

City of Rochester Planning Board
Monday April 2, 2012
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved April 16, 2012)

Members Present

Nel Sylvain, *Chair*
Tim Fontneau, *Vice Chair*
Gloria Larochelle, *Secretary*
James Gray
Rick Healey
Stephen Martineau
Derek Peters
Mark Sullivan
Dave Walker, *Councilor*

Alternate Members Present

Robert Jaffin
Matthew A. Kozinski

Alternate Members Absent

Gregory Jeanson, *excused*

Staff: Michael Behrendt, *Chief Planner*
Marcia J. Gasses, *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.

Communications from the Chair

None

Approval of minutes for:

- A. **March 12, 2012**
- B. **March 19, 2012**

A motion was made by Mr. Walker and seconded by Mr. Gray to approve the March 12, 2012 and March 19, 2012 Meeting Minutes. The motion carried unanimously.

Continued Applications

- A. **Thompson Center Investment Castings/Mike Haley, 41 Old Dover Road** (by Berry Surveying and Engineering). Site plan for an industrial use with an 18,270 square foot addition

to an existing 16,413 square foot building, including parking and associated improvements.
Case # 132-37-13-12

Chris Berry of Berry Surveying and Engineering explained that the project included an 18,000 square foot addition to an existing 16,000 square foot building. Mr. Berry discussed the ceramic and metal waste that would be on site. The waste products would be kept under a roof to prevent run off caused by precipitation. MSDS sheets had been provided to the Fire Department.

Mr. Berry discussed that there would be very little left turn traffic in but many left out turning motions. The project is on tract with State permitting. They had met with the Conservation Commission and received their endorsement. The Cocheco River Local Advisory board had been notified of the project and they would be meeting with them. If any concerns arose out of the meeting they would come back to the board.

Mr. Behrendt explained the Mr. Berry would meet with the advisory board on April 11, 2012 and if any concerns arose they could come back before the board on April 16, 2012.

Mr. Sylvain opened the public hearing.

No one spoke.

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

Mr. Sullivan questioned the role of the CRLAB.

Mr. Behrendt explained.

A motion was made by Mr. Walker and seconded by Mr. Healey to approve the application. The motion carried.

B. Paul and Sue Normand, 70 Betts Road (by Berry Surveying). Three lot subdivision of a parcel on a private road without frontage on a City street. Case # 203-27-A-12

Chris Berry of Berry Surveying represented the applicant. Mr. Berry explained that Dominick Bellio, of the Fire Department and Peter Nourse, City Engineer had both walked the site and had not felt driveway improvements would be necessary. This eliminated the problem around the cemetery. The project had received State subdivision approval. The project had received a variance for 4 lots, allowing a future subdivision.

Mr. Berry stated that the lot line would be moved 2 feet to keep it out of the cemetery buffer. The applicant was seeking a waiver request for overhead utilities. One drop pole was necessary. The Private Road Agreement and Homeowners Association would be completed.

Mr. Behrendt explained that on page 8 delete e because of the requested waiver from underground utilities.

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

Mr. Sylvain opened the public hearing.

Thomas Aubert stated that he owns property on the road and was all for the subdivision.
A motion was made by Mr. Peters and seconded by Mr. Walker to close the public hearing. The motion carried unanimously.

A motion was made by Mr. Peters and seconded by Ms. Larochelle to approve the application with the waiver. The waiver was granted upon a finding that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations. The motion carried unanimously.

C. Colby Footwear, Inc., Don Silberstein, 15-25 Oak Street (by Norway Plains Associates). Site plan for a 69,142 square foot two story addition to an existing 30,372 square foot warehouse building. Case # 138-79 & 80-B2-R2-12

Art Nickless of Norway Plains Associates represented the applicant. He explained that the project was completely engineered but not much had changed.

Mr. Behrendt stated the application was ready for acceptance. He brought to the boards attention the metal siding and questioned whether the board felt it met the architectural standards.

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

Mr. Sylvain opened the public hearing.

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

Mr. Peters stated he had no concern with the metal building.

Mr. Nickless stated that the it was a warehouse and would look 10 times better than what was there now. The plans called for tree plantings and a fence on the abutting property line. People from the neighborhood had not shown up with concerns.

Mr. Sylvain asked Mr. Nickless to have someone contact the abutter.

Mr. Walker stated it would be an improvement over what was there.

Mr. Sylvain asked to have access blocked off to Route 125 before construction started.

Mr. Nickless stated that they were committed to putting up bollards.

The application was continued to April 16, 2012.

New Applications:

A. Cumberland Farms, Inc., 299 North main Street (by MHF Design Consultants). RLP Realty, Inc. and VSH Realty, Inc. Lot line revision adding to the Cumberland Farms parcel. Case # 115-40 & 41-B2-2012

Chris Tymula of MHF Design represented the applicant. Mr. Tymula explained that Cumberland Farms wanted to take 10,400 square feet from the CVS property to allow for future site improvements on the Cumberland Farms site.

Mr. Behrendt recommended approval as stated in the staff recommendations.

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

Mr. Sylvain opened the public hearing.

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. Fontneau and seconded by Mr. Walker to approve the application. The motion carried unanimously.

B. Rochester Shopping Center, 160 Washington Street (by Vanasse Hangen Brustlin, Inc.)
Amendment to approved site plan to a: eliminate the 5,500 square foot "Restaurant B" building, and replace it with a 12,500 square foot retail building, b) remove the 400 square foot ATM facility, and c) provide blanket approval for range of permitted uses on the site if located within approved buildings. Case # 130-38 & 246-21-B2/R2-12

Kelly Burke representing the applicant explained that Joanne's Fabrics plans to open in May and GNC sometime this summer. The amendment they were there for was to allow a national pet retailer to go into a previously approved restaurant space and expand the footprint to 12,500 square feet. Secondly, to allow a Buffalo Wild Wings to occupy a former retail spot.

Gordon Leedy of VHB showed the existing approved plan. Mr. Leedy explained they were trying to reduce the amount of paperwork needed to change uses. There would be little change to the amount of impervious surface on the site and minor changes in traffic. DOT had permitted the center for 350,000 square feet and they would be below that.

Mr. Leedy explained the architecture would be a painted concrete block building but it had not been finalized. They would be making a sign application and minor color differentials.

Mr. Sylvain opened the public hearing.

Ron LeClare – 176 Washington Street stated he was reluctant have the board relinquish control. Mr. LeClare asked if the applicant could extend the sewer line so that he could tap in. Mr. LeClare explained the top of his property is 100 feet from where the Buffalo Wild Wings would go in.

Mr. Leedy clarified they were asking simply to allow permitted uses within the existing buildings.

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

Mr. Peters questioned whether the loading for the new building was depressed.

Mr. Leedy stated yes.

Mr. Sylvain explained he understood Mr. LeClare. They would only be voting on the one block and the Buffalo Wild Wings. Discussion on the changes in use would occur separately.

Mr. Behrendt explained that precedent condition 4 had been satisfied. # 1.

Mr. Peters questioned the 1521 spaces.

Mr. Behrendt stated it was consistent with the ZBA approval.

Mr. Sullivan asked if this was the first example of a blanket use approval.

Mr. Behrendt gave the Lilac Plaza and Lilac Mall as an examples.

Mr. Sullivan suggested incorporating change of use with the 24 hour notice given to the board for architectural concerns.

Mr. Fontneau stated that there was more than enough parking and it was fine as written.

Mr. Sylvain stated he would just like the board to get notification of what is going on in the form of a letter letting them know.

Mr. Sylvain stated add language that the Planning Board be noticed by the property manager for a change of use.

A motion was made by Mr. Walker and seconded by Mr. Peters to approve as amended. The motion carried unanimously.

C. Chamberlain Investments, Anderson Lane (by Jones and Beach Engineers). Amendment to approved 47 lot subdivision regarding recreation facilities, clarifications about street trees, and questions regarding surety. Case # 118-51 & 119-100-A-12

Brad Jones represented Bill Pierce and Chamberlain Investments. Mr. Jones explained that the first amendment was for elimination of the basketball court. There were concerns that it could fall in a state of disrepair. The proposed site is directly behind two homes and the applicant would like to build a grass field instead.

Mr. Jones explained the second amendment was to use existing trees to fulfill the street tree requirement.

Mr. Jones explained the third request was for a reduction in the bond being held by the City. He explained it was the City engineers recommendation to do testing. Mr. Jones would like to see if they could come up with an agreement to a reduction.

Dan and Kimberly Bascomb, abutters to the project questioned the location of the court. They stated that they originally had a fence issue but it had been taken care of. They stated they were also under the impression a fence was to be located to the back end of the property. They did not object to the removal of the basketball court.

Dot Callaghan of 108 Franklin Street stated her property had been affected by the property. She stated that the drainage canal which had been constructed had impacted PSNH's access to their easement. PSNH had come to trim and had requested access to the easement through an alternate area on her

property. The drainage had blocked access. Ms. Callaghan stated that a sidewalk and crosswalk were supposed to be installed. She stated that the canal was also supposed to be cleaned once a year.

Mr. Walker asked where the sidewalk would go.

The discussion centered around the end of Wentworth by Douglas Ciotti's property.

The discussion came back to the board.

Mr. Sylvain suggested a site walk with Peter Nourse, PSNH, and the developer in attendance.

The site walk was scheduled for Tuesday, April 10, 2012 at 5:00 p.m.

The application was continued to April 16, 2012.

D. Gooze Family Revocable Trust of 2011/Deerwood Hollow, LLC, 21 Gonic Road (by Norway Plains Associates). Site plan for change of use from medical office to retail sales, with associated site improvements. Case # 137-38-B2-12

Art Nickless of Norway Plains Associates gave an overview of the project. No site changes were needed. The parking requirement was actually less than for the previous office use. The pavement needed to be striped, existing landscaping and the existing sign location was to be utilized.

