the cost per pupil (Rochester) vs. the state average. He said in 2020-2021 there appears to be a larger increase to the figure. He said this is due to the fact that during the pandemic, far fewer students were actually attending school in the buildings as in year's past. Mr. Repucci asked if the City Council had any questions about the budget presentations.

Councilor Lachapelle asked about the asbestos removal. He spoke about the different types of asbestos. He wished to confirm that any findings of asbestos would be removed when the school buildings are closed. Mr. Toddy replied yes, in fact, a small amount of asbestos

was removed from a building during this past weekend while the School Building was closed. Mr. Toddy said the School Department is in compliance with the required three to five-year inspections. He indicated that there are Asbestos Removal Certified employees within the School Department's Maintenance Department. He said the custodians must all attend Asbestos Awareness Training as well. He briefed the City Council about asbestos and its presence in flooring products.

Councilor Lachapelle said he understood the need for the "sod" on athletic fields. He questioned if the School Board was still considering artificial turf. Councilor Lachapelle understood that it would be an expensive endeavor; however, he questioned how long it might last. Mr. Toddy said the last discussion about the Athletic Fields was only to improve the irrigation system, which did cost the School Department slightly over \$100,000 for that project; with that said, it would be wise to postpone other discussions at this time.

Councilor Beaudoin said the proposed price for the "One-Ton Truck - Vehicle Replacement" seems rather low. He questioned if that price is accurate. Mr. Toddy replied yes. He said it is not a dump truck but rather a regular pick-up truck and that the price was confirmed with the local Ford Dealership.

Councilor Beaudoin asked about the \$300,000 for "District Paving, Sealing, Crack Filling, and Striping". He asked how often this high cost would be included with future CIP Budgets. Mr. Toddy said, the paving itself lasts a long time, *if they are properly maintained*. He said this figure reflects the cost associated with the remaining paving projects. He said once the initial paving projects are completed, that figure will be much lower as the district keeps up with the maintenance of such paving projects.

Mayor Callaghan asked about the "Maple Street School Flooring and Sitework Improvement" (bond). He questioned if the projects could be pushed-out a few years. Mr. Toddy said anything can be deferred; however, the floors are starting to become a trip hazard. Mr. Toddy said the other portion of the funding is meant to alleviate an existing issue with the problematic parking lot, which is causing an overflow to the street. Mr. Toddy said it is also important to provide egress for emergency vehicles.

Councilor Hamann asked what the life expectancy is for the Articulated Boom Lift. Mr. Toddy believed the lift would last at least 20

years and would be protected from the weather.

Councilor Gray spoke about the slide (PowerPoint) which showed which employee positions have been cut during the last 10 years. He said that it does not provide enough information. He requested to know how many positions have been cut from last year's budget to this year's budget and how many positions were cut during the prior year. Superintendent Repucci replied that no positions were cut last year, and this slide was meant to show the number of past cuts. No new positions were added either. He said there will be a need to add new positions back to the budget soon; however, this slide shows how long since the School Department has had to cut positions due to the Tax Cap compliancy.

Councilor Gray asked about the roof inspections. He said there was a failure to the roof in Gonic, which was attributed to the material used to fireproof the roof in question. He understood that the roof inspections would continue at the Middle School and Tech Center because they were replaced with the same material. Councilor Gray questioned if those inspections have continued. Mr. Toddy recalled the inspections are being completed and shared a story of the last inspection. He said the good news is that the roofs are in good shape and the inspections will continue. He outlined the inspection cycles for the City Council.

Councilor Gray asked the City Manager why the City does not purchase the Articulated Boom Lift and then loan it out to the School Department. He felt that it would be underused if stored at the School Department facility.

Councilor Gray stated that the Superintendent continues to present data to show how the per-student costs compares to the State averages. He gave reasons why the State-wide average cannot compare to the City of Rochester. He stated that the City's cost per pupil is more in line with other city/towns of similar size. Councilor Gray reiterated that he has repeatedly asked for this information and does not receive it from the Superintendent. Superintendent Repucci replied that information was provided to Councilor Gray during last year's budget review. He said this information could be provided again this year. Councilor Gray requested that the information be provided to the City Manager because that data would directly impact spending decisions. Councilor Gray said there are State requirements about certain positions that must be held in every School District, which has a greater impact on spending for a smaller School District. He said the

City of Rochester's per pupil costs falls in-line with the larger School Districts in New Hampshire and that information should be included each year with the budget presentation. Superintendent Repucci agreed to gather that information.

Councilor Hainey recalled there had been an issue with mold in the elementary school modular buildings this past year. Mr. Toddy replied that there is not a CIP Budget request; however, there is funding allocated for mold issues in the School Department's Operating Budget. Mr. Toddy said that de-humidifiers have been added to all of the modular buildings, which are in place this year and will continue to run over the summer. He said the modular buildings are certainly aging.

Councilor Beaudoin asked about the district-wide upgrade to the HVAC systems. Mr. Toddy said there is a current upgrade across the district to the control systems. He said at this time there is a review of all HVAC systems and this \$450,000 represents the known problems that must be resolved. He explained that there is a million square feet of occupied school space to regulate temperature in each of the 11 school facilities. Superintendent Repucci added that during the pandemic, the use of such HVAC systems greatly increased to support the air quality needed during the pandemic. Mr. Toddy stated that the usage equates to six and half years of normal usage in the past two years.

Councilor Desrochers addressed comments made by Councilor Gray. She said Rochester School districts total school revenue per student was \$20,025, which is 6.7% below the State average. She said the State average is \$21,462.

Councilor Fontneau said data has been provided about the cost per student and the position-cuts over the last ten years; however, he asked if data could be provided that shows overall student population. Superintendent Repucci said that data has been recently reviewed and Rochester has stayed level compared to other communities. He said that information is being tracked and he would be happy to share that information again.

Councilor Gray stated that the School Department returned close to \$4,000,000 last year for various reasons. Councilor Gray spoke about working with the State in order to allow Schools to utilize those types of funds. He felt the City and School Department should work collectively with the State on this ongoing issue.

10. Nominations, Appointments, Resignations, and Elections

No discussion.

11. Reports of Committees**11.1. Appointments Committee****11.1.1. New Appointment: Lance Powers – Zoning Board of Adjustment, Seat G, Alternate Member term to expire 1/02/2025 consideration for approval**

Councilor Gray said the Committee recommends that Lance Powers be appointed as an Alternate Member of the Zoning Board of Adjustment (Seat G). Mayor Callaghan nominated Mr. Powers as stated above. Councilor Desrochers seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Powers. Councilor Hamann seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11.1.2. Re-Appointment: Jeremiah Minihan – Historic District Commission, Seat C, Regular Member term to expire 1/02/2024 consideration for approval

Councilor Gray said the Committee recommends that Jeremiah Minihan be re-appointed as a Regular Member of the Historic District Commission (Seat C). Mayor Callaghan nominated Mr. Minihan as stated above. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Minihan. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11.1.3. Reappointment: Joe Boudreau – Utility Advisory Board, Seat B, Regular Member term to expire 1/02/2025 consideration for approval

Councilor Gray said the Committee recommends that Joe Boudreau be re-appointed as a Regular Member of the Utility Advisory Commission (Seat B). Mayor Callaghan nominated Mr. Boudreau as stated above. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Boudreau. Councilor Desrochers seconded the motion.

The **MOTION CARRIED** by unanimous voice vote.

