

City of Rochester Planning Board
Monday September 12, 2022
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on October 3, 2022)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Peter Bruckner
A.Terese Dwyer – excused at 7:46 p.m.
Keith Fitts
Don Hamann
Mark Sullivan
Dave Walker

Members Absent

Paul Giuliano, *excused*
James Hayden, *excused*

Alternate Members Present

Alexander de Geofroy
Michael McQuade
Matthew Richardson

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

I. Call to Order

Mark Collopy called the meeting to order at 6:30 p.m.

II. Roll Call

The recording secretary, Ashley Greene, conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Michael McQuade to vote for Paul Giuliano.

IV. Communications from the Chair

There were no communications from the chair.

V. Approval of minutes for August 8 and 22, 2022

Terry Dwyer requested to change “Jeff Newton” to “Cliff Newton” in the August 22, 2022, minutes.

Dave Walker made a motion to approve the minutes with the changes stated. Don Hamann seconded the motion. The motion carried by a unanimous voice vote.

VI. Opening Discussion/Comments (up to 30 minutes)

A. Public comment

There was no public comment.

B. Discussion of general planning issues

Mr. Walker asked for clarification on the sewer hookup fees that recently was voted on by the City Council. Mr. Walker asked if this is only for new approved projects? Ms. Saunders explained that she would ask for clarification from the Department of Public Works.

VII. Extensions

A. [Victoria Perez, Ko-Go, LLC, 0 Farmington Road](#) (by Norway Plains) Extension Request to meet precedent conditions Case# 208 – 16 – GRD – 22 **Extension to 3/7/2023**

Ms. Saunders explained the extension request is due to manufacturing and shipping delays. The applicant is seeking an extension to March 7, 2023.

Mr. Walker asked how many extensions this project has had. Ms. Saunders said that this is the first extension request.

Mr. Walker made a motion to approve the extension request to March 7, 2023. Ms. Dwyer seconded the motion. The motion carried by a unanimous voice vote.

VIII. New Applications

- A. [Champlin Place, Easter Seals of NH, 215 Rochester Hill Road](#) (by Norway Plains)
Modification to an approved Site Plan Case# 243 – 39 – A – 21 **ACCEPTANCE/FINAL DECISION***

Bob May recused himself from this application. Mr. Collopy asked Matthew Richardson to vote for Bob May.

Scott Lawler, of Norway Plains, discussed the amendment to an approved Site Plan project. Mr. Lawler explained the modification is being requested due to an issue with Eversource and where the underground utilities would be running from a utility pole to the building. Mr. Lawler explained Eversource determined that the utility wires running through the field was no longer an option and need to be placed closer to a paved access way in order to maintain service. Mr. Lawler explained the new proposal shows the utilities coming down the entrance of the property. The wires will be above ground to save the roots of the trees, thus the waiver.

Ms. Saunders explained that City staff support the waiver and modification request.

Peter Bruckner made a motion to approve the waiver request. Mr. Walker seconded the motion. The motion carried by a unanimous voice vote.

Mr. Walker made a motion to approve the modification request. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

- B. [Elizabeth Dunnells, Tibetan Drive, 797 Portland Street](#) (by Berry Surveying) Design review for a proposed roadway with 16 lots for 16 Duplex buildings Case# 108 – 50 – A – 22 **Public Hearing ACCEPTANCE/FINAL HEARING***

Christopher Berry, of Berry Surveying & Engineering, discussed the design review of the 16-lot subdivision. Mr. Berry explained the boundary and existing conditions survey that was conducted in the Spring of 2022. Mr. Berry discussed the wetlands analysis that was conducted by a wetland's scientist. Mr. Berry discussed the existing conditions and the three frontages available to the lot. Mr. Berry explained where the wetlands are located and the stream on the property. The site has City water but no sewer. Mr. Berry explained the stormwater analysis that will be conducted. A traffic analysis is needed, specifically at the intersection on Crowhill Road, Portland Street, and Grove Street. Mr. Berry discussed the stormwater analysis and the amount of stormwater that affects the abutting landowners. Mr. Berry explained the proposal to capture the stormwater and route it to a gravel area. Mr. Berry said there is one wetland crossing that will be submitted to NH DES and to Conservation Commission. Mr. Berry explained the NH DES Alteration of Terrain permit that is required.

Mr. Collopy opened the public hearing.

Karl Stevens, 61 Crowhill Road, discussed the runoff and seasonal Brook that runs through his property. Mr. Stevens explained that the brook has grown over the years and is now 4 feet deep.

Mr. Stevens discussed the retaining wall that he put in on his property. Mr. Stevens is concerned about who would be responsible for relief if it effected his property.

