

**City of Rochester Planning Board**  
Monday April 7, 2014  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on, April 21, 2014)*

**Members Present**

Nel Sylvain, *Chair*  
Derek Peters, *Vice Chair*  
Gregory Jeanson, *Secretary*  
Tim Fontneau  
Rick Healey  
Robert Jaffin  
Matthew Kozinski  
Mark Sullivan

**Members Absent**

Dave Walker, excused

**Alternate Members Present**

Charles Grassie  
James Gray  
Fred Leonard  
Thomas Willis

Staff: James Campbell, Chief of Planning  
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.)

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Mr. Sylvain called the meeting to order at 7:00 p.m.

The Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Gray to vote for Mr. Walker

**IV. Communications from the Chair**

There were no communications from the Chair.

**V. Public hearing on amendment to the Site Plan Regulations**

Mr. Campbell stated after Mr. Walker brought up an issue regarding a fence during a previous meeting the Board decided to make changes to Site Plan Regulations, Section 14, Traffic and Access Management, subsection (c), Site Distance and Subdivision Regulations, Section 6, Required Improvements; Construction Standards and Specifications, Subsection 6.9, Stopping Distance.

There was no from the public present to speak either in favor or against the amendment.

*A motion was made by Mr. Peters and seconded by Mr. Gray to approve the amendment to the Site Plan Regulations. The motion carried unanimously.*

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## **VI. Approval of minutes for March 17, 2014**

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*A motion was made by Mr. Gray and seconded by Mr. Jeanson to approve the March 17, 2014 meeting minutes. The motion carried unanimously.*

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## **VII. New Applications:**

### **A. DEW Properties, LLC**

*Mr. Peters rescued himself from voting.*

Scott Lawler of Norway Plains was present with Joseph Shields from Frisbie Foundation the land owners, and Joe Britton of Lavallee/Bresinger Architects presenting a site plan application to construct a 15,200+/- square foot Ambulatory Surgery Center facility at Rochester Hill and Health Care Drive located opposite Sky Haven Airport. This is a 4 acre lot 243-39-3 owned by Frisbie Foundation PUD 3.

PUD 3 zone subdivided with access to parcel is Health Care Drive but on Rochester Hill by the Homemakers Association. This will be a 15,000 square foot ambulatory surgery building operated by Sky Haven LLC. This will have 6 positions and 30 staff specialized services located in out building. At peak hours 6-7 patients will be arriving via the Health Care Drive access. The applicant is requesting a waiver to reduce parking in the current ordinance requires 152 spaces for patients 62 for staff. There will be a storm water management plan with rain gardens. The building will be on city water and sewer with a force main pump up thru force gravity system. The utilities will be underground, with backup generator, bulk oxygen storage, and storage screened sloped flat roofs. Currently the project needs four state permits: NH DOT Driveway (submitted), Alternation of Terrain for disturbance over 100,000 square feet, Construction General Permit, and FAA observation height of structure.

Mr. Sylvain stated the public hearing was still open.

No one came forward.

Mr. Campbell stated City staff support the waiver request.

*A motion was made by Mr. Sullivan and seconded by Mr. Healey to approve the waiver request to reduce parking. The motion carried unanimously.*

Mr. Grassie asked if the building would be visible from Rochester Hill Road because the current architectures do not fit in with the other buildings that are currently there.

Mr. Britton stated the original premise of the design was a cross between the hospital and the other buildings located on Health Care Drive.

Mr. Britton went on to say they had looked at constructing a more sloped roof; however it is not financially feasible as they are approximately \$300,000 over budget.

Mr. Willis suggested presenting the landscaping plan, as Mr. Grassie is correct in his earlier statement that Rochester Hill Road is a gateway to the City and the current design of the building is not very attractive.

Mr. Britton stated they have met with a landscape architect to use plantings to break up and mask the building.

Mr. Sylvain suggested the applicant come back with the landscaping shown on the next plan rendering; he also asked if it would be possible to move the dumpsters to another location so it would not be visible from Rochester Hill Road.

Mr. Britton stated the dumpsters will be enclosed and heavily shielded with landscaping.

The applicant will attend the April 21<sup>st</sup> workshop meeting.