11.2. Codes and Ordinances Committee

11.2.1. Recommendation: To recommend the Amendment to Section 4.13 of the Rules of Order Regarding "Elections"

Councilor Lachapelle **MOVED** to make an Amendment to the Rules of Order by removing the verbiage in Section 4.13 "voting by ballot". See *Addendum A*. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle said the Codes and Ordinances Committee shall meet again this Thursday at 6:00 PM in Council Chambers.

11.3. Community Development

Councilor Hainey gave a brief update and said because the final figures associated with the CDBG Grant have not yet been received. She said the April meeting was canceled; however, a vote upon the CDBG Grant is expected at the next Community Development meeting.

11.4. Finance Committee

11.4.1. Committee Recommendation: to recommend the acceptance of the donation of fire gear from Morning Pride at an estimated value of \$3,700.00 *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the committee's recommendation to accept the donation of fire gear from Morning Pride at an estimated value of \$3,700. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.4.2. Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in an Amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Land and Bickford Road *First reading and referral to Public Hearing May 17, 2022*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the fiscal year 2022 General Fund Capital Improvements Plan Fund in the amount of Five Hundred Thousand Dollars (\$500,000) for the paving rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

Further, for the purposes of funding the expenditures for these paving rehabilitation efforts the Mayor and City Council of the City of Rochester hereby resolve that the funding source shall be General Fund Unassigned Fund Balance. Further, if final expenditures for the rehabilitation of Winkley Farm Lane, Fiddlehead Lane, and Bickford Road result in a surplus of funds said surplus may be allowed to carry forward into the annual pavement rehabilitation Capital Improvements program and be applied to additional pavement rehabilitation efforts.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Lachapelle **MOVED** to refer the resolution to a Public Hearing to be held on May 17, 2022. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.4.3. Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund *first reading and refer to public hearing May 17, 2022*

Mayor Callaghan read the resolution by title only as follows:

Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund

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

By adoption of this Resolution, the City Council hereby discontinues the History of Rochester Capital Reserve Fund. The Trustees of the Trust Funds shall pay all monies remaining in said Fund to the City treasury.

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.

Councilor Lachapelle **MOVED** to refer the resolution to a Public Hearing to be held on May 17, 2022. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.5. Planning Board

Councilor Hamann said the Committee did not meet last evening.

11.6. Public Safety

11.6.1. Committee Recommendation: To install flashing beacon sign at the intersection of Hansonville Road and Oak Street at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install flashing beacon sign at the intersection of Hansonville Road and Oak Street at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Beaudoin asked if this was the same type of motion sensor crosswalk at Lilac City Grill. Mr. Nourse explained that this installation shall be similar to what can be seen on Old Dover Road/Tebbetts Road Intersection. He said it is a flashing solar beacon on top of a Stop Sign. The **MOTION CARRIED** by a unanimous voice vote.

11.6.2. Committee Recommendation: To install an "intersection ahead" sign on Hansonville Road prior to the intersection with Oak street at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install an "intersection ahead" sign on Hansonville Road prior to the intersection with Oak street at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Lachapelle said there was a lengthy discussion held at the Committee level about this matter. He recalled that Councilor Berlin brought forth this discussion at the meeting. Councilor Lachapelle did not support this motion. Mayor Callaghan stated that he did not support the motion because it seemed like too many signs in one area causing sign pollution. Councilor Laroche supported this motion. He said folks travel up that hill prior to the intersection/stop sign, which does not offer a lot of time to stop once over the hill and it becomes a safety hazard. Councilor Berlin said the Committee looked at that road and determined there are no other existing signs of warning about the upcoming stop signs. He said it cannot be sign pollution without signs present. The **MOTION CARRIED** by a majority voice vote.

11.6.3. Committee Recommendation: To install delineators on Estes Road between Washington Street and Howard Brook at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install delineators on Estes Road between Washington Street and Howard Brook at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Lachapelle said these delineators are basically reflectors that can sometimes be seen on highways after dusk. He said there is a slight curve and there have been a number of accidents at the upcoming intersection. He said the original request was to install a guardrail. Councilor Berlin agreed that the original request was not feasible, and the delineators is the compromised solution. The **MOTION CARRIED** by a unanimous voice vote.

11.6.4. Committee Recommendation: to replace the existing 30 mph speed limit sign on the southern end of Church Street entering from Rt 125 with a 25 mph speed limit sign and to move the existing 25 mph sign to the northern end of Church Street entering Pickering Road *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's

Recommendation to replace the existing 30 mph speed limit sign on the southern end of Church Street entering from Rt 125 with a 25-mph speed limit sign and to move the existing 25-mph sign to the northern end of Church Street entering Pickering Road. Councilor Malone seconded the motion. Councilor Lachapelle explained if one is traveling on the Country Club side of Church Street from Route 125, the speed limit sign is 30-mph and that shortly thereafter it is reduced to 25-mph sign. Councilor Berlin said this would ensure that the entire street is marked as 25-mph, because currently one side of the street is 25-mph, with the other side of the street 30-mph. The **MOTION CARRIED** by a unanimous voice vote.

11.6.5. Committee Recommendation: to install a "stop" sign on Granite Street at the Sheridan Avenue end, with a painted stop bar at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install a "stop" sign on Granite Street at the Sheridan Avenue end, with a painted stop bar at the technical discretion of DPW. Councilor Malone seconded the motion. Mayor Callaghan asked what a painted stop bar would look like. Councilor Lachapelle replied that it would be the large white line/bar painted directly on the pavement, to accompany the new stop sign. Councilor Lachapelle did not see it as completely necessary because it is a one-way street. Councilor Berlin said this recommendation was made because this stop bar would be placed at the location of the ninety-degree-turn at which travelers are not currently stopping, and there is a fence on the property that is erected directly on the corner of that location. He said it is important that travelers do not round that corner without stopping, for safety reasons. Councilor Lachapelle said it can be a line-of-sight issue. The **MOTION CARRIED** by a majority voice vote.

11.6.6. Committee Recommendation: to move the current "yield to pedestrians" sign from the left side of Columbus Avenue northbound of the Lowell Street intersection to the right side of the road at the discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to move the current "yield to pedestrians" sign from the left side of Columbus Avenue northbound of the Lowell Street intersection

to the right side of the road at the discretion of DPW. Councilor Malone seconded the motion. Councilor Berlin said the sign in question is actually on the opposite of the road and is not completely visible because it is set back into the trees. The **MOTION CARRIED** by a unanimous voice vote.

11.6.7. Committee Recommendation: to change the posted speed limit sign on Estes Road between Route 202A and Route 202 from 35 mph to 30 mph *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to change the posted speed limit sign on Estes Road between Route 202A and Route 202 from 35 mph to 30 mph. Councilor Malone seconded the motion. Councilor Lachapelle said this is part of the review of the dangerous curve on Route 202 near the Estes Road Intersection. The **MOTION CARRIED** by a unanimous voice vote. Councilor Hailey wished to thank the Committee for addressing this issue.

Councilor Hailey thanked the Committee/Public Works for ensuring that the sidewalk was re-painted near the East Rochester School.

11.7. Public Works

11.7.1. Committee Recommendation: to approve the requested pavement moratorium waiver on Union Street for the service tie ins at 73-77 North Main Street with the condition that the pavement patch be made as directed by DPW *consideration for approval*

Councilor Hamann **MOVED** to **APPROVE** the Committee's Recommendation as stated above. Councilor Gray seconded the motion. Councilor Hamann said this recommendation had been made by the Public Works Department because in order to tie in the new water line required, they would need to cut into the pavement. He added there is only one more year left on the moratorium. Mayor Callaghan asked how far out into the road the cut would be. Councilor Hamann recalled that it would be cut out at least six feet. Mr. Nourse confirmed the cut out would be approximately six feet into the roadway. Councilor Beaudoin asked if the City would work with a City-approved contractor for this patch job. Mr. Nourse replied yes. The **MOTION CARRIED** by a unanimous voice vote.