Dottie and John McClain, 63 Crowhill Road, expressed their concerns with the amount of run off that is on their property. Ms. McClain expressed concern with traffic on a dead-end road. Ms. McClain discussed the flooding that occurred in 2008 and how residents on Crowhill were forced to evacuate. Ms. McClain discussed the water supply and the oldest infrastructure within the City. Ms. McClain explained that there is a fire hydrant constantly running to keep the water flushed. Mr. McClain expressed concern with the general wetlands that are on the proposed parcel and the current conditions now compared to when it is not a dry summer. Mr. McClain that every time timber is removed from the area the water problem gets worse. Mr. McClain explained the amount of water that still comes onto their property even with a retaining wall in place. Mr. McClain discussed the need for a sub pump in their basement. Ms. McClain expressed her concern with the school systems and additional children and the safety of children walking on Crowhill with no sidewalks.

Carl Goodwin, 817 Portland Street, discussed the problems with the water on properties. Mr. Goodwin expressed his concern with the foundations on the duplexes, the size of them, and if they are going to rentals or owner occupied. Mr. Goodwin expressed his concern with low-income housing.

Jill Goodwin, 817 Portland Street, discussed her sump pump in the basement. Ms. Goodwin explained that her entire backyard is wet. Ms. Goodwin discussed the trees being taken down and having to look at a development.

Dave LeClair, 745 Portland Street, discussed the right of way that was once Blaisdell Lane is now City owned. Mr. LeClair expressed concern with the runoff.

Colin Claffey, 795 Portland Street, expressed his concern with traffic during school hours. Mr. Claffey expressed his concern with the right of way next to his property being developed. Mr. Claffey discussed the drainage and the runoff. Mr. Claffey explained that he had to put a sub pump in his basement. Mr. Claffey expressed concern with who is responsible for his property if it is ruined by this project.

Christina Paquette, 9 Copper Lane, said that she is not a direct abutter but lives across the street. Ms. Paquette expressed her concern with traffic and the lack of sidewalks on Crowhill Road. Ms. Paquette asked if there was a way to put a walking path towards the back of the subdivision to the school for kids to walk. Ms. Paquette expressed her concern with the already full buses and where the kids would have to walk to get to the bus stop. Ms. Paquette expressed her concern with traffic at the 5 corners and on Portland Street.

John Kirchorfer, 67 Crowhill Road, expressed his concern with the entrance of the subdivision coming right next to his home and five duplexes possibly surrounding his property. Mr. Kirchorfer expressed his concern with the trees and the water that runs through his property. Mr. Kirchorfer said that his neighborhood is quiet, peaceful, and hardly ever any cops. Mr. Kirchorfer explained the lack of paint on the roads and safety for kids that could be walking the road. Mr. Kirchorfer discussed the burden on school systems and lack of fire station.

Jason Picard, 74 Crowhill Road, expressed his concern with the new road aimed directly at his house. Mr. Picard expressed his concern with safety and cars stopping at the bottom of the slope.

Art Jacobs, 67 Copper Lane, said that he is not a direct abutter but across the street. Mr. Jacobs asked who would be in charge of the open space that is indicated on the plans. Mr. Jacobs asked if the duplexes will be owner occupied or rentals? Mr. Jacobs discussed the wetlands and the water concerns surrounding the property. Mr. Jacobs asked if there could be single family homes put in rather than duplexes.

Carl Goodwin, expressed his concern with the water problem that floods his property and the surrounding properties.

Damon Kondrup, 570 Salmon Falls Road, discussed the water concerns and how the current surveying plan does not represent how wet the land actually is during a normal season. Mr. Kondrup expressed his concern with the property being Agricultural and how landowners are trying to preserve the land. Mr. Kondrup explained that the land should be preserved rather than developed. Mr. Kondrup expressed his concern with this bring a large multi-family development and how this development does not fit with the surrounding properties.

Mr. Collopy closed the public hearing.

Ms. Saunders explained that the application is a design review and that it went to only one TRG review and that there will be third party reviews for this project.

Mr. Walker discussed how wet the land is and the difficulty of rerouting the water. Mr. Walker explained that the proposed roadway should be lined up with Stair Falls Drive rather than in front of a home.

Mr. Collopy asked Mr. Berry to discuss where the water is going to go and how the pond is going to draw the water away from properties.

Mr. Berry discussed the mitigation design and where the water will end up for this proposal. Mr. Berry explained that he is very aware of the water problem in the area, and he is working with the developer to make it better. Mr. Berry explained the process for determining the wetlands and how to determine the seasonal high-water tables.