## **B. 10 Farmington Road, LLC**

Mr. Peters rejoined the Board

John Lorden of MSC Civil Engineering and Land Surveyors presented the site plan application to construct a 16,100 square foot collision center. Mr. Lorden went on to say they will be installing a six foot high vinyl fence to help screen the abutting residential properties. He stated they are requesting a waiver for parking because a "collision center" use is not a use specifically listed in one of the defined "parking requirement" categories. They are asking for a waiver to utilize their won parking requirement calculations based on the parking needs at their other facilities and believe 75 parking spaces would be sufficient.

Mr. Sylvain opened the public hearing.

Rene Cardinal of Cardinal Drive came forward stating he is not against the development, however he does have some concerns. One concern is there is a stop sign shown located at the end of his right of way, also there are issues regarding drainage and wetlands; he would like the tree line left for privacy for the residents on Cardinal Drive; Mr. Cardinal stated his concern for what may happen to the value of his property; and finally asked what the hours of operation would be. He also requested the pavement be redone up to his property line. Mr. Cardinal reiterated he is not against the development, he just has some concerns.

Mr. Sylvain stated the entrance to the collision center will be located on Cardinal Drive and not Farmington Road and that should be taken up with the E911 Committee.

Both Mr. Peters and Mr. Healey stated Mr. Cardinal should have the right of way and the stop sign should be place at the exit of the collision center.

Mr. Sylvain asked what the hours of operation would be.

Mr. Lorden responded Monday thru Friday, 8:00am to 5:00pm, with no Saturday or Sunday hours. Steve Patterson representing Key Auto stated is would not be out of the question if the collision center is busy to work an hour or so extra to complete the job. He also stated they have discussed having the business open for part of the day on Saturday's but will not have any Sunday hours.

Mr. Sylvain informed the applicant if they wish to change the hours of operation they would need to get approval from the Planning Department.

Mr. Peters asked about paving.

Mr. Lorden stated they will be repaving Cardinal Drive.

Mr. Grassie suggested putting a time of operation restriction in the notice of decision.

Mr. Campbell reminded the Board this project is located in the Granite Ridge Development zone which is specifically for commercial development.

*A motion was made by Mr. Peters and seconded by Mr. Healey to approve the waiver request for parking. The motion carried unanimously.*

*A motion was made by Mr. Peters and seconded by Mr. Jaffin to close the public hearing and approve the application as presented. The motion carried unanimously.*

Mr. Sylvain called a recess at 8:33pm

Mr. Sylvain called the meeting back to order at 8:42pm

### C. Waterstone Retail, Inc.

Ken Mavrogeorge of Tighe & Bond presented the site plan application to construct a 300,000 square foot commercial development adjacent to Wal-Mart on NH Route 11 (Farmington Road). He stated the plan is to have five freestanding restaurants, on freestanding retail store, two 30,000 square foot malls, a 110,000 square foot mall, a 30,000 square foot movie theater, and a proposed "frontage road" that will become a City street. Mr. Mavrogeorge stated after attending a few Technical Reviews they have changed their original plans some. Pointing out they will be including the addition of raingardens located in twelve of the islands, they have reduced the number of parking spaces by almost 200 spaces, and they will work to address the concerns of Public Works and the Planning Departments. Doug Richardson of Waterstone Retail, Inc. stated they are looking to create an experience for people, not just shopping. He stated they are incorporating a cinema and restaurants, and they will have landscaping, and patio areas.

Mr. Sylvain opened the public hearing.

Dorothy Harris of Ten Rod Road came forward stated she is concerned that the conservation easement has been clear cut and she fears the abutters will not have any privacy.

Packy Campbell of RSA Realty stated he emailed the applicant and Planning Department with his concerns. He stated the plan with the Granite Ridge Development was suppose to have a service road and that is not in the current project plan. He also stated there should be a traffic light located at Crane Drive or he suggested the gate (which is currently there) be kept closed and the service road be used for emergency personnel.

Mr. Sylvain asked Ms. Pollard to inform the Board about the TIF district and the service road.

Karen Pollard, Director of Economic Development spoke in regards to the frontage road, stating the City did partner with the developer to build the frontage road and make the connection to Route 11, stating that was in the CLD plan and it was planned they would use Tax Increment Financing (TIF) in a reasonable way to pay for that. Ms. Pollard stated she has a meeting later this week with the developer to go over the construction list and what may or may not be eligible to be included.

