

City of Rochester Planning Board
Monday December 17, 2012
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on January 7, 2013)

Members Present

James Gray
Rick Healey
Matthew Kozinski
Stephen Martineau
Mark Sullivan
Dave Walker
Derek Peters , Secretary
Tim Fontneau, Vice Chair

Members Absent

Nel Sylvain, Chair, excused
Gregory Jeanson, absent

Alternate Members Present

Robert Jaffin

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. Fontneau called the meeting to order at 7:00 p.m. The Planning Secretary conducted the roll call.

Seating of Alternates

Mr. Jaffin to vote for Mr. Sylvain

IV. Communications from the Chair

A. Mr. Fontneau announced that a new representative from the Planning Board is needed for TRG. He stated it will be discussed after the first of the year.

V. Opening Discussion/Comment

A. Public Comment

None

B. Discussion of general planning issues

Mr. Peters stated he appreciated the inspection reports that have been done, but states he doesn't believe the board needs to get all the reports to lessen the use of paper.

VI. Approval of minutes

A. December 3, 2012 – Regular Meeting

B. December 10, 2012 - Retreat

A motion was made by Mr. Jaffin and seconded by Mr. Walker to approve the December 3, 2012 and December 10, 2012 minutes. Motion carries unanimously.

VII. Continued Applications / Extensions

A. Fairway Auto Sales

Mr. Nickless stated at the last meeting he attended the board had discussed an interim plan. After discussing it with his client they have decided to abandon the idea of a new building and renovate the existing structure.

Mr. Nickless stated they are looking to lessen the concerns of both the board and the abutter's.

Mr. Nickless stated their intent is that when the trees are removed from the property they will be installing a six foot vinyl fence for the address the concern of the abutter.

Mr. Fontneau asked how many parking spaces for display cars they plan on having.

Mr. Nickless responded eighteen display cars and three customer parking spaces.

Mr. Fontneau opened public hearing.

No one spoke

Mr. Walker questioned if they would have a sign, and if so where would it be located.

Mr. Nickless responded yes they would have a sign and most likely it would be located on the roof of the building.

Mr. Walker questioned if they planned on servicing vehicles as well.

Mr. Nickless stated no, it will be just sales.

Mr. Fontneau asked if the Planning department had any input.

Mr. Campbell responded he didn't have any at this time.

Mr. Gray stated he has reservations regarding the number of vehicles that are proposed to be on the lot.

Mr. Nickless agreed to come back to the Planning Board on January 7, 2013

VIII. Chapter 42 – Public Input

Mr. Fontneau reminded everyone that this was the first public input the board has heard in a while. He also reminded them the board is not voting on anything and there wouldn't be any final decisions being made.

Mr. Don Gilbert of 75 Chesley Hill Road came forward to speak about his concerns for his property. He stated one side of the road is zoned Agricultural and the other is Residential-1. He is concerned the state will not allow his to build more houses there if the zoning changes.

Mr. Gilbert stated he would prefer the area be zoned Agricultural as it was suppose to be in 1983. He stated he would like to be able to use the land.

Ms. Karen Parker of Summer Street came forward questioning why the street is being changed from Residential-2 to Neighborhood Mixed Use. She stated there aren't any businesses on that street and haven't been for as long as she can remember. She stated she doesn't like some of the things that will be allowed under Neighborhood Mixed Use.

Attorney Malcolm McNeil spoke on behalf of his client VMD Companies, LLC regarding a 126 acre parcel on Chesley Hill Road. They are asking that the board change the zoning from Residential-1 to Residential-2 as they are proposing to create multi family housing on that parcel of land.

Attorney McNeil stated it would not be spot zoning as there are other blocks like this in parts of town and it would be desirable housing.

Mr. Tim Galvin who represented Nantucket Bead board Company on Chestnut Hill Road stated he was trying to figure out why a parcel of land that is currently zoned as Industrial is being changed to Residential-2.

Mr. Galvin went on to question the Planning Boards authority to do this after he reviewed the RSA and the City Ordinance.

Mr. Fontneau informed Mr. Galvin that he believed there had been an error made when printing the map. He stated the board did intend to zone his lot as Industrial.

Mr. Larry Cossett of Chestnut Hill Road questioned whether his parcel of land would be included in the Industrial area.

He stated if the board makes the change to Residential-2 as proposed it will effect them as homeowners, business owners, and limit them to any further expansion. He stated that it wouldn't be supportive to the spirit of economic development in the city.

Mr. Peters stated it looked on the map as if it would be zoned Residential-2.

Mr. Fontneau asked Mr. Cossett what he would like it to be zoned.

Mr. Cossett would like the zoning to be Industrial in that area.

Mr. Marc Laurion spoke regarding two properties, one on Rochester Hill Road which is being zoned as Hospital and one on Winter Street which is to be zoned Neighborhood Mixed Use. He stated his concerns are what the allowed uses and square footage of buildings would be.

Mr. John Parker of Summer Street stated that some of the businesses that had been mentioned at previous meetings are no longer there.

Mr. Paul Auger of Chestnut Hill Road stated he's lived there for 75 years, he owns three properties across from Mr. Cossett and Nantucket Bead board. He stated it was originally zoned as Agricultural, but he believes it should be zoned Industrial as most of that area is commercial.

Mr. Fontneau stated the Planning Board will definitely take another look at Chestnut Hill Road again.

A lady representing Rochester TV and Service on Chestnut Hill Road asked why they are being zoned as Commercial.

Mr. Greg DeNoble of Chesley Hill Road questioned when there will be a public hearing.

Mr. Fontneau stated that nothing has been scheduled at this time, the board is trying to gather information from the public to formalize a plan.

He asked that the Comprehensive Rezoning portion of the City website be more concise. He stated he will write all his questions down and get them to Mr. Campbell.

Attorney Malcolm McNeil representing Rochester Hill Trust regarding a 30 acre parcel that was approved for a 69 lot residential subdivision in the 1970's.

Attorney McNeil stated they support the change from Residential-1 to Residential-2, but stated he thinks there are some issues that need to be resolved. Stating multi family has many different definitions.

Attorney McNeil stated that he agreed with Mr. DeNoble regarding the website being confusing, and stated he will contact Mr. Ortmann or Mr. Campbell and make some suggestions.

Mr. Frank Chearamitaro of 74 Rochester Hill Road stated he supports the Residential-2 zone that is proposed as the area has transformed over the years. He stated he attended the meeting as he needed clarity because the zoning ordinance is a bit ambiguous .

Mr. Chearamitaro suggested that any new developments should keep in the spirit of what's already there, keeping the "neighborhood feel".

Mr. Fontneau closed the public input for the evening.

8:18pm called a recess

8:28pm the meeting was called back to order

Mr. Fontneau stated he thought the board received a lot of good constructive input from the residence.

The board asked for the web page to be cleaned up and made less confusing for people.

IX. Recommendations for CIP

Mr. Fontneau asked the board if they had any formal recommendations.

Mr. Jaffin stated he had thought Mr. Campbell was going to be working on two recommendations, but he could have been mistaken.

Mr. Peters stated that he knows he had a lot of questions that he asked at the retreat.

It was decided to talk about it at the next meeting.

X. Other Business

A. An email regarding Ferwerda LLR

Mr. Campbell stated he received an email from Mr. Nickless stating he'd misunderstood what his client wanted.

Mr. Campbell explained what the new plans show.

Mr. Peters stated he believes there was a restriction on the notice of decision that there not be any building.

Mr. Campbell stated Mr. Nickless was hoping to handle this administratively and not have to come back to the Planning Board.

Mr. Martineau stated his concern about this setting a precedence.

The board doesn't have an issue with the Planning office handling this issue.

XI. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Gray to adjourn at 8:45pm. The motion carried unanimously.

Respectfully submitted,

Crystal DeButts,
Planning Secretary