Mark Sullivan asked if this design would improve water flow for the abutters. Mr. Berry explained it would help the abutters and a stormwater analysis has been submitted and currently being reviewed. Mr. Berry discussed the detention system proposed and the route of the water.

Mr. Collopy expressed his concern with traffic and location of the road on Crowhill Road. Mr. Collopy explained that he does not feel the duplexes match the tone of the neighborhood.

Mr. Walker discussed the lack of sidewalks, and that the road is not wide enough to support a sidewalk. Mr. Walker asked about the traffic pattern. Mr. Berry explained that the traffic pattern is still underway, but the field data has been obtained.

Mr. Walker asked if the water flows south to north or north to south in this area. Mr. Berry explained that the water flows from the southern hemisphere to the northern, but there is a large elevational difference.

Ms. Dwyer asked about the traffic study and if it was done at the beginning and end of school? Mr. Berry said the pm peak was done from 4pm to 6pm, so it was not done during the school release time. Mr. Berry said that the am peak was done during school hours.

Mr. Bruckner asked to know what the plan is for the duplex units from an architectural standpoint. Mr. Bruckner asked for contour maps as part of the submittal, as well.

Mr. May asked for clarification on the foundations and if it will be an issue. Mr. Berry explained that the duplexes will be slab on grade, but not on full foundations. Mr. May asked if there was any plans for sidewalks, especially on Crowhill Road. Mr. Berry explained that there are no plans for sidewalks on Crowhill Road. Mr. May asked if there are any pedestrian amenities. Mr. Berry said no plans as of right now.

Mr. McQuade expressed his concern with the water situation being improved for the abutters and to make sure this subdivision is not adding to the water problem.

Mr. Collopy discussed the sidewalks and how they do not seem to be fitting in that area. Mr. Collopy expressed his concern with duplexes not being the best option due to the high foot traffic it may bring in.

Ms. Dwyer discussed what would happen if the drainage system does not work and who would be responsible. Ms. Dwyer expressed her concern with making sure this project does not cause more damage to the surrounding abutters.

Mr. Berry explained that he is going to take this input and submit new plans for review with TRG.

Mr. May asked if there will be third party reviews for this project. Ms. Saunders explained that there would be third party reviews.

Ms. Saunders explained the design review process and the next step. Ms. Saunders let the public know that there would be another abutter notice once the project comes back to the board.

**C. [Anthony DiLorenzo, 400 North Main Street, LLC, 0 North Main Street](#) (by TFMoran)
Site Plan to construct two buildings for automotive service and sales
Case# 114 – 2 – HC – 22 **Public Hearing ACCEPTANCE/FINAL HEARING*****

Mr. Collopy excused Ms. Dwyer at 7:46 p.m. and asked Mr. Richardson to vote for Ms. Dwyer.

Chris Rice, from TFMoran, presenting on behalf of the applicant. Mr. Rice explained that there was a previous approval for a car dealership on this site but has since expired. Mr. Rice discussed the site including that it is in the conservation overlay district and he identified the location of wetlands on the property. Mr. Rice explained the curb cut is moved further down from the exit off the Spaulding Turnpike. Mr. Rice explained that the proposal is to construct two dealership buildings, the building. On the left will be a 22,000 sf GMC building, and on the right will be a 26,300 sf Jeep dealership. There will be approximately 523 parking spaces which includes 396 display spaces and 127 customer and employee spaces. Mr. Rice explained the landscaping proposed for the site. There will be municipal water and sewer and there is currently a sewer capacity review underway. Mr. Rice explained there is a 1,500-gallon oil and water separator proposed for each building. There are no wetland impacts and all new pavement is at least 150 feet away from the

wetland boundary. Mr. Rice explained that the application went to Conservation Commission to remove pavement that is currently in the conservation overlay district and some other work that needs to be completed within the overlay in relation to the driveway. Mr. Rice explained the stormwater management plan. Mr. Rice discussed the evergreens that are currently planted within the parcel ROW and that NH DOT has no record of why these were requested to be planted and has no issue with the evergreens being removed as long as it is accepted by the City staff and Planning Board. Mr. Rice discussed the results of the traffic study. Mr. Rice discussed the waiver requests; three landscaping waivers, parking waiver, and a drainage waiver. Mr. Rice discussed the reviews that have been completed by the state, including NH DES and NH AoT permits.

Mr. Collopy opened the public hearing. There was no one from the public to speak, Mr. Collopy brought it back to the board.

Ms. Saunders discussed the staff recommendations for the project. Ms. Saunders explained that there are two sets of waivers to approve, including the waivers for landscaping and the waiver for the stormwater management. There are two conditional use permits for approval which are for a car dealership and the second is for the wetlands buffer which went before the Conservation Commission. Ms. Saunders said that staff recommends the application be accepted as complete.

