

City of Rochester Planning Board
Monday May 1, 2017
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on May 15, 2017)

Members Present

Nel Sylvain, *Chair*
Dave Walker, *Vice Chair*
Matthew Kozinski, *Secretary*
Tim Fontneau
Rick Healey
Robert Jaffin
Robert May
Mark Sullivan
Tom Willis

Members Absent

Alternate Members Present

James Gray
Jeremy Hutchinson

Staff: James B. Campbell, *Director of Planning & Development*
Crystal Galloway, *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.)

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

The Planning Secretary conducted the roll call.

III. Seating of Alternates

No alternates were needed.

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. Willis to approve the April 17, 2017 meeting minutes. The motion carried unanimously.

VI. Extension/Continued Applications:

A. David Thayer, 22 Farmington Road

Christopher Berry of Berry Surveying & Engineering said the project was approved approximately a year and a half ago and have since been working with NHDOT on the driveway permit. He said they are close to getting approval and are seeking a 30 day extension.

A motion was made by Mr. Walker and seconded by Mr. Jaffin to approve the extension to June 5, 2017. The motion carried unanimously.

B. Makris R.E. Development, LLC, Chesley Hill Road & Donald Street - Subdivision

Christian Smith of Beals Associates spoke about the memo containing items they need to work on from the Planning Department. He also said he hoped the site walk that was canceled the week before would be able to be rescheduled.

Mr. Smith said some of the abutters have talked about exactions for offsite improvements; he said they have not been given a formal bullet list of what those might be. He said he would like to go over the study done by Wright-Pierce, but said to keep in mind that study was done when they were proposing to develop lot 10 also. Mr. Smith said the Washington Street pump station; he said the city is looking for upgrades to the programmable logic controller, alarm communication, a variable frequency drive, control software repair on one of the fire flow pumps and one domestic pump, and installation of a hydro pneumatic pump for surge protection and surge reduction. He said the cost estimate for the upgrades is approximately \$80,000.00 which his client agreed to many months ago.

Mr. Sylvain opened the public hearing.

Lou Archambault of 224 Chesley Hill Road said at every scheduled meeting the plans change and a lot of meetings have been canceled because of the changes. He said he understands the desire to bring Norman Street up to Donald Street and connect and to build houses on the left side of the road but it's a swamp. Mr. Archambault said he noticed a sketch of a fire truck in the plan and presumed it was to reflect the turning radius. He said the trucks don't have a hard time turning left out of the Gonic firehouse even with the protruding bump out that was created to accommodate a childcare business; Chesley Hill Road is 24 ½ feet wide below and above Donald Street and believes there isn't a need to disrupt the current roadway more than the main road.

Gregg DeNobile of 146 Chesley Hill Road asked when the Board will discuss exactions for this project. He said he still has trouble getting off from Chesley Hill Road at times; saying he can't make a left hand turn onto route 125 because there isn't left hand turn signal. Mr. DeNobile said at the Washington Street entrance to Chesley Hill Road the rut is getting bigger, saying it's now 8 to 10 inches deep and close to 2 feet across. He also said there was another accident on the road because there wasn't a centerline.

Alan Dews of 168 Chesley Hill Road said the developer spoke about asphalt curbing at the end of the meeting. He said it will be a nightmare to maintain and the Board should discuss. Mr. Dews said he believes there should be sidewalks with granite curbing and a nice grass strip that should go from the entrance to the development down the hill to Route 125.

He also requested a perimeter buffer for the current residents; and that hours be posted for construction times.

There was no one further from the public present to speak; Mr. Sylvain brought the discussion back to the Board.

Mr. Campbell spoke about the memo from the Planning Department and Public Works. He said currently the proposed sidewalk stops at Norman Street; staff believes it should go down to Route 125 and if the Board feels the same they should tell the applicant.

He said some of the other discussion the TRG has had include land characteristics, one being high water tables and the amount of drainage that will be needed to make the development viable. He said one thing the Board should look at is when the homes are built will they have water problems.

Mr. Campbell suggested the Board may want to require a long range plan for the large unused parcel. He said it doesn't have to be detailed but it should point out any future development for that land.

Also the land use will be changing from agricultural to residential so the wetland buffers should be looked at.

Mr. Campbell said the applicant and staff are at an impasse so the Board needs to weigh in.

Another item that recently came up is Public Works is requesting a third party review of the drainage. He said part of the issues is there's been so much back and forth and DPW wants to make sure the design is adequate.

Mr. Campbell said the final item is noise buffering from Route 16. He said staff has expressed concern about noise from the highway and has raised the question whether or not a noise study should be done.

Mr. Smith asked if it would be okay to go through the issues one at a time. Mr. Smith said they are proposing sidewalks throughout the subdivision; he explained they will do down Donald Street to the right-of-way to Norman Street and are proposing to dead end it at the pavement to Norman Street. He said the reason is because there is little traffic on that street the consultant felt they weren't warranted.

Scott Thornton of ??? Associates said Norman and Ramsay Street only have 11 homes and both dead end so speeds don't get that high and not an area where people will just pass through. Mr. Sylvain asked how many feet of road won't have a sidewalk. Mr. Thornton said approximately 500 feet. Mr. Gray said if the rest of the development will have a sidewalk how is the equipment going to get there from Route 125.

Mr. Walker said he would prefer to see a sidewalk on Chesley Hill Road, where the majority of people will be walking.

Mr. May asked if the children will be bussed or if they will walk to school. Mr. Smith said they have not been given a firm answer from the Superintendents office yet.

Mr. Fontneau asked what the material of the sidewalks will be. Mr. Smith said they will pavement, with a five foot grass strip between the road and the sidewalk. Mr. Sylvain said the curbing is to be granite not asphalt.

Mr. Walker made the point again saying there should be a sidewalk down Chesley Hill Road because people are going to take the shortest route.

A motion was made by Mr. Walker and seconded by Mr. Kozinski that there be a sidewalk from the new entrance to the subdivision down Chesley Hill Road to Route 125.

Discussion - Mr. Fontneau said he would still like to hear about a connection from the upper street and Donald Street. He said he remembered there being talk very early on about the extreme difficulty of building a sidewalk down Chesley Hill, especially across the front of the existing home lots.

Mr. Sullivan asked how binding the motion is if it turns out its not feasible to construct a sidewalk down Chesley Hill Road; and asked if it could be noted as the preferred sidewalk route. Mr. Campbell said the developer can always come back before the Board and ask for an amendment.

An amended motion was made by Mr. Walker and seconded by Mr. Kozinski the preferred sidewalk route would be from the entrance of the new subdivision down Chesley Hill Road to Route 125. The motion carried unanimously.

The Board went on to discuss land characteristics and the high water table. Mr. Smith said the majority of the lots have enough slopes and doesn't believe sump pumps will have to be used. Jim Gove of Gove Environmental Services said it is not untypical to have seasonally high water tables of less than 24" and restrictive features in the soils and they are dealt with on a daily basis. He said the fact that it's sloping is better to build on.

Mr. Walker asked if there was city water and sewer down Chesley Hill Road. Mr. Willis said he believes there is on what use to be the Grove Street section. Mr. Sylvain asked why they were putting in septic instead of

hooking up to water and sewer. Mr. Smith said they looked into it and there's very little data as to what the city has for existing lines and/or what the size and age of the lines are as well as other factors. Mr. Sylvain asked Mr. Campbell to check with Public Works.

Mr. Fontneau asked why city sewer isn't being run to the project when it's only a few hundred feet away. He added because of the high water tables they will be expensive, susceptible septic systems; saying it should at least be investigated.

Alexis Makris said they have been working on this project for about two years and it has gone through many changes. She said they were very disappointed in the lack of information regarding the infrastructure on this side of Route 16. Mr. Campbell said with all the unknowns of the condition of the pipes or whether or not they can handle the additional flow would it require the city to put in money for upgrades. He said we can't charge the developer for things we should've taken care of years ago. Mr. Campbell said he would check with Public Works to see what information they have been able to find.

The Board went on to discuss the remaining land. Mr. Campbell asked if the Board will require a master plan for Lot 10. Mr. Smith said it's the developers' intent to flip the remaining parcel. Mr. Fontneau said that sounds great but if Lot 9 gets sold to someone else it would be nice to have a future possibility for the parcel.

Next the Board discussed wetlands. Mr. Smith handed out a wetlands plan. Mr. Gove said the areas colored in yellow on the plan were constructed as drainage ditches to move the water from one place to the other in the fields.

Mr. Campbell reminded the Board that Public Works is requiring a third party review. Mr. Sylvain asked if the issues could be resolved by the June 19th meeting. Mr. Smith said he thought they could be.

The Board spoke next about the noise concerns. Mr. Smith showed the Board on the plan there is a 25 foot no cut zone. Mr. Campbell asked if there would be a deed restriction for the no cut zone. Mr. Smith said it would probably be worked in as an easement of the recorded plan.

Mr. Campbell said the TRG is concerned that 5 to 10 years down the road there will be a room full of people demanding a noise wall be built.

The Board and Mr. Smith set a date of May 22, 2017 at 6:00pm to hold a site visit.

A motion was made by Mr. Willis and seconded by Mr. Healey to continue the application to the June 19, 2017 meeting. The motion carried unanimously.

C. Makris R.E. Development, LLC, Chesley Hill Road & Donald Street - LLR

A motion was made by Mr. Walker and seconded by Mr. Healey to continue the application to the June 19, 2017 meeting. The motion carried unanimously.

Mr. Sylvain called a recess at 8:53pm

Mr. Sylvain called the meeting back to order at 9:02pm

D. LaPerle Family Trust, 52 Haven Hill Road

Scott Lawler of Norway Plains Associates said the application was before the Board a month ago for an 11-Lot subdivision and at that time the Board had discussed concerns with the high water table. Mr. Lawler said the plans have been revised to eliminate one lot which will be absorbed into one of the back lots and hopes that will address the Board's concerns.

Mr. Sylvain opened the public hearing. No one from the public was present to speak.

Mr. Campbell reminded the Board they had accepted the application as complete at the April 3rd meeting. He said the Conservation Commission held a site walk on April 23rd and they support the revised plan and the Conditional Use Permit and staff would recommend approval.

There was a brief discussion regarding the system.

Mr. Sullivan asked what type of water system they will have. Mr. Lawler said the lots will be serviced by their own well and septic systems.

A motion was made by Mr. Healey and seconded by Mr. Jaffin to approve the application and the Conditional Use Permit. The motion carried. Mr. Walker opposed.

VII. New Applications:

A. Sally York & Andrea Smith, 101 Rochester Hill Rd & 2 Nola Avenue

Ray Bisson of Stonewall Surveying presented the application for a lot line revision to provide an additional 8,000 sq. ft. to Lot 