

City of Rochester Planning Board

Monday September 20, 2021

City Hall Council Chambers

31 Wakefield Street, Rochester, NH

(These minutes were approved on October 4, 2021)

Members Present

Nel Sylvain, *Chair*

Peter Bruckner

Terry Dwyer

Tim Fontneau

Robert May

Mark Sullivan

David Walker

Members Absent

Mark Collopy, excused

Lance Whitehill, excused

Alternate Members Present

Keith Fitts

Paul Giuliano

Donald Hamann

Staff: Shanna B. Saunders, *Director of Planning & Development*

Crystal Galloway, *Planning Administrative Assistant II*

(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 7:38 p.m.

The Secretary conducted roll call.

III. Seating of Alternates

Mr. Fitts voted in place of Mr. Collopy.

IV. Communications from the Chair

There were no communications from the Chair.

V. Opening Discussion/Comments

A. Public Comment

There was no one present that wished to speak.

B. Discussion of general planning issues

There were no issues to be discussed.

VI. Approval of minutes

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the September 13, 2021 meeting minutes. The motion carried unanimously.

VII. Granite Ridge Development District TIF Presentation

Deputy Finance Director Mark Sullivan gave a presentation to the Board on the Tax Incremental Financing Districts.

Municipal Economic Development and Revitalization Districts are governed by State Statute RSA 162-K requires identification and creation of a development district. He explained that single districts cannot exceed 5% of total city acreage, or 8% of total assessed value. Combined districts cannot exceed 10% of total city acreage, or 16% of total assessed value. He said the incentive is to provide new property development or re-development.

Mr. Sullivan explained the first thing that has to happen is a Tax Incremental Financing Plan. He said the Board saw one when the Director of Economic Development brought forth the Granite Ridge Tax Incremental Financing Plan seeking to get it modified to allow residential infrastructure related to residential housing as an allowable activity to be financed by the TIF.

Mr. Sullivan explained when the TIF is established the initial assessed value stays with the general fund. He said once the TIF is enacted and there's new development and new construction the taxes collected on the new assessed value stays with the TIF and is referred to as retained assessed value. Mr. Sullivan said the revenue that's generated is used to fund debt services and other operating costs.

Mr. Sullivan went through the developer's agreement which is required when a developer is requesting public infrastructure.

Mr. Fontneau said he has been asked in regards to residential development in the Granite Ridge District if residential properties are built and they are assessed at the regular value will the tax money from those residential units be held in the TIF account. Mr. Sullivan said as it stands, the retained assessed value rate amount is set at 100%. Any new development that brings any new assessed value is automatically retained into the TIF fund.

Mr. Fontneau said the concern is if there are residential units built and there is a drain on City services such as police, fire, and schools. Mr. Sullivan explained the TIF can be set up to reimburse the general fund if there is a draw on public services.

Mr. Bruckner asked how long the money is retained. Mr. Sullivan said the City Council can decide the level of retained percentage at any point.

VIII. Discussion regarding Highfield Commons

Mr. Giuliano and Mr. Fitts both recused themselves from the discussion.

Ms. Saunders told the Board in April Staff set guidelines and deadlines for the developer which included finishing the Stormwater infrastructure, movement of the dirt piles, and storm damage that needed to be fixed. She said since April, communications with the Highfields development team has changed substantially because the investors for the project have stepped forward. Ms. Saunders explained that one of the large

storms this summer washed out one of the detention ponds on Hussey Hill. She said today that pond has been completely fixed along with the level spreader.

Ms. Saunders explained to the Board that as-builts for the project have been slow in coming because she has received confirmation that will not be submitted until the developers engineering firm goes out to verify everything has been completed correctly. As-builts submitted prior showed incomplete work. She said the deadline has been pushed to allow the team time to complete the work in this manner.

Ms. Saunders said the October 15th deadline is fast approaching for when construction season ends. She said Staff has worked with the team to come up with a completion date, meaning all the work on the stormwater system will be done, the engineering team will go out to verify the work next week, and as-builts will be provided by October 12th.

Ms. Saunders explained if the work is not completed by October 12th Staff's recommendation to the Board at its October 18th meeting will be to pull the surety to complete the stormwater infrastructure and complete the as-built.

Ms. Dwyer asked what assurance does the Board have that catch basins and retention ponds constructed prior to the new team coming on are built correctly. Ms. Saunders explained the as-built they are working on is a full site as-built for the Eisenhower phase of the project and will show that work.

Mr. Fontneau asked if October 12th and 18th come and things are not completed is it too late to pull surety and complete the work. Ms. Saunders explained Staff has been out weekly, if not more doing site inspections. And no staff is prepared to pull surety in October if need be and complete the work.

Mr. Sullivan asked how much money is set up to complete the work. Ms. Saunders explained surety has just been reviewed and is for project completion under the conditions of approval. She said there is hundreds of thousands of dollars to complete the project.

Mr. Sylvain said he appreciates what the investors have been doing for the last few months but there is a long way to go. He asked if the deadline of October 12th can be met. Highfield Commons Investor Courtney Donaldson said he will do everything in his power to meet that deadline. Mr. Sylvain asked that they start prepping the site for winter also.

Ms. Dwyer asked to see a punch list of things that was asked to be done and the items that have been completed for the October 18th meeting.

Public Works Director Peter Nourse said the site is the best he's seen it in over a decade but there is still a ways to go. He added that the quality of work could be better.

IX. Discussion on Amendment to the building height requirements in the Downtown Commercial zone

Ms. Saunders explained there are two items to discuss, the first is a proposal to change the roof break step back from 15 foot to 10 feet. She said developers have expressed concern because 15 feet is a very wide deck and a potential safety hazard. Ms. Saunders said she recommends requiring a minimum of 10 feet, and that allows developer to go larger if they wish.

Ms. Saunders explained the second amendment would be to change the wording in the ordinance for density in the downtown zone. She said it still gives a value which was changed when the density rings were approved and is now exempt.

A motion was made by Mr. Walker and seconded by Mr. May to recommend the amendments as proposed to the Building Height Requirements in the Downtown Commercial Zone to the City Council. The motion carried unanimously.

X. Review of August 2021 surety and inspections

Ms. Saunders explained the Village at Clark Brook has requested a draw down, however due to being short staffed the request has been put on the back burner. She said she has started working on the request and will bring it to the October workshop meeting.

Mr. Fontneau asked if any inspections have been done for the Carol Court project off Portland Street. Ms. Saunders said she would speak with Public Works. Mr. Sullivan said inspections may have been done for the project but not passed on to the Planning Department to move the money.

The Board had a discussion regarding inspections being completed. The Board asked that all inspections being done by either Public Works or the Planning Department be added to the inspection list and charged.

Mr. Walker pointed out some of the projects with surety due to expire at the end of the year. He asked if things are in the process to get them extended. Ms. Saunders explained Staff sends letters to the developer to let them know the surety will be expiring about a month to a month and a half before the expiration date.

XI. Other Business

A. Update from Planning Staff

Ms. Saunders explained she received a letter from the Strafford Regional Planning Commission regarding two members who are up for re-appointment. She said a recommendation for Rick Healey and Donald Hamann is needed from the Board.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to recommend re-appointment for Rick Healey and Donald Hamann to the Strafford Regional Planning Commission. The motion carried unanimously.

B. Other

Ms. Dwyer let the Board know the issue with the dumpster at Hope on Haven Hill has been taken care of and it has been moved.

XII. Adjournment

A motion was made by Mr. Walker and seconded by Ms. Dwyer to adjourn at 8:37 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planner I

and

Shanna B. Saunders,
Director of Planning & Development