Mr. Walker made a motion to accept the application as complete. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

Ms. Saunders discussed the conditions of approval, including sewer and water capacity studies. Ms. Saunders explained the drainage maintenance agreement to be recorded, and under general and subsequent conditions a requirement for a contribution for a future Route 11 traffic study. Ms. Saunders explained the PTAPP stormwater condition to be completed with the as-builts. Ms. Saunders discussed the landscaping of the evergreen trees in the DOT right of way is new tonight and the removal of the trees will need to be reviewed by staff.

Mr. McQuade asked if the dealerships are two separate dealerships with two separate licenses? Mr. Rice said it is two separate dealerships. Mr. McQuade asked if there is a physical barrier to separate the inventory. Mr. Rice explained that there is not a physical barrier. John Tuttle, of TW Designs, said that the physical barrier is the travel lane between the dealerships. Mr. McQuade asked if the plan has been reviewed by the dealer desk and if it was approved by them. Mr. McQuade explained that there are safety rules that need to be followed and the inventories can't be crossed. Mr. McQuade suggested getting that approval before approving the application. Ms. Saunders asked if this could be a condition of approval? Mr. McQuade agreed.

Mr. Hamann asked about the piles of sand that are on the site currently. Mr. Rice explained that there is a good amount of fill to raise the site. Mr. Hamann asked about the removal of the trees and if they would all be removed? Mr. Rice explained the intent was to remove them all but the applicant is willing to work with staff. Ms. Saunders explained staff would like to opportunity to look back at old minutes to make sure it wasn't a previous condition of approval.

Mr. Walker asked about the sidewalk being put in on North Main Street. Mr. Rice explained the sidewalk will be put in until almost the Spaulding Turnpike. Mr. Walker asked about the dumpsters on site and if they are screened in. Mr. Rice said they are screened in behind both buildings. Mr. Walker asked about the snow removal plans. Mr. Rice explained that snow removal has been shown on the plans, but snow removal will be on the permitter of the parcel.

Mr. Fitts asked about the plans for the dealership across the street. Mr. Rice said there are no plans currently.

Mr. May asked if there are any plans for solar panels or for electric vehicle charging stations. Mr. Rice explained there is no plans for solar panels but there are plans for electric vehicle charging stations on site. Mr. May asked if the applicant would have to come back to the planning board if they put up trackers. Ms. Saunders explained they would not unless it was a large array of trackers.

Mr. Sullivan asked about the contribution for a traffic study. Ms. Saunders explained that there is concern about the traffic in the corridor and the suggestion from Police and DPW that a traffic light may be needed at the driveway. Ms. Saunders explained that the intent is to build the project and see what it looks like for 6 months and then consider a traffic study to look at light timing across the corridor to make sure traffic flow is functioning correctly. Mr. Sullivan requested the contribution for the traffic study be removed.

Mr. Walker asked what the bottom line of the traffic study would be and the cost of the traffic study. Ms. Saunders said that it would be determined by Planning and Public Works Departments.

Mr. McQuade said the NH Code of Administrative Rules SAF-C 3003.03 is the structural requirements for separation between dealerships.

Mr. Collopy asked if the street signage to be used would be similar to their other dealerships. Mr. Rice said it would be similar and a sign permit would be applied for.

Mr. Bruckner discussed making the building solar panel ready and having EV Charging stations. Mr. Rice explained there will be EV Charging stations.

Mr. Walker made a motion to accept the two waivers and the conditional use permits. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

Ms. Saunders discussed the conditions requested by the planning board including addition of the EV Charging Stations to the final plan, the approval from the Department of Safety dealer desk for the separation between the dealerships, and the allowance for staff to review and make recommendations to remove the evergreens within the state right of way.

Mr. Sullivan made a motion to approve the application with the three conditions stated and the removal of the condition to contribute to the city traffic study. Mr. Walker seconded the motion. The motion carried by a unanimous voice vote.

IX. Other Business

A. Planning Update

Ms. Saunders reminded the board that Monday September 19th is the workshop meeting. Ms. Saunders discussed the Rochester Listens meeting with residents of Gonic on 9/22/22.

Ms. Saunders announced the Planner I position has been filled by Renee McIsaac and that she is starting September 19, 2022.

B. Other

There was no other business to discuss.

X. Adjournment

Mr. Walker made a motion to adjourn the meeting at 8:31 p.m. Mr. Bruckner seconded the motion. The motion carried by a unanimous voice vote.

Respectfully submitted,

Ashley Greene ,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development