- 11.7.2. Committee Recommendation:** to authorize the City to enter into a lease agreement with Potter House Bakery, and if the City Attorney deems it necessary, to include language within the lease about winter maintenance or removal of the Bridge *consideration for approval*

Councilor Hamann **MOVED** to **refer** the matter back to the Committee. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12. Old Business

- 12.1. Resolution Authorizing Supplemental Appropriation to the Sewer Capital Improvements Plan (CIP) Fund in the amount of \$990,000.00 for the Wastewater Treatment Facility (WWTF) Secondary Clarifier Project** *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Sewer Capital Improvements Plan (CIP) Fund in the amount of \$990,000.00 for the Wastewater Treatment Facility (WWTF) Secondary Clarifier Project

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Sewer Capital Improvements Plan Fund in the amount of Nine Hundred Ninety Thousand Dollars (\$990,000.00) for the WWTF Secondary Clarifier project with the funding for said appropriation to be derived as follows: Six Hundred Thousand Dollars (\$600,000.00) from a New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan and Three Hundred Ninety Thousand Dollars (\$390,000.00) from State of New Hampshire ARPA Grant funds.

Further, by adoption of this Resolution, the City of Rochester hereby

accepts Three Hundred Ninety Thousand Dollars (\$390,000.00) in ARPA Grant funds from the State of New Hampshire.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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

12.2. Resolution Authorizing Supplemental Appropriation to the Department of Public Works Sewer Capital Improvements Plan (CIP) Fund in the amount of \$1,265,000.00 for the Ledgeview Drive Pump Station Upgrade Project *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Department of Public Works Sewer Capital Improvements Plan (CIP) Fund in the amount of \$1,265,000.00 for the Ledgeview Drive Pump Station Upgrade Project

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Sewer Capital Improvements Fund in the amount of One Million Two Hundred Sixty Five Thousand Dollars (\$1,265,000.00) with the funding for said appropriation to be derived as follows: Eight Hundred Eighty Five Thousand Five Hundred Dollars (\$885,000.00) from a New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan and Three Hundred Seventy Nine Thousand Five Hundred Dollars (\$379,500.00) from State of New Hampshire ARPA Grant funds.

Further, by adoption of this Resolution, the City of Rochester hereby accepts Three Hundred Seventy Nine Thousand Five Hundred Dollars

(\$379,500.00) in ARPA Grant funds from the State of New Hampshire.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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

12.3. Resolution Authorizing \$50,000.00 Appropriation from the General Fund Unassigned Fund Balance for the Creation of a History of Rochester *second reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing \$50,000.00 Appropriation from the General Fund Unassigned Fund Balance for the Creation of a History of Rochester

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

That the amount of Fifty Thousand Dollars (\$50,000.00) is hereby appropriated from the General Fund Unassigned Fund Balance to pay for the costs associated with for the creation of a History of the Town of Rochester.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. All projects will be assigned a unique account number for tracking and reported purposes.

Mayor Callaghan **MOVED** to **VOTE DOWN** the motion. Councilor Malone seconded the motion. Councilor Lachapelle questioned if this resolution would need to be adopted and subsequently voted down. City

Attorney O'Rourke replied that it could be accomplished either way. The **MOTION CARRIED** by majority voice vote.

12.4. Resolution Pursuant to RSA 34:1 Establishing a Fire Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Pursuant to RSA 34:1 Establishing a Fire Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of replacing large fire apparatus. The name of such fund shall be the Fire Apparatus Replacement Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the Fire Apparatus Replacement Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Fire Apparatus Replacement Capital Reserve Fund in a separate investment account. Appropriations made to the Fire Apparatus Replacement Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the Fire Apparatus Replacement Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion.

Councilor Gray stated that he would be voting in opposition to the next three resolutions because the conversations would be better served in conjunction with the budget discussions.

Councilor Beaudoin stated that he would also be opposing the next three resolutions for the same reasons as Councilor Gray. Councilor Beaudoin said these discussions would be better served through the budget negotiations, primarily because in order for this process to be effective in investing the money with the Trustees of the Trust Fund, there needs to be a "date certain" of when the City Council needs each penny back, otherwise the money cannot be invested effectively. Councilor Beaudoin referred to the City Manager's PowerPoint Presentation, which showed the Trustees could invest the money and have a "net" return of 2% back to the City; however, interest rates are rising. Secondly, he continued, the fourth paragraph of this resolution states the following: "The City Council may dissolve the Fire Apparatus Replacement Capital Reserve Fund at its sole discretion". He said the same verbiage is in all three of the similar resolutions. He disagreed with that statement and has brought it to City's attention in the past. He explained that in order for this money to be dissolved or re-appropriated in any way a public hearing and two thirds vote of the City Council would be required under RSA 34:11 and RSA 34:11-a. He suggested that the resolution ought to reflect that verbiage since it is state law. He reiterated that he would oppose all three motions.

Katie Ambrose, Deputy City Manager, said more discussions would take place during the CIP Budget deliberations and specifically be paired up with the department's equipment and vehicle replacement schedules.

Councilor Fontneau said it was his understanding that the City was placing the money in the reserve fund accounts for future purchases, but they were also being laid out "time-wise" in the CIP budget. He said this would allow the Trustees of the Trust Fund to invest the money because the CIP Booklets would be clear on the "time certain"

aspect of each purchase. Mayor Callaghan agreed and said the CIP is usually based upon a six-year plan.

Mayor Callaghan asked if the Attorney O'Rourke is familiar with RSA 34:11 and RSA 34:11-a. Attorney O'Rourke replied yes, and that the verbiage of the resolution is accurate in that no other governmental body can dissolve this fund. He said there is a public hearing required to dissolve such funds according to State Law, which the City must follow.

Councilor Gray gave reasons why he supported vetting these funds as part of the budgetary discussion in order to get a thorough review of such funds and purchases. He said he is not speaking against the creation of such funds; however, he feels the creation of such funds should be accomplished as part of the budget process. Councilor Beaudoin agreed with Councilor Gray and said the Fire Department is scheduled to replace the Forestry Truck in Fiscal Year 23, which has an estimated cost of \$225,000. Councilor Beaudoin said that is an old truck that barely gets used and questioned if it should be replaced. He continued to look at future CIP items and the money associated with each purchase. Councilor Lachapelle argued that is what the budget process is meant to be; it is a chance to give the CIP items a thorough look and make decisions at that time. Councilor Lachapelle supported some of Councilor Gray's points, but reiterated that the CIP discussions would still be vetted through the budget process.

Councilor Fontneau wished to clarify one last time: the money is placed in the specific Capital Reserve Fund to establish the accounts; however, the City Council still has control over what is spent or not spent through the annual CIP Budget process. City Manager Cox agreed, he said by approving these three resolutions this evening, the accounts will be created. He said the proposed schedule or replacement schedule will be discussed as part of the CIP Budget process.

Councilor Larochelle agreed that it is an accounting process. He said it is like moving money from one "envelope" to the next and that no money would be spent unless the City Council decided to spend it.

Councilor Beaudoin asked for clarification. He asked if at the specific time of any purchase such as the new forestry vehicle purchase, the City Council will approve those specific funds for that purchase. City Manager replied yes, the City Council will approve the CIP proposals through the CIP budget process, and it will designate which fund is to be used i.e., Capital Reserve Fund.

Mayor Callaghan said this is basically a long-term planning process with an ability to collect interest as shown in the City Manager's presentation.

Councilor Beaudoin questioned if an amendment could be made now or would it require a second public hearing. Attorney O'Rourke said a non-substantive amendment would not require a second public hearing. Councilor Beaudoin **MOVED** to **AMEND** the motion by adding to the fourth paragraph the following sentence: "...in accordance with RSA 34:11". He said this would clarify this resolution comports with NH State Law. Councilor Fontneau seconded the motion.

Attorney O'Rourke said the amendment was unnecessary and that the City of Rochester must comply with State Law regardless of whether it is written in the resolution. Councilor Fontneau asked if there was any reason it should not be in there. City Attorney said it does not harm the resolution but what if the RSA number changes next year. The **MOTION FAILED** by a majority voice vote.

The main **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Hainey, Malone, Fontneau, Larochelle, Berlin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion. Councilors Gray, Gilman, and Beaudoin voted against the motion.

12.5. Resolution Pursuant to RSA 34:1 Establishing a City Buildings Renovations Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Pursuant to RSA 34:1 Establishing a City Buildings Renovations Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of renovating, enlarging, rehabilitating, relocating and/or constructing City buildings and facilities. The name of such fund shall be the City Buildings Renovations Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the City Buildings Renovations Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the City Buildings Renovations Capital Reserve Fund in a separate investment account. Appropriations made to the City Buildings Renovations Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the City Buildings Renovations Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Berlin, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, Malone, and Mayor Callaghan voted in favor of the motion. Councilors Gray, Beaudoin, and Gilman voted against the motion.

12.6. Resolution Pursuant to RSA 34:1 Establishing a Public Works Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second*

reading and consideration for adoption

Mayor Callaghan read the resolution by title only as follows:

**Resolution Pursuant to RSA 34:1 Establishing a Public Works
Apparatus Replacement Capital Reserve Fund and
Supplemental Appropriation of \$500,000.00 in Connection
Therewith**

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of replacing large Public Works vehicles and equipment. The name of such fund shall be the Public Works Apparatus Replacement Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the Public Works Apparatus Replacement Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Public Works Apparatus Replacement Capital Reserve Fund in a separate investment account. Appropriations made to the Public Works Apparatus Replacement Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the Public Works Apparatus Replacement Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Berlin seconded the motion. The **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Malone, and Mayor Callaghan voted in favor of the motion. Councilors Gilman, Gray, and Beaudoin voted against the motion.

13. Consent Calendar

No discussion.

14. New Business

14.1. Amendment to Chapter 275-8 of the General Ordinances of the City of Rochester regarding residential development at the Granite Ridge *first reading first reading and refer to public hearing May 17, 2022*

Mayor Callaghan read the Amendment by title only and referred the matter to a Public Hearing on May 17, 2022. *See Addendum D.*

14.2. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Water System Asset Management Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Water Capital Improvements Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Water System Asset Management Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Fund

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Hundred Thousand Dollars (\$100,000)

to the State of New Hampshire ARPA grant program in order to finance the Water System Asset Management Plan project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Hundred Thousand Dollars (\$100,000) from the State of New Hampshire ARPA grant program, and that the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Water Capital Improvements Plan Fund in the amount of One Hundred Thousand Dollars (\$100,000) for the Sewer Master Plan project.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

14.3. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Sewer System Master Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Sewer Capital Improvements Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Sewer System Master Plan project in the amount up to \$100,000, and

**Supplemental Appropriation to the Fiscal Year 2022 Sewer Capital
Improvements Fund**

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Hundred Thousand Dollars (\$100,000) to the State of New Hampshire ARPA grant program in order to finance the Sewer System Master Plan project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Hundred Thousand Dollars (\$100,000) from the State of New Hampshire ARPA grant program, and that the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Sewer Capital Improvements Plan Fund in the amount of One Hundred Thousand Dollars (\$100,000) for the Sewer Master Plan project

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

**14.4. Resolution Authorizing the Application for and
Acceptance of a State of New Hampshire
American Rescue Plan Act (ARPA) Grant for the
Cocheco Well Improvements in the amount up to
\$1,680,000**

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Cocheco Well Improvements in the amount up to \$1,680,000

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Million Six Hundred Eighty Thousand Dollars (\$1, 680,000) to the State of New Hampshire ARPA grant program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) from the State of New Hampshire ARPA grant program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

14.4.1. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental

**Services (NHDES) Drinking Water and
Groundwater Trust Funds (DWGTF) Loan
for the Cocheco Well Improvements in the
amount up to \$2,860,000.00 *first reading
and consideration for adoption***

Mayor Callaghan read the resolution for a first time by title only as follows:

**Resolution Authorizing the Application for and Acceptance of a
State of New Hampshire Department of Environmental Services
(NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Loan
for the Cocheco Well Improvements in the amount up to
\$2,860,000.00**

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a loan application in the amount of up to Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) to the NHDES DWGTF Loan program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of up to Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) from the NHDES DWGTF Loan program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application, process disbursements and execute loan documents associated with DWGTF.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

14.4.2. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Grant for the Cocheco Well Improvements in the amount up to \$560,000.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution for the first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Grant for the Cocheco Well Improvements in the amount up to \$560,000.00

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to Five Hundred Sixty Thousand Dollars (\$560,000) to the NHDES DWGTF grant program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to Five Hundred Sixty Thousand Dollars (\$560,000) from the NHDES DWGTF grant program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application, process disbursements and execute loan documents associated with DWGTF.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

14.4.3. Resolution Authorizing Supplemental Appropriation to the Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements *first reading and refer to a Public Hearing to be held on May 17, 2022*

Mayor Callaghan read the resolution for a first time by title only and for referral to a public hearing as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Water Capital Improvements Plan Fund in the amount of Five Million Six Hundred Thousand Dollars (\$5,600,000) for the Cocheco Well Improvements project.

Further, for the purposes of funding the expenditures incident to the implementation of the improvements that 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 are authorized to borrow the sum of Three Million Three Hundred Thousand Sixty Dollars (\$3,360,000) through the issuance of bonds and/or notes, and/or through other legal form(s), and

Two Million Two Hundred Forty Thousand Dollars (\$2,240,000) through the acceptance of State of New Hampshire American Recovery Plan Act (ARPA) and State of New Hampshire Department of Environmental Services Drinking Water and Groundwater Trust Fund (DWGTF) grant programs.

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. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate. The complete itemization of funding sources is as follows;

One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) from State of New Hampshire (ARPA) grant funds.

Five Hundred Sixty Thousand Dollars (\$560,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) grant program.

Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) loan program.

Five Hundred Thousand Dollars (\$500,000) through the issuance of bonds, or other notes.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Lachapelle announced that the public hearing for the above listed resolution will occur on May 17, 2022.

14.5. Resolution Approving Fiscal Year 2022-2023 Operating Budget for the City of Rochester *first reading and refer to Public Hearing to held on May 17, 2022*

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to held on May 17, 2022.

**Resolution Approving Fiscal Year 2022-2023 Operating Budget
for the City of Rochester**

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2022 and ending June 30, 2023 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**.

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly

set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto. (Exhibit A – See Addendum B)

**14.6. Resolution Authorizing and Approving Fiscal Year
2022-2023 Capital Budget for the City of Rochester
and Authorizing Borrowing in Connection therewith
*first reading and refer to Public Hearing to held on
May 17, 2022***

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to held on May 17, 2022.

**Resolution Authorizing and Approving Fiscal Year 2022-2023
Capital Budget for the City of Rochester and Authorizing
Borrowing in connection therewith**

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

That the capital budget for the City of Rochester for fiscal year 2022-2023 (July 1, 2022 to June 30, 2023) in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with

the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on **Exhibit A** annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2023 (July 1, 2022 –June 30, 2023), as amended. (Exhibit A – See Addendum C)

15. Non-Public/Non-Meeting

15.1. Non-Public Session -Land, RSA 91-A:3 II (d)

No discussion.

16. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council meeting at 8:04 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

ADDENDUM A

SECTION 4.14 ELECTIONS BY BALLOT

In all elections ~~by ballot~~ on the part of the City Council, ~~blank ballots and all ballots for persons not eligible shall be reported to the Council~~the members of the City Council shall vote publicly by roll call. To be elected any person seeking election must receive a majority of the votes of those members present and voting. ~~Tally of the ballots shall be reported to the Council and recorded in the minutes. Unless otherwise directed by the Council all ballots shall be destroyed after being reported.~~

A. ~~Boards and Commissions appointments shall be elected by ballot of the City Council with the exception of a single candidate.~~ Single candidates upon nominations ceasing will be elected by City Council voice vote that the City Clerk cast one ballot for that candidate.

Formatted: Space Before: 3.45 pt, No bullets or numbering, Don't allow hanging punctuation

PROPOSED 2022-2023 OPERATING BUDGET-EXHIBIT A

OPERATING BUDGET SUMMARY

Appropriations:		Proposed
City	\$	38,838,989
County Tax	\$	7,254,738
Overlay	\$	350,000
Estimated Veteran's Credits	\$	694,625
School	\$	72,246,585
School Federal Grants	\$	4,415,000
School Lunch	\$	1,900,000
School State Property Tax	\$	3,699,292
City Grants & Special Revenues	\$	297,641
Tax Incremental Financing Districts	\$	1,335,630
Water Fund	\$	7,686,468
Sewer Fund	\$	9,620,843
Arena Special Revenue Fund	\$	431,661
Community Center	\$	941,071
Sub Total	\$	149,712,543
 Revenues:		
City	\$	13,330,106
Use of Fund Balance	\$	3,293,250
School	\$	33,245,449
School Federal Grants	\$	4,415,000
School Lunch	\$	1,900,000
City Grants and Donations	\$	297,641
Tax Incremental Financing Districts	\$	1,335,630
Water Fund	\$	7,686,468
Sewer Fund	\$	9,620,843
Arena Special Revenue Fund	\$	431,661
Community Center	\$	941,071
Amount to be Raised by Taxes *	\$	73,215,424
Sub Total	\$	149,712,543

PROPOSED 2022-2023 CAPITAL BUDGETS-EXHIBIT A

CAPITAL BUDGET SUMMARY

Proposed Capital Appropriations:

City	\$ 8,724,250
School	\$ 1,775,000
Water Fund	\$ 6,817,500
Sewer Fund	\$ 2,467,500
Community Center	\$ 766,000
Tax Incremental Financing Districts	\$ 704,400
Total Appropriations	\$ 21,254,650

Source of Revenues**General Fund**

Bonding and/or other Borrowing	\$ 5,780,000
Operating Budget	\$ 3,918,250
Grants	\$ 1,317,000
Other Sources	\$ 250,000
Subtotal General Fund Revenues	\$ 11,265,250

Enterprise Funds & Tax Incremental Financing Districts

Bonding and/or other Borrowing	\$ 6,475,000
Operating Budget	\$ 835,000
Grants	\$ 2,679,400
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$ 9,989,400

Total Revenues	\$ 21,254,650
-----------------------	----------------------

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Article 8 Granite Ridge Development (GRD)

§ 275-8.1 Purpose.

Well-planned commercial Zones ~~districts~~ provide many benefits. For the community, tax revenue is maximized, infrastructure burden is reduced, and traffic impacts are minimized. For landowners and developers good planning allows for a process that is coherent, flexible and easy to navigate. ~~The Granite Ridge Development Zone (GRD) is intended to:~~

The Granite Ridge Development Zone (GRD) is intended to:

- Provide landowners and Developers with flexible yet clearly defined requirements.
- Minimize infrastructure cost to the City through good planning for the Zone as a whole rather than based on individual lots.
- Maximize the developable areas on the parcels within the Zone through the development of both commercial and residential projects.
- Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.

~~A. Provide landowners and developers with flexible yet clearly defined requirements.~~

~~B. Minimize infrastructure cost to the City through good planning for the district as a whole rather than based upon individual lots.~~

~~C. Maximize the developable areas on the parcels within the district through creation of flexible dimensional requirements.~~

~~D. Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.~~

A. Purpose and Intent

1. Nonresidential Commercial development remains the primary goal of the GRD, but the addition of Multifamily, and Mixed-Use is designed to allow a mixture of residential and commercial uses on one parcel. Developers will be required to receive Conditional Use approval from the Planning Board prior to project construction. The Zone includes options that enable and encourage greater flexibility in the design of mixed-use projects. Developers will provide a Development Plan outlining the project and how it conforms to the regulations and design standards outlined in this document.
2. Developments are intended to be complementary of one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide the appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of, outside the traditional residential developments.

B. Conditional Use Permit

1. Conditional Use approval may be granted by the Planning Board after proper public notice and public hearing provided that the proposed project complies with the following standards:
 - (a) The Applicant demonstrates that the development complies with the design guidelines outlined in the Design Standards portion of this document, as well as, applicable Site Review Regulations and requirements of §275.21.4. These guidelines encourage components that act as one project and not as two adjacent projects.
 - (b) The Applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, visual blight, light pollution, offensive emissions such as dust, odor, or smoke.

§ 275-8.2 Delineation of Granite Ridge Development Zone.

Formatted: Body Text

A. The Granite Ridge Development Zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning, Zoning, and Development and the Director of Building and Licensing Services. The GRD includes parcels of land located on both the easterly and westerly sides of New Hampshire State Route 11/Farmington Road.

Formatted: Body Text

- ~~A. The zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning and Development and the Director of Building, Zoning, and Licensing Services.~~
- ~~B. The Granite Ridge Development Zone includes parcels of land located on both the easterly and westerly sides of Route 11/Farmington Road. These parcels will benefit from any improvements to be made to Route 11/Farmington Road. Parcels located on the westerly side of Route 11/Farmington Road may have direct contact with, and benefit from, the service road planned to be built on the westerly side of Route 11/Farmington Road and intersections connecting to this service road, if and when opportunities for construction of this service road and these intersections develop.~~

§275 – 8.3. Permitted Uses

A. Principal Uses

1. Nonresidential uses are allowed as follows:
 - [1] Any use as allowed within Tables 18B-18E of §275, Attachments 2-5.
2. Housing: (Conditional Use)
 - [1] Dwelling, mixed-use
 - [2] Dwelling, development multifamily
 - [3] Dwelling, multifamily

B. Accessory Uses

- (a) Recreational facilities
- (b) Community center
- (c) Maintenance Buildings
- (d) Rental and Sales Offices
- (e) Laundry facilities
- (f) Co-working Space – A space where multiple tenants rent working space and have the use of communal facilities.

§275-8.4. Site Plan Process

A. The Developer shall prepare a Site Plan, which locates the proposed types of nonresidential and residential development, accessory uses, utilities, access roads, open space, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Site Plan. If approval is granted, individual lots must be developed as part of the larger Development Plan and phasing outlined below, and not separately. A long term Maintenance Plan may also be required.

- (1) Commercial is the primary use within the GRD, with residential being considered a secondary use. As such, a minimum of fifty-five percent (55%) of total footprint of the project will be reserved for commercial/non-residential use. The remaining forty-five percent (45%) of the total project footprint may be utilized for residential development. By a majority vote, the Planning Board may adjust the final commercial / residential percent allocations subject to Conditional Use details in §275.21.4.
- (2) Dwelling, Mixed-Use (MU) providing that one-hundred percent (100%) of the square footage of the first floor is reserved for a commercial use. Accessory and support uses (e.g. mechanical, storage, etc.) are permitted on the first floor of a mixed-use building, and will be recognized as commercial use. Buildings classified as MU will be exempt from requirements outlined in §275-8.4.A.1 and §275-8.4.A.6.
- (3) A minimum of fifteen percent (15%) of the square-footage of the original parcel shall be reserved as open space and identified as such on the Development Plan. Fifty percent (50%) of the required open space must be usable uplands and reasonably accessible to all property owners/tenants in the project. Any open space provided above fifteen percent (15%) may be mixed wetlands and upland. Amenities constructed for use by the tenants (clubhouse, gym, ball courts, etc.) may be considered part of the “open space” calculation as determined by the Planning Board. The Planning Board shall have the flexibility to negotiate with the Developer when determining the final open space requirement.
- (4) Residential uses require the submission of a plan outlining the number of proposed units achievable under current zoning allowances. This plan should be based upon maps that include plans for open space, parking, roadways, and all nonresidential and accessory buildings associated with the project. The final number of approved units will be subject to Planning Board review, and in some cases may require an analysis of the project’s impact on existing city infrastructure prior to approval.

(5) The minimum size of a residential unit shall be 500 square feet.

(6) No more than fifty percent (50%) of the residential development may be occupied prior to the completion of between twenty-five to fifty percent (25%-50%) of the non-residential structures. By a majority vote, the Planning Board may adjust these percent allocations subject to Conditional Use details in §275.21.4.

(7) The Development Plan may be phased for a term of up to five years (5).

For purposes of this section, development shall include:

- (a) construction of structures – to include proposed timeline, phasing, and ratio of commercial/residential construction;
- (b) schedule for proposed occupancy and leasing of commercial and residential uses;
- (c) environmental remediation;
- (d) site preparation or demolition;
- (e) roadway utility or recreation and common area design and construction; and
- (f) bonding or other security for site development

(8) Providing the Developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five (5) year phasing period provided a request for extension is submitted before the expiration of the initial five-year (5) phasing term.

(9) Residential Development Plan Guidelines.

- (a) Dwelling layouts shall be so designed that parking is screened from external roadways by landscaping, building locations, grading, or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.
- (b) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential – preferably on the second or above floor, and nonresidential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixed-use.
- (c) All residential development must adhere to the architectural design guidelines outlined in section §275-8.5 of this ordinance.

(10) Nonresidential Development Plan Guidelines

- (a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and signage.

Formatted: Space After: 0 pt, Line spacing: single

Formatted: Indent: Left: 1.75", Space After: 0 pt, Line spacing: single, No bullets or numbering

Formatted: Indent: First line: 0.19"

Formatted: Indent: Left: 1", No bullets or numbering

Formatted: Indent: Left: 0.5", No bullets or

§ 275-8.5 Architectural and Design standards.

A. Architecture:

The purpose of these Standards is to promote flexibility in large-scale mixed-use developments by considering project proposals based upon a comprehensive, integrated, and detailed plan rather than the specific constraints applicable to piecemeal, lot-by-lot development under conventional zoning requirements. A mixed-use development should improve the quality of new development by encouraging attractive features and promoting quality site design.

B. Non-residential Site Layout

Planning for mixed-use development on a site encompasses items such as its relationship to surrounding uses, building orientation on the site, pedestrian and vehicular circulation, and efficiency of parking areas, screening of loading and utility areas, and the design of landscaping, signage, and lighting.

(1) Trash and Loading:

- (a) Trash and loading areas should be integrated into building design, and possibly inset and/or screened with architectural features. Orient support uses such as trash enclosures, compactors, truck loading areas, and outdoor storage away from residential uses to the extent practical.
- (b) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off a shared access driveway between sites. The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.
- (c) Trash, delivery, and loading areas shall be well screened from Route 11. The lots situated between Market Place Boulevard and Route 11 call for special treatment because they have double frontages.

(2) Building Design:

- (a) Facade treatment. Building facades fronting on a service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.
- (b) Outdoor seating. If applicable, restaurant proprietors are encouraged to include seasonal outdoor seating in their initial site plan. Seating should be screened from parking and roadways.
- (c) Signage. All provisions of Article 29, Signage, herein shall apply.
- (d) When practical, locate some parking and service functions behind the building. For multi-building projects, organize the site layout to provide functional pedestrian spaces and landscaping amenities.
- (e) All facades, including back and side elevations of a building generally visible from public view or adjacent to residential areas, should be architecturally treated.
- (f) Design multi-building projects to include architecturally sensitive design elements throughout the project.

Formatted: Body Text, Indent: Left: 1", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.75"

Formatted: Body Text, Indent: Left: 1.25", No bullets or numbering

Formatted: Font: (Default) Times New Roman

Formatted: Body Text, Indent: Left: 1", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.75"

Formatted: Body Text, No bullets or numbering

- (g) Building elevations should incorporate architectural features and patterns that consider a pedestrian scale.
- (h) Building roofs shall be uncluttered and when flat roofs are visible from public roads, pitched roofs or parapets are required.
- (i) Rooftop and ground- mounted mechanical units and ventilating fans are to either be integrated into the design of the building, or screened from view.
- (j) At least two of these elements should repeat horizontally. Buildings with facades greater than 150 feet in length should include several of the elements listed below, repeated at appropriate intervals, either horizontally or vertically:
- Color change. Recognizable, but not strongly contrasting.
 - Texture change.
 - Material change.
 - Architectural variety and interest through a change in plane such as offsets, reveals, archways or projecting ribs.
 - Wall plane projections or recesses.
- (k) Service and exit doors should be integrated into the architecture of publicly visible elevations.
- (l) Where practical, variations in rooflines or parapets should be used to reduce the scale of non-residential buildings. Roof size, shape, material, color and slope should be coordinated with the scale and theme of the building.
- (m) All exterior building walls and structures shall be constructed with attractive, durable materials such as textured concrete, masonry, stone, brick, clapboard, finishing wood, stucco or glass.
- (n) The exterior walls of buildings should not predominantly utilize the following materials, except as accents:
- Pre-fabricated steel panels.
 - Corrugated metal.
 - Asphalt shingle roofs, except for period architecture.
 - Highly reflective glass.
- (o) Buildings should have clearly defined customer entrance(s) incorporating appropriate architectural elements
-

(3) Pedestrian Amenities:

- (a) Wherever practical, design attractive, safe, and convenient pedestrian and bicycle connectivity to streets, to include access to residential, commercial, and open space areas.
- (b) Design sites to minimize pedestrian and vehicular conflicts. Where pedestrian circulation paths cross vehicular routes, provide a change in paving materials, textures or colors to emphasize the conflict point. Where applicable, and to encourage outdoor seating, dining, and other amenities, sidewalks should be constructed of concrete and at least 10 feet wide.

(4) Vehicular Circulation and Parking:

- (a) To promote safe pedestrian access, create wide and well-lit sidewalks (concrete) and pathways.
- (b) Strive to minimize driveway cuts on arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
- (c) Traffic calming devices are encouraged in the interior of a site to enhance safety.
- (d) Landscaped parking areas shall be consistent with Section 5 of the Site Plan Regulations in order to break up the mass of large parking lots.

(5) Outdoor Display Areas:

- (a) On final site plans, identify the location of all proposed outdoor display and sales areas, including what type of items would be sold. Their location should not displace required parking, pedestrian, or landscaped areas.

(6) Signage:

- (a) Signage should refer to Article 29 of the City's Zoning Ordinance.

(7) Landscaping and Grading:

- (a) All landscaping and grading shall be consistent with Section 5 of the City's Site Plan Regulations, while complementing and enhancing project architecture.

(8) Lighting:

- (a) Design lighting to follow all site plan regulations and requirements, and where applicable, include pedestrian scale lighting

(9) Building Design/Architectural

- (a) Where practical, building mass should be broken into smaller elements, consistent with the proportions of the architectural style selected and surrounding uses.
- (b) Reduction of building mass may be achieved by using a combination of the following techniques:

- Variation in the rooflines and form.
- Use of ground level arcades and covered areas.
- Use of protected and recessed entries.
- Use of vertical elements on or in front of expansive blank walls.
- Use of pronounced wall plane offsets and projections.
- Use of focal points and vertical accents.
- Inclusion of windows on elevations facing streets and pedestrian areas.
- Retaining a clear distinction between roof, body and base of a building.
- The City supports the construction of “Solar Ready” structures designed for rooftop solar arrays.

(10) Dimensional Requirements:

(a) Non-residential / Mixed-use Buildings

- (1) Minimum structure setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Minimum structure setback from external ROW 300 feet
- (3) Maximum non-residential building height 75 feet.
- (4) Structures over 55 feet shall be placed as close to the center of the lot as practical.

(b) Residential Structures:

- (1) Minimum structure and parking setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Maximum residential building height 100 feet.
- (3) Structures over 55 feet will be placed as close to the center of the lot as practical.
- (4) Minimum setback from Route 11: 200 feet

(11) Parking:

- (a) All dwelling units shall require two independently accessible parking spaces per unit, or as determined by Planning Board, and be consistent with Section 10.C of the Site Plan Regulations
- (b) Non-residential uses shall comply with parking requirements defined by Site Plan Regulations.

(12) Utility Standards

- a) All utilities shall be underground.
- b) Utilities into individual sites shall be run from the common utility lines to be placed in the service road right-of-way.
- c) Service connections for utilities for pad sites, if any are created, shall be provided within the service road right-of-way.
- d) Transformer boxes shall be screened and utilize proper landscaping features.

Formatted: Font: (Default) Times New Roman

Formatted: Body Text, No bullets or numbering

Formatted: Indent: Left: 0", First line: 0"

Formatted: No bullets or numbering

§ 275-8.3 Pavement dimensional regulations.

The setbacks shown in the table below shall apply to pavement used for parking and interior accessways. Driveways into the site from the service road are exempt from these setbacks. These setbacks guarantee a minimum ten-foot wide area for landscaping around the perimeter of the site (five feet plus five feet for adjoining lots along the side lot lines). This section shall supersede perimeter landscaping buffer requirements (15 feet along the front and 10 feet along the side lot lines) established in the Site Plan Regulations.

	Minimum Property Line Setbacks (in feet)		
	Front	Side	Rear
Pavement	10	5	10

Formatted Table

§ 275-8.4 Granite Ridge Development Study.

This article was created pursuant to the March 2009 "Granite Ridge Development Study, Farmington Road, Rochester, New Hampshire," prepared by CLD Consulting Engineers. This study should be referred to for reference in designing, reviewing, and approving proposed site plans and subdivision plans.

§ 275-8.5 Service road regulations.

The following requirements apply to those lots situated on the westerly side of Route 11/Farmington Road, on which the planned service road and access roads leading to or from the service road are to be situated:

- A. Rights-of-way. To the extent practical and appropriate, as determined by the Planning Board, as part of any proposed site plan or subdivision plan, each landowner/developer shall incorporate into his/her plan, on the subject land, a sixty-foot wide right-of-way for the construction of the service road and/or access road(s). The right-of-way shall traverse the subject lot from the southerly lot line to the northerly lot line, as appropriate, and in the case of any access road, from the easterly to the westerly lot line, as appropriate, in accordance with the layout of the planned service road and access road(s).
- B. Temporary termination. Where the service road has not been built on the lot adjacent to the subject property, a temporary cul-de-sac shall be built on the subject property to provide for an appropriate turnaround and future connection to the service road on that adjacent lot. Appropriate provisions may be established by the Planning Board to facilitate seamless connection of that cul-de-sac in the future to a service road on the adjacent lot, when that road may be constructed. The temporary cul-de-sac shall

~~conform to the City of Rochester Subdivision Regulations.~~

~~C. Route 11 intersections. As part of any site plan or subdivision plan, the landowner/developer shall incorporate predetermined Route 11 access points into his/her plan.~~

~~D. NHDOT. Developers shall coordinate with the New Hampshire Department of Transportation (NHDOT) regarding the design of the access roads and any intersections with Route 11.~~

~~§ 275-8.6 Road design standards.~~

~~[Amended 3-5-2019]~~

~~A. Service and access roads shall comply with the following standards:~~

~~(1) Right of way: 60 feet.~~

~~(2) Lane width (each): 12 feet.~~

~~(3) Paved shoulder (each): four feet.~~

~~(4) Sidewalk (bituminous): five feet.~~

~~(5) Grass strip: five feet (between road and sidewalk).~~

~~(6) Curb: granite.~~

~~(a) Sloped: side without sidewalk.~~

~~(b) Vertical: side with sidewalk.~~

~~(7) Cross-sectional requirements:~~

~~(a) Wearing course (minimum): one inch (NHDOT Item 403.11).~~

~~(b) Bearing course: two inches (NHDOT Item 403.11).~~

~~(c) Crushed gravel: six inches (NHDOT Item 304.3).~~

~~(d) Bank run gravel: 12 inches (NHDOT Item 304.2).~~

~~B. All materials shall be installed in compliance with NHDOT specifications and the City of Rochester Subdivision Regulations.~~

~~§ 275-8.7 Stormwater management requirements.~~

~~A. Stormwater controls for each individual site plan shall be designed in compliance with the New Hampshire Stormwater Manual Volume 2. To ensure adequate stormwater control given the more flexible dimensional regulations, these design guidelines shall be followed regardless of any requirement imposed as part of the New Hampshire Department of Environmental Services alteration of terrain permitting (for 100,000 square feet +/- of disturbed surface).~~

~~B. The Planning Board shall consider proposals for use of innovative stormwater control structures, such as porous pavement, bioretention areas, gravel wetlands, etc. If the Board concludes that use of these structures is in order, then:~~

~~(1) It may be appropriate to allow for interior landscaped islands within parking lots to be constructed without perimeter curbing if the curbing would interfere with the routing of the stormwater.~~

~~(2) The Planning Board is hereby empowered to adjust parking requirements specified in Article 26, Roads and Parking, herein.~~

~~§ 275-8.8 Utility standards.~~

~~A. All utilities shall be underground.~~

~~B. Utilities into individual sites shall be run from the common utility lines to be placed in the service road right of way.~~

~~C. Service connections for utilities for pad sites, if any are created, shall be provided within the service road right of way.~~

~~§ 275-8.9 Parking lot interconnections.~~

~~A. Where practical, and not impeded by wetlands or other physical constraints, parking lots shall be interconnected between sites.~~

~~B. Appropriate cross easements shall be developed between properties to accommodate parking lot interconnections.~~

~~§ 275-8.10 Design standards.~~

~~A. Trash and delivery areas. The lots situated between the service road and Route 11 call for special treatment because they have double frontages.~~

~~(1) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off of a shared access driveway between sites.~~

~~(2) The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.~~

~~(3) Trash, delivery, and loading areas shall be well screened from Route 11.~~

~~B. Facade treatment. Building facades fronting on the service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.~~

~~C. Outdoor seating. Restaurant proprietors are encouraged to include seasonal outdoor seating.~~

~~D. Signage. All provisions of Article 29, Signage, herein shall apply.~~

~~§ 275-8.11 Adjustments in requirements.~~

~~Since a number of the requirements specified in this Article 8, herein, are design oriented, the Planning~~

~~Board may adjust any requirements of § 275-8.3, Pavement dimensional regulations, § 275-8.5, Service road regulations, § 275-8.6, Road design standards, § 275-8.7, Stormwater management requirements, § 275-8.8, Utility standards, and § 275-8.10, Design standards, on a case-by-case basis, where it reasonably determines that strict application of any requirement is impracticable due to particular conditions on a given site.~~

Primary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0208-0001-0000	126 Farmington Road	82.50	Adamian Construction & Dev.
0208-0001-0001	116 Farmington Road	34.18	Infinity Properties Rochester
0208-0002-0000	0 Farmington Road	32.00	The Kane Co. Inc.
0208-0004-0000	148 Farmington Road	1.30	John & Carolyn Meader
0208-0005-0000	150 Farmington Road	0.63	Roslyn Stone & Carolyn Meader
0208-0006-0000	154 Farmington Road	1.05	Alkurabli LLC
0208-0006-0001	152 Farmington Road	0.94	Richard Ottino
0208-0007-0000	160 Farmington Road	1.33	160 Farmington Road Realty Trust
0216-0001-0000	20 Farmington Road	15.00	Robert Beranger
0216-0002-0000	22 Farmington Road	2.60	Robert Beranger
0216-0003-0000	0 Farmington Road	2.90	Robert Beranger
0216-0004-0000	36 Farmington Road	17.10	Northgate Investment Properties
0216-0005-0000	46 Farmington Road	1.24	Gene V. Roe
0216-0006-0000	48 Farmington Road	5.62	Casaccio Real Estate Holdings
0216-0007-0000	58 Farmington Road	7.60	Casaccio Real Estate Holdings
0216-0008-0000	60 Farmington Road	6.30	Packy's Investment Properties
0216-0009-0000	68 Farmington Road	20.00	Stratham Industrial Properties
0216-0010-0000	76 Farmington Road	21.00	PSNH
0216-0011-0000	92 Farmington Road	85.00	Stratham Industrial Properties
0216-0017-0000	5 Lydall Way	12.00	State of New Hampshire DOT
0216-0019-0000	0 Farmington Road	4.50	PSNH
0216-0020-0000	8 Crane Drive	6.09	Newport Partners LLC
0216-0021-0000	33 Crane Drive	4.80	Spinelli Realty Trust
0216-0022-0000	27 Crane Drive	6.35	Black Marble Realty Trust
0216-0023-0000	21 Crane Drive	3.16	Black Marble Realty Trust
0216-0024-0000	7 Crane Drive	4.01	Four Hidden Road Trust
0216-0025-0000	47 Farmington Road	2.80	Poulin Realty Acquisition
		382.00	
Secondary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0208-0008-0000	174 Farmington Road	60.00	Diane Smith
0208-0008-0001	176 Farmington Road	11.61	Robidas Properties LLC
0208-0009-0000	178 Farmington Road	4.30	Rochester/Rural District
0208-0010-0000	180 Farmington Road	1.02	WAH Realty Corporation
0208-0011-0000	184 Farmington Road	4.00	Bonnie J. O'Shea
0208-0015-0000	0 Farmington Road	0.29	City of Rochester
0208-0016-0000	0 Farmington Road	1.66	Robert Rowe
0208-0017-0000	127 Farmington Road	8.90	Robert Rowe
0208-0018-0000	17 Sterling Drive	2.02	Raven Realty
0208-0018-0001	18 Sterling Drive	2.85	Raven Realty
0208-0018-0002	27 Sterling Drive	5.04	Axis Property Holdings LLC
0208-0018-0003	23 Sterling Drive	1.55	Raven Realty
0208-0018-0004	0 Sterling Drive	0.64	Raven Realty
0208-0019-0000	123 Farmington Road	1.16	Black Dog Car Wash LLC
0208-0019-0001	115 Farmington Road	1.25	Hermitage Place LP
0208-0019-0002	131 Farmington Road	0.57	JMB Automotive Group LLC

Primary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0209-0001-0000	105 Farmington Road	1.70	Rudolph Tetreault
0216-0012-0000	4 Little Falls Bridge Road	1.89	Ralph Torr Rev. Trust
0216-0013-0000	0 Little Falls Bridge Road	11.80	State of New Hampshire DOT
0216-0018-0000	95 Farmington Road	3.50	Motiva Enterprises LLC
0216-0018-0001	83 Farmington Road	2.25	Joseph Blanchette
0216-0018-0002	77 Farmington Road	3.60	Rochester Hospitality LLC
0216-0019-0000	0 Farmington Road	4.50	PSNH
0216-0020-0000	8 Crane Drive	6.09	Newport Partners LLC
0216-0021-0000	33 Crane Drive	4.80	Rose Realty LLC
0216-0022-0000	27 Crane Drive	5.30	Black Marble Realty Trust LLC
0216-0023-0000	21 Crane Drive	3.16	Black Marble Realty Trust LLC
0216-0024-0000	7 Crane Drive	4.01	Four Hidden Rod Road Realty Trust
0216-0025-0000	47 Farmington Road	2.60	Poulin Realty Acquisitions LLC
0216-0026-0000	0 Farmington Road	68.00	Donald & Bonnie Toy
0216-0028-0000	23 Farmington Road	1.70	Miles Cook III
0216-0028-0001	25 Farmington Road	0.10	City of Rochester
0216-0029-0000	21 Farmington Road	2.41	Cardinals Seafarer Restaurant
0221-0154-0000	2 Farmington Road	20.80	Jean Edgerly Trust
0221-0156-0000	14 Farmington Road	1.20	Renee & Louanne Cardinal
0221-0157-0000	0 Farmington Road	1.20	Wayne Cardinal
0221-0158-0000	14 Farmington Road	1.30	Rene & Luanne Cardinal
0221-0159-0000	10 Farmington Road	2.45	Lawrence Shapiro Trust
0221-0160-0000	18 Farmington Road	1.32	Michael & Jean Garzillo
0221-0162-0000	18A Farmington Road	6.40	Richard & Phyllis Glidden
0221-0163-0000	20 Farmington Road	3.20	Robert & Karen Beranger
0221-0164-0000	17 Farmington Road	0.91	Rene G Cardinal & Cardinal Way
0221-0165-0000	11 Farmington Road	1.70	Seckendorf Real Estate
0221-0166-0000	9 Farmington Road	1.10	MIB LLC Greenwood Inn
0221-0167-0000	7 Farmington Road	0.30	Basel Alkurabi
0221-0168-0000	3 Farmington Road	14.00	Charles Karacas
		290.15	