**City of Rochester Planning Board**

Monday July 13, 2015

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on August 3, 2015)*

*Members Present*

Nel Sylvain, *Chair*

Matthew Kozinski, Secretary

Tim Fontneau

James Gray

Robert Jaffin

Dave Walker

Tom Willis

*Members Absent*

Rick Healey, excused

Mark Sullivan, excused

Charles Grassie, Jr., absent

*Alternate Members Present*

Fred Leonard

Robert May

Staff: James Campbell, Director of Planning & Development

 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.)

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to go into a non meeting at 6:50pm with the City’s Legal Council. The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to adjourn the non meeting at 7:10pm. The motion carried unanimously.*

Mr. Sylvain called the meeting to order at 7:11 p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Leonard voted in place of Mr. Healey and Mr. May to vote in place of Mr. Grassie.

**IV. Communications from the Chair**

There were no communications from the Chair.

**V. Approval of Minutes**

*A motion was made by Mr. Walker and seconded by Mr. Kozinski to approve the June 15, 2015 meeting minutes. The motion carried unanimously.*

**VI. Extension/Continued Applications**

 **A. O’Keefe & Martins Retail Store, 29 Milton Road**

Mr. Campbell said the applicant is seeking a one year extension. He said staff doesn’t have any issues and would recommend approving the request.

*A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the extension request to July 11, 2016. The motion carried unanimously.*

 **B. Robert Diberto, 319 Rochester Hill Road**

The applicant requests the preliminary site plan application be continued to the August 3, 2015 meeting.

*A motion was made by Mr. Willis and seconded by Mr. Leonard to continue the application to the August 3, 2015 meeting. The motion failed by a 4 – 4 show of hands.*

Mr. Walker asked what the reason for the continuation request was. Mr. Campbell said the applicant is trying to get more information and engineering together.

Mr. Gray asked if the change in the ordinance would affect the application. Mr. Campbell said the applicant submitted a plan with boxes drawn on it so it would not fall under vesting; however he will speak with the City’s Attorney.

Mr. Walker pointed out that under the new ordinance they would now be non-conforming. Mr. Sylvain added unless they were to have frontage on Rochester Hill Road.

Mr. Sylvain asked that the City’s Attorney be present at the August 3rd meeting.

**VII. New Applications**

 **A. Packy Campbell, 125 Washington Street**

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

Packy Campbell explained he would like to remove an 8’ section of the existing fence. He said the panel had broke during the winter while he was clearing snow from the parking lot. Mr. Campbell went on to say there is a large amount of vegetation that has grown up and he will be replacing the fence panel with 30’ arborvitae trees to provide screening.

Mr. Sylvain opened the public hearing.

Tony Harlend of 5 Woodlawn Road said the missing panel of fencing had blocked both his living room and bedroom windows from the parking lot.

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

Mr. Fontneau questioned the plan Mr. Campbell submitted, saying it showed two sections of fence to be removed. Mr. Campbell said he is willing to only remove one section; however he would also like to move the location of the bike rack to make plowing during the winter easier.

Mr. May asked if the abutter would have as much privacy. Mr. Campbell said he believes the abutter would have more privacy.

Mr. Campbell said staff didn’t have any issues with the request. He the trees would need to be planted in two staggered rows, and need to be guaranteed for one year.

*A motion was made by Mr. Fontneau and seconded by Mr. Jaffin to approve the amendment to replace one section of fence with 4 arborvitae trees with 8’ high coverage and that it becomes part of the Site Plan approval. The motion carried. Mr. Walker opposed.*

**B. Kerried Miller Revocable Trust & Steven Miller, 53 & 95 Blackwater Road**

Bob Stowell of Tritech Engineering explained the lot line revision is to add 56,307 square feet from Lot 28 to Lot 28-1.

Mr. Sylvain opened the public hearing.

Tana Anderson of 5 Pawtucketts Way asked how the lot line revision would affect them on Pawtucketts Way.

Mr. Stowell explained they will not be building anything; they’re just adjusting the lot line.

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

Mr. Willis asked if the storage containers shown on the plan would be moved as they would be located on the neighboring property. Mr. Stowell said they are moveable.

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

*A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the lot line revision. The motion carried unanimously.*

 **C. Vickery Revocable Trust & Norman Vetter, 55 Evans Road**

Joel Runnals of Norway Plains Associates explained the lot line revision is to add almost 17 acres to the Vetter property, Tax map 234 Lot 33.

Mr. Sylvain opened the public hearing. There was no one present to speak.

*A motion was made by Mr. Fontneau and seconded by Mr. Walker to accept the application as complete and close the public hearing. The motion carried unanimously.*

*A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the lot line revision. The motion carried unanimously.*

**D. The Townhomes at Highfield Commons, Fillmore Boulevard**

The applicant requests the site plan application be continued to the August 3, 2015 meeting.

Mr. Sylvain said the reason they are requesting the continuance is because the items that were required with the last approval have not been completed.

*A motion was made by Mr. Walker and seconded by Mr. Willis to continue the site plan application to the August 3rd meeting. The motion carried unanimously.*

**VIII. Other Business**

 **A. Surety release for 10 Farmington Road**

Mr. Campbell explained all the work for Key Collision Center has been complete and all departments have signed off.

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to release the surety in the amount of $40,265.61 plus any interest. The motion carried unanimously.*

 **B. Other**

Mr. Campbell informed the Board he is still working on the TIGER Grant. He went on to say only two crossings were mentioned for improvements, Somersworth and Acton.

Mr. Sylvain informed the Board there will not be meeting on July 20th.

**IX.** **Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Willis to adjourn at 8:01 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary