

**City of Rochester Planning Board**  
Monday January 14, 2013 - Chapter 42  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on February 4 , 2013)*

**Members Present**

Nel, Sylvain, *Chair*  
Tim Fontneau, *Vice Chair*  
Derek Peters, Secretary  
James Gray  
Rick Healey  
Matthew Kozinski  
Dave Walker, Councilor

**Members Absent**

Mark Sullivan, excused

**Alternate Members Present**

Robert Jaffin  
Gregory Jeanson

Staff: James Campbell, Chief Planner  
Crystal DeButts, Planning Secretary

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting will be on file in the City Clerk's office for reference purposes. It may be Copied for a fee)

---

Mr. Sylvain called the meeting to order at 7:00 p.m.

The Planning secretary conducted the roll.

Mr. Jeanson to vote for vacant seat

**IV. Communication from the Chair**

**A. None**

---

## **V. Review of Chapter 42 Rezoning**

The Planning Board reviewed the comments heard during public input at the December 17, 2012 meeting

Mr. Peters recommends that once the Planning Board adopts the zoning changes, that the comments from the public input be sent on to the City Council.

Mr. Sylvain read Mr. Gilberts comments regarding his property on Chesley Hill Road. Mr. Gilbert has requested to make the area Agricultural.

Mr. Walker stated its already Residential-1 and is proposed to stay Residential-1. He believes it wouldn't make sense to change it.

Mr. Walker questioned how Mr. Gilbert is being restricted in the Residential-1 zone.

Mr. Sylvain stated Mr. Gilbert's comment was the DOT will not give him anymore curb cuts.

Mr. Sylvain conducted a vote. *It was decided 8 – 1 in favor of leaving it Residential-1.*

Mr. Sylvain read comments from the Parker's of 40 Summer Street.

The board discussed the businesses in that area.

Mr. Fontneau stated the Parker's original concern was they would be zoned at Downtown Commercial, however they later learned that zone would end at Signal Street.

Mr. Sylvain conducted a vote. *It was decided 9 – 0 to leave it as neighborhood Mixed Use.*

Mr. Sylvain read the comments from Attorney McNeil regarding 126 acre parcel on Chesley Hill Road. He stated they have requested a change from Residential-1 to Residential-2.

Mr. Walker questioned the new development that is near the 126 acre parcel.

Mr. Peters stated those are all single family homes, not multi family.

Mr. Fontneau stated the Residential-2 zone is for in town, tight neighborhoods. He stated it would not be right to put a Residential-2 zone in that area. He suggested perhaps Agricultural would be a better zone for what they are proposing to do.

Mr. Healey stated he agreed with Mr. Fontneau, the proposal they showed with a Residential-2 zone, they would be able to put 98 units with a lot of open space.

Mr. Healey also stated there is a cemetery there that wasn't shown on the map.

Mr. Gray stated when all the other properties on Chesley Hill Road were built, they were all thinking the area would remain Residential-1.

Mr. Sylvain conducted a vote. *It was decided 9 – 0 to leave it as Residential-1.*

Mr. Sylvain read the comments from Chestnut Hill Road residents and business owners. He stated the board believes it was an oversight when the map was done.

Mr. Sylvain stated the residents from tax map 222 lots 16,17,18,19,20,21, and 22 all request to be zoned Industrial.

Mr. Peters recommends changing it to Highway Commercial or Neighborhood Mixed Use, to allow for the Auto body shop.

Discussion ensues.

Mr. Sylvain suggested a five minute break to think this over.

7:47pm the board recessed.

7:54pm the meeting was called back to order.

Mr. Fontneau suggested from Chestnut Hill Road extension to the highway, make the change to Neighborhood Mixed Use.

Mr. Sylvain conducted a vote. *It was decided 9 – 0 to change the zone to Neighborhood Mixed Use.*

Mr. Sylvain read the comments from Mr. Laurion, first regarding his parents' property on Rochester Hill Road which is currently a proposed Hospital zone.

Mr. Fontneau suggests changing it to Neighborhood Mixed Use.

Mr. Sylvain conducted a vote. *It was decided 9 -0 to change it to Neighborhood Mixed Use.*

Mr. Sylvain stated Mr. Laurion's other property is located on Winter Street, and he requested that it be zoned as Downtown Commercial.

Mr. Fontneau stated the easiest thing to do would be to change it to Downtown Commercial.

Discussion ensues.

The board agrees to make the change to Downtown Commercial.

Mr. Sylvain read the comments from Attorney McNeil regarding Rochester Hill Road. Attorney McNeil had stated that he and his clients agree with the zoning of the area, however they asked for clarification for the term "multi family".

Mr. Sylvain asked Mr. Campbell to clear up the language in the ordinance.

Next the board discussed a letter that was sent from a resident on Academy Street. As of right now the lot would be a split zone.

The board decided to change the entire lot to Residential-2.

Mr. Sylvain read the comments from Mr. DeNoble. He stated clarification was needed.

Mr. Sylvain recommends that Mr. Campbell set up a meeting to speak with Mr. DeNoble to answer any questions he has.

Mr. Peters asked if Mr. Campbell has gone through and made the necessary changes to the ordinance.

Mr. Campbell replied yes, mostly to the tables.

Mr. Sylvain reminds everyone that the meeting on January 28, 2013 will be another public input and then at the February 4, 2013 meeting there will be a public hearing. He also stated by that time the board should have any changes made and ready to sent to the City Council.

Mr. Campbell stated he wanted to go over the table of uses. He stated he did his best going through everything but does have some questions.

Mr. Campbell clarified with Mr. Walker the tables that he came across.

Discussion ensues regarding extending the square footage from 2,000 sq ft to 4,000 sq ft in the Neighborhood Mixed Use zone.

Mr. Fontneau stated he believes 4,000 sq ft would be too big.

Mr. Peters stated he believes 2,000 sq ft is too restrictive, and Ms. Pollard agrees.

*A motion was made by Mr. Walker and seconded by Mr. Peters to extend the Neighborhood Mixed Use from 2,000 sq ft to 4,000 sq ft. Motion carries.*

Mr. Campbell questions the Residential uses table. He stated multi family in the Residential-2 zone is a conditional use. He asked the board if that is what they want.

Mr. Peters suggested cleaning up the tables and for Mr. Campbell to give the board his recommendations at the next meeting.

Discussion ensues regarding large multi family complexes in the Agricultural zone.

Mr. Sylvain stated Mr. Campbell needs to do some research as to the language that needs to be used in the ordinance.

---

## **VI. Other Business**

### **A. Release of surety for Lilac View Assisted Care Facility**

Ms. Young from Public Works stated she and Mr. Campbell had gone to the site and everything has been complete.

*A motion was made by Mr. Gray and seconded by Mr. Walker to approve the release of surety. Motion carried unanimously.*

## **B. Release of surety for Bob Deberto – Chesley Hill Road**

Mr. Campbell explained there had been a lawsuit from the abutters due to drainage. He stated the issues have been fixed, however Mr. Deberto didn't put up any additional surety.

Mr. Campbell stated if the board gives \$25,000 that has been requested there will not be enough money left to complete the project.

*A motion was made by Mr. Peters and seconded by Mr. Walker to deny the release of surety at this time. Motion carried unanimously.*

---

## **VII. Adjournment**

*A motion was made by Mr. Peters and seconded by Mr. Jeanson to adjourn at 8:38pm. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,  
Planning Secretary