Ms. Pollard stated she contacted Mr. Campbell's neighbors, per his request, however they do not have any development ready to go at this time.

She stated NHDOT and the City have done a signal review and because of the City's intent is to install a traffic signal at Crane Drive for future development; a signal at the connector road which is currently the construction entrance would not be feasible because the traffic lights would be to close together and there would be three sets of lights instead of two.

Ms. Pollard told the Board according to NHDOT the entrance to the connector road would be both left and right turns, however traffic will only be allowed to exit the connector road with a right turn, in order to make a left turn traffic will have to use the lights at the main entrance.

Mr. Fontneau stated he would like to see the CLD plan.

Ms. Pollard stated she would get the information to the Board.

Mr. Sylvain asked Ms. Pollard to the CLD boards available for the workshop meeting on April 21<sup>st</sup>.

Mr. Campbell stated the applicant is seeking a number of waiver requests. The Board thought it would be best to go through each waiver request and vote on them.

**a) Architecture:** Site Plan Regulation Section 2(I) require the submission of architectural elevations. The applicant has requested a waiver to not submit architectural elevations at this time because they have not secured all tenants at this time and/or cannot disclose the tenants they have secured, and as such are unable to provide specific façade elevations.

*A motion was made by Mr. Fontneau and seconded by Mr. Peters to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**b) Landscaping:** Site Plan Regulation Section 5(D) and (E) includes specific planting requirements relative to required location of dimensions, spacing, type, and amount of vegetation within the front and side landscape buffer areas. The applicant has requested a waiver to not be held to these exact standards.

*A motion was made by Mr. Fontneau and seconded by Mr. Peters to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**c) Lighting:** Site Plan Regulation Section 6 (E)(6) restricts lighting to a height of 25 feet. The applicant has requested a waiver to allow for 30-foot light poles in the main parking area.

*A motion was made by Mr. Peters and seconded by Mr. Jaffin to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**d) Pedestrian, Bicycle, Transit:** Site Plan Regulation Section 11(A)(6) requires that sidewalks be at least 5' wide; the applicant has requested a waiver to allow 4' sidewalks to be placed within two of the internal parking lot islands.

*A motion was made by Mr. Peters and seconded by Mr. Healey to approve the waiver request as recommended by City staff. The motion carried unanimously.*

Site Plan Regulation Section 11(A)(12) requires that crosswalks be distinguished by use pavers, stamped asphalt, etc... The applicant has requested a waiver to allow for use of painted sidewalks in the vicinity of ADA parking spaces.

*A motion was made by Mr. Peters and seconded by Mr. Healey to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**f) Utilities:** Site Plan Regulation Section 15(D) and Zoning Ordinance 42.34(h)(1) require all electrical lines to be placed underground. The applicant has requested a waiver to allow the installation of 1,590 feet +/- of overhead utility lines along the south and west of the development.

*A motion was made by Mr. Peters and seconded by Mr. Jaffin to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**g) Parking:** Zoning Ordinance 42.9 requires 1,790 +/- parking spaces for this development. The applicant has proposed 1,315 +/- parking spaces, and is requesting a waiver [via Zoning Ordinance 42.34(f)(g)(2)] to allow for this reduced number.

*A motion was made by Mr. Peters and seconded by Mr. Healey to approve the waiver request as recommended by City staff. The motion carried unanimously.*

**h) Road Design Standards, Cross Sections:** The applicant has requested a waiver from Zoning Ordinance 42.34(f)(1) which requires very specific pavement cross section details. With the request the applicant states they will work with a geotechnical engineer and the City's DPW to determine an appropriate pavement cross section for the frontage road.

*A motion was made by Mr. Jaffin and seconded by Mr. Jeanson to approve the waiver request as recommended by City staff. The motion carried unanimously.*

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

The applicant will attend the April 21<sup>st</sup> workshop meeting.

## **VIII. Other Business**

Mr. Sylvain stated the Board received information from the Codes & Ordinance Committee meetings. He asked the Board members to review the material and they would discuss it at the workshop meeting on April 21<sup>st</sup>.

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## **IX. Adjournment**

*A motion was made by Mr. Peters and seconded by Mr. Jeanson to adjourn at 10:00 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,  
Planning Secretary