

City of Rochester Planning Board
Monday July 1, 2013
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on July 15, 2013)

Members Present

Nel Sylvain, *Chair*
Derek Peters, excused
Tim Fontneau
James Gray
Rick Healey
Matthew Kozinski

Members Absent

Gregory Jeanson, excused
Mark Sullivan, excused
Dave Walker, excused

Alternate Members Present

Robert Jaffin

Staff: James Campbell, Chief of Planning
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 call.

III. Seating of Alternates

Mr. Jaffin to vote for Mr. Jeanson

IV. Communications from the Chair

Mr. Sylvain announced he is waiting to hear back from Mayor Jean on a possible date for the next joint meeting between the Planning Board and City Council.

V. Chapter 42 Public Input

Gregg DeNobile of Chesley Hill Road asked if the information on the City's webpage could be updated, as the information on there now is from February.

Mr. Sylvain stated Mr. Campbell will have the current information on the web by the end of the week.

Mr. DeNobile asked for some examples of benefits the City would achieve from having more multifamily housing.

Malcolm McNeill an Attorney from Dover spoke in regards to the definition for "dwelling, multifamily", stating it needs to be simplified and there should be a place under permitted uses.

Mr. McNeill also stated the Table of Uses need to catch up with the rest of the work the Planning Board has done.

VI. Approval of minutes

A. June 17, 2013 – Workshop Meeting

A motion was made by Mr. Gray and seconded by Mr. Peters to approve the June 17, 2013 meeting minutes. The motion carried unanimously.

VII. Extension/Continued Applications

A. The Village at Clark Brook Planned Unit Development

Bob Baskerville of Bedford Design Consultants explained the request for an extension to the approved subdivision and site plan.

Mr. Baskerville stated they have made very good headway and have been working with Public Works for the water lines, but they don't believe they will have everything done by the deadline.

A motion was made by Mr. Peters and seconded by Mr. Gray to approve the extension. The motion carried unanimously. The new deadline is January 4, 2014.

B. Jeffery & Catherine Taylor & Robert & Sharon Oxx

Rick Lundborn of Norway Plains Associates explained the request for an extension to the approved lot line revision is because the applicants are waiting for paperwork from the mortgage company to come through.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the extension. The motion carried unanimously. The new deadline is September 21, 2013.

C. Timothy & Sally Fontneau

Timothy Fontneau stated he is requesting an extension for the approved subdivision because he needs more time to either remove the barn that remains on the parcel to be subdivided or come up with an alternative option.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the extension. The motion carried unanimously. The new deadline is July 4, 2014.

D. Monarch School of New England

Mr. Campbell explained the request for an extension to the approved site plan is due to the economy.

Mr. Campbell stated the school needs to do some more fundraising in order to complete the project.

A motion was made by Mr. Peters and seconded by Mr. Gray to approve the extension. The motion carried unanimously. The new deadline is August 22, 2014.

E. Sensible Self Storage, LLC

Rick Lundborn of Norway Plains Associates stated the owner of the property is proposing to construct mini storage units in five (5) phases with each phase constructing three (3) buildings.

Mr. Lundborn stated they were granted a variance from the Zoning Board of Adjustment with a condition that they must maintain a fifty (50) foot buffer with Woodland Green.

Mr. Lundborn stated the owner is trying to be sensitive with the abutter's concerns regarding light intrusion so they will be planting thirty-five (35) evergreen trees in two (2) staggered rows.

Mr. Sylvain opened the public hearing.

No one came forward.

Mr. Peters asked which phase the evergreens trees would be planted.

Mr. Lundborn stated they would be planted in phase one (1).

Mr. Fontneau questioned why there were gates shown on the plans.

Mr. Lundborn stated the gates would be in case there was an abundance of snow, the contractor would be able to open the gates and push the snow off into the soil.

Mr. Sylvain asked if all the site work would be done in the beginning.

Mr. Lundborn stated no, they would do the site work as the phases progressed; however they would temporarily loam and seed the remaining site for erosion control.

Mr. Fontneau informed Mr. Lundborn if the owner would like to put an office on the site at some point they would need to come back before the Planning Board for approval.

Discussion ensued regarding the need for green slats in the fence.

A motion was made by Mr. Gray and seconded by Mr. Healey to accept the application as complete. The motion carried unanimously.

F. 17 Glenwood Avenue, LLC

Rick Lundborn of Norway Plains Associates stated they were seeking approval of the subdivision of the lots in order to construct elderly housing.

Mr. Lundborn stated they have made some adjustments to the preliminary site plan which includes flipping the building to screen the abutters on both Wakefield Street and Glenwood Avenue.

Mr. Sylvain opened the public hearing.

No one came forward.

Mr. Peters asked how many bedrooms there would be per unit.

David Lemieux of 17 Glenwood Avenue, LLC stated each unit would be a one (1) bedroom.

Mr. Peters asked Mr. Lundborn to define elderly housing, because the Board has had issues in the past.

Mr. Lundborn stated Mr. Lemieux is working with Rochester Housing Authority and the ages would be sixty-two (62) and older.

Mr. Peters stated would need to make sure if they were to approve elderly housing that it will remain elderly housing.

Mr. Campbell stated if the owner ever wanted to change it they would need to come back to the Board.

Mr. Lemieux explained the funding he is receiving is deeded for ninety-nine (99) years so he would not be able to make any changes.

A motion was made by Mr. Gray and seconded by Mr. Healey to close the public hearing, accept the application as complete, and approve the subdivision. The motion carried unanimously.

G. The Rubber Group

Rick Lundborn of Norway Plains Associates stated his clients had received site plan approval for an addition from the Board and have had a chance to think about shift turnover and now they need to adjust the parking lot.

Mr. Lundborn stated they would like to increase the number of parking spaces from forty-eight (48) to seventy-one (71) and they will also be adding some grassy islands and trees that are currently not there.

Mr. Sylvain opened the public hearing.

No one came forward.

Mr. Campbell stated they have requested two (2) waivers for stormwater, the first is for Section 13 (A)(1), and the second for Section 13 (B)(5), both are being recommended for approval from Public Works.

Mr. Sylvain asked if the applicant had any plans on installing any additional lighting.

Mr. Lundborn stated they are not planning on expanding lighting at this time.

A motion was made by Mr. Peters and seconded by Mr. Healey to close the public hearing. The motion carried unanimously.

A motion was made by Mr. Peters and seconded by Mr. Jaffin to accept the application as complete and approve with the two (2) waiver requests. The motion carried unanimously.

H. Village at Norway Plains

Tom Severino of Severino Trucking Company stated they are requesting an amendment to the approved subdivision.

Mr. Severino stated after speaking with the residents of the development the changes within the subdivision include deleting all bituminous sidewalks, changing the vertical granite curb to sloped granite curbs, eliminating the proposed playground/park area, and to build out the subdivision in accordance with the phasing plan by Severino Trucking.

Mr. Severino said the changes off-site would be to delete all the curbing on Norway Plains Road, install a 4 foot paved shoulder in lieu of the proposed sidewalks, eliminate the proposed sidewalks on Route 125/Milton Road, and to adjust the trigger to complete the work on Norway Plains Road and Route 125/Milton Road from the issuance of the 34th building permit to prior to the issuance of the 41st building permit to coincide with "phase one" of the proposed phasing plan.

Mr. Severino stated the changes stem from the drastic economic issues over the last five (5) years. Stating when the project was first proposed the money from the sale of the lots could sustain all of the work from the original plan.

Mr. Sylvain opened the public hearing.

Ken Cataldo of Rangeway Drive came forward to speak in favor of eliminating the sidewalks, stating if they were to be put in much of his yard would be taken away.

Loran Smith of Rangeway Drive came forward speak against eliminating the sidewalks, stating it would make sense to put the in.

Michael Mooney of Norway Plains Road came forward stating when the original development was presented there weren't going to be any houses on Norway Plains Road, it was just going to be recreation area. Mr. Mooney also stated he feels modifications need to be made to both Norway Plains Road and Route 125/Milton Road.

Matthew Duprey of Norway Plains Road stated when he purchased his home he was not made aware there was going to be sidewalks put in, which would significantly decrease the lot size. Mr. Duprey also spoke in regards to the recreation area stating it would be a huge liability for the homeowners.

Mat LeFebvre stated he was also against having a playground area.

George Burr of Norway Plains Road stated he would like to see the sidewalk taken off the plan.

Rob Graham of NP Rochester Associates thanked the Board and the Planning Department for all their help. He stated safety is very important and they want to do the best job possible.

Mr. Campbell stated Public Works supports the proposed changes to the plan.

Mr. Peters stated they need to make sure the evergreens and light posts are in place.

Discussion ensued regarding the necessity of having sidewalks from Norway Plains Road down Route 125/Milton Road.

Mr. Healey asked if the area that was suppose to be used for the playground will be maintained.

Mr. Severino stated it will remain an open/common area that will stay wooded.

Mr. Jaffin suggested getting in contact with the Lilac Mall to see if it would be possible to a sidewalk in on their side of the road.

Mr. Sylvain stated the only issue with removing the curbing is they would need to make sure the abutter's aren't having any water issues.

Mr. Sylvain also stated the Board would need to put in the notice of decision if there are any issues with water within a certain time period the developer would be held responsible.

Mr. Severino stated he didn't have a problem with that.

A motion was made by Mr. Peters and seconded by Mr. Healey to close the public hearing. The motion carried unanimously.

A motion was made by Mr. Sylvain and seconded by Mr. Jaffin to approve the amendment to changes within the subdivision as presented; off-site eliminate the curbing and sidewalks on Norway Plains Road and extend the width of the road by four (4) feet, include appropriate striping, must make repairs to the railroad, and prior to the issuance of the 41st building permit the issue regarding the sidewalk on Route 125/Milton Road must be resolved. The motion carried unanimously.

Mr. Sylvain recessed at 9:03pm

Mr. Sylvain called the meeting back to order at 9:13pm

VIII. Review of Chapter 42

Mr. Peters reviewed two letters that had been received from residents from Champlin Ridge Road regarding issues with the rooster in the neighborhood.

Discussion ensues regarding possibility of changing the language in the ordinance.

Mr. Sylvain stated for any future projects the Board needs to make sure they have it in writing as far as what will and will not be permitted in regards to animals.

Mr. Campbell stated after the last Planning Board meeting he and Mr. Jaffin updated the definitions, and he's highlighted some that he thought the Board should discuss.

Discussion ensued regard the definition for elderly housing and accessory structures.

IX. Other Business

None

X. Adjournment

A motion was made by Mr. Peters and seconded by Mr. Gray to adjourn at 9:56 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal DeButts,
Planning Secretary