Mr. Behrendt explained that this was similar to Rochester Crossing. The prior use actually had a higher parking requirement than the proposed use.

Mr. Sylvain opened the public hearing.

No one spoke.

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

Mr. Sullivan questioned the entrance in and out.

Mr. Nickless stated a center turn lane had been created when the road was improved.

A motion was made by Mr. Walker and seconded by Mr. Peters to approve the application. The motion carried unanimously.

E. Golick's Dairy Bar, 17 Sawyer Avenue and South Main Street (by Norway Plains Associates) Site Plan application for change of use of house on Lot 125-86 to open as a seasonal ice cream shop, with parking to be located on adjacent Lot 125-85 (Care Pharmacy). Case # 125-86 & 85-B2-12

This application was postponed to April 16, 2012 at the request of the applicant.

The board took a short recess and reconvened at 8:40 p.m.

- F. Monarch School of New England, 61 Eastern Avenue** (by Norway Plains Associates)
Preliminary (design review) Site plan application for a 1,200 square foot building addition, a 28 space parking lot expansion and a new play area with an access bridge.
Case # 112-20-R1/R2-12

Art Nickless of Norway Plains Associates represented the applicant. Mr. Nickless explained the school had been located on the site since 1983. The school deals with children who are challenged. More staff people per child enrolled is now required. Mr. Nickless gave an overview of the site.

The applicant planned to use pervious pavement on the parking area. The State has been supportive of the application with some finalization needed. A 20' X 60' addition was proposed. A bridge would need to be constructed to access the playground. The applicant was hoping for a lot of volunteer work to be utilized.

Mr. Behrendt stated he had no comments beyond the staff recommendations.

Todd Marsh of 50 Eastern Avenue discussed the wildlife living in Heath Bog. Mr. Marsh wished to see provisions made for wildlife. He questioned the lighting ordinance. He also mentioned the need for signs located in the area to be placed upright.

Mr. Sylvain stated he would leave the public hearing open.

Mr. Peters stated that the City does have a lighting ordinance.

Mr. Fontneau asked that about access and wanted notes made to the existing lighting on the site.

Mr. Nickless stated they did need to go to the ZBA for the Wetlands permit and would not be on their agenda until May. The goal was to construct the playground in September. They planned to be back for the May workshop meeting.

Mr. Martineau asked if they planned to construct the parking lot in the fall.

Mr. Nickless stated yes.

Mr. Fontneau asked if the playground would be fenced.

Mr. Nickless stated yes.

The applicant would give an update on May 7th and present the full application on May 21, 2012.

- G. Snecma SAFRAN Group/Albany International, Airport Drive** (by Norway Plains Associates).
Preliminary (design review) Site plan application to construct a 343,312 square foot manufacturing facility on a 49 acre tract, including 378 parking spaces and extensive site improvements. Case # 242-6-I2/A-12

Art Nickless of Norway Plains Associates represented the applicant. Mr. Nickless explained that Snecma SAFRAN /Albany produces jet engines in conjunction with General Electric. The jet engine's manufactured are light and fuel efficient.

Mr. Nickless presented an aerial view of the site, pointing out the proposed 343,000 square foot building which would cover approximately 8 acres. There was a provision for an additional 90,000 square feet off the back. The facility would be secured at all times.

Mr. Nickless stated that DES had been cooperative. EPA and Army Corp. had presented a challenge but all issues have been cleared up. The log landing would be used as a staging site.

Mr. Nickless presented the site drawings, explaining a variance would be need for parking due to the large building size for the equipment. And also a variance for the road.

Mr. Nickless displayed the architectural views. The front would have and office like look.

Mr. Sylvain opened the public hearing.

Edwina Vanderzanden questioned the access road from Haven Hill Road. She explained that the access was very close to the train bridge and the visibility was poor. Ms. Vanderzanden also questioned the expected duration of the use and what other warning signs would be in place. She expressed that east to west was the worse.

Mr. Sylvain explained that there was no time frame currently and as soon as the board had that information they would make it available.

Ms. Vanderzanden expressed concerns from some Sullivan Drive residents that light pollution may be a problem. She also expressed that wetlands were clearly located on the edge of the plans.

Mr. Nickless explained that the applicant would be mitigating impacts with a proposed conservation easement on the Henderson Farm.

Discussion was brought back to the board.

Mr. Fontneau expressed concern with the intersection with Route 108.

Mr. Sylvain stated that there was always a requirement for traffic control.

Mr. Fontneau also questioned night sky lighting and noise.

Mr. Peter's asked if the contract had been awarded.

Mr. Nickless stated that the contract for the road had been awarded to SUR.

Mr. Sylvain would check with Bill for SUR on traffic control.

The application was continued to April 16, 2012

Other Business

The board agreed to handle the Lydall application as a minor site.

Adjournment

A motion was made by Mr. Walker and seconded by Ms. Larochelle at 9:38 p.m. The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses
Planning Secretary

