

City of Rochester Planning Board
Monday March 26, 2012
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on April 16, 2012)

Members Present

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

Members Absent

Stephen Martineau, excused
Derek Peters, excused

Alternate Members Present

Robert Jaffin
Gregory Jeanson, arrived at 8:25 p.m.
Matthew A. Kozinski

(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.

Mr. Kozinski to sit for Mr. Peters.

Mr. Jaffin to sit for Mr. Martineau.

Public Input on proposed rewrite of City of Rochester Zoning Ordinance

Cliff Newton of 168 Old Dover Road discussed sections of Agenda 21. He commented that groups work in private and then hold public hearings in an attempt to display public involvement. Mr. Newton went on to comment about Chapter 7 and its reference to sustainable development.

Fred Leonard expressed that the United Nation clearly looked at the United States with its wealth as part of the problem. Reference was made to the Vancouver Conference, where talks advocated for public control of land and communal property. He expressed over the last ten years there has been a reduction in allowed uses and more regulation.

Rick Perreault of Chesley Hill Road expressed that ten years ago he saw planners advocating PUD's bike paths and open space. He wanted the board to kick the thing to the curb, stating the board could do the job without redoing the zoning.

Tom Kaczynski advised the board to listen to public comment and then go in a different direction. He expressed that someone had a reason for this agenda. The people that pushed this plan knew what it was about. He felt that local leaders wanted to change Rochester. It was a redistribution of wealth and questioned whether the board agreed with what has been put forward.

Diane Wood asked for a clarification of a 2/6/12 motion to change Rural Residential back to Agricultural.

Mr. Sylvain clarified that the name had changed and the board would be going over the uses in the future.

Derek Kittredge, 9A Eastern Avenue spoke to having a bountiful relationship with those you serve. They needed to be forthright, making presentations. People would come to meetings with ideas.

Robert Gates stated that the ultimate goal of Agenda 21 was to prevent the ownership of property. We needed fewer restrictions not more. It was not right to limit property rights.

Mr. Sylvain stated that he was not a "yes sir" man to anyone. The board had asked for seven weeks for input and are going to ward meetings. The board was doing the best it could. He explained he was dead set against Agenda 21. He requested that those addressing the board tell them what issues concern them and give examples.

The board took a five minute break.

Mr. Sylvain called the meeting back to order at 7:50 p.m.

New Combined Office Commercial

Ms. Larochelle asked for a definition of agricultural building reuse.

Mr. Behrendt explained including that the building must be at least 50 years old

Mr. Fontneau questioned why a Special Exception. He expressed it sounded like limiting the building.

Mr. Jaffin asked for a level of detail.

Mr. Walker described it as, reuse leaving the exterior.

Mr. Gray suggested agricultural building reuse as a Special Exception or Permitted Use.

The consensus of the board was as a Permitted Use.

Mr. Fontneau questioned Convenience Store.

Mr. Gray stated he would like to see convenience store as a Special Exception.

Mr. Healey asked for a definition of convenience store.

Mr. Behrendt explained that a convenience store is less than 2,000 square feet and does not include a gas station.

Mr. Walker stated it was intentionally left out of the Office Zone.

Mr. Gray expressed that he would like to see it in some of the development.

The board voted 5-3 to place convenience store in the Office Commercial District.

Retail Sales less than 5,000 square feet

Mr. Fontneau expressed that he did not understand why the board would not want to have retail less than 5,000 square feet allowed.

Mr. Gray suggested as a Special Exception.

The consensus of the board was to change Retail Sales under 5,000 square feet from Not Permitted to by Special Exception.

Mr. Sullivan questioned Yard Sale Commercial.

Mr. Sylvain explained that a property owner could allow someone else to use their property on a weekend for a yard sale.

Mr. Gray explained it was somewhat similar to a farmers market.

Mr. Fontneau asked if it was a flea market.

Mr. Walker explained that Yard Sale Commercial was written for a temporary weekend event.

Mr. Sylvain asked if there was a consensus to remove.

The consensus of the board was not to remove Yard Sale Commercial.

Column 2

Campground

The consensus of the board was to remove Campground.

Mr. Gray expressed that he would like to make motel a Special Exception.

The consensus of the board was to not allow motel.

Recreation Indoor

The consensus of the board was to leave motel as not allowed.

Recreation Indoor

The consensus of the board was to leave as a Conditional Use.

Mr. Fontneau raised Restaurant Drive -Thru.

Mr. Jaffin expressed that a drive-thru should be allowed.

Mr. Fontneau felt that a restaurant drive thru on Rochester Hill would be tough.

The consensus of the board was to leave Restaurant Drive-Thru as Not Allowed.

The consensus of the board was to leave Theater less than 5,000 square feet as Permitted.

Column 3

The board requested Mr. Behrendt come up with a definition for Emergency Services Facility.

The consensus of the board was to change Printing Facility to Permitted.

The board discussed the definition of Research and Development.

Mr. Jaffin wanted to see the definition changed.

Mr. Walker suggested an option would be changing Research and Development to Conditional or Permitted.

Mr. Jaffin and Mr. Behrendt would work on a definition.

The consensus of the board was to leave Trade Shop as Conditional Use.

Mr. Jaffin questioned why a Utility Substation was a Special Exception in all Zones.

Mr. Gray suggested that a Utility Substation be:

Residential Zones - by Special Exception

Office Zones - by Condition Use

Industrial Zones - Permitted

The consensus of the board was to change Utility Substation to:

Office Zones - Condition Use

Highway Commercial - Permitted

Industrial Zones - Permitted

Wireless Communication Facility

Mr. Behrendt read the definition.

Mr. Jaffin and Mr. Behrendt will work on revising the definition for Wireless Communication Facility.

Column 4

Discussion ensued on Fair

The consensus of the board was to change Fair from Permitted to Not Permitted.

The consensus of the board was to leave Farm as Permitted.

A discussion ensued regarding Farm.

A motion was made by Mr. Gray and seconded by Mr. Sylvain to change Farm from Permitted to Special Exception. The motion carried.

The consensus of the board was to change Roadside Farm Stand from Special Exception to Permitted.

The consensus of the board was to leave Veterinary Clinic as Permitted.

Mr. Sylvain stated that the next meeting to discuss Chapter 42 would be on April 9, 2012 at 7:00 p.m. in Council Chambers. The topic would be the uses allowed in Downtown Commercial and Neighborhood Mixed Use.

Other Business

*A motion was made by Mr. Jaffin and seconded by Ms. Larochelle to add the definition for **small wind energy system. "A wind energy conversion system consisting of a wind generator, tower, and associated control or conversion electronics, which has a rated capacity of 100 kilowatts or less and which is used primarily for on site consumption."** The motion carried.*

A motion was made by Mr. Walker and seconded by Mr. Kozinski to accept the definition for Landscaping Materials. The motion carried.

A motion was made by Mr. Walker and seconded by Mr. Gray to accept the definition for Recycling Industry. The motion carried.

Mr. Gray asked if Ms. Pollard would be available to address the Planning Board on the effects if any of the reorganization on the Planning Department.

A motion was made by Mr. Walker and seconded by Mr. Gray to adjourn at 9:20 p.m. The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses
Planning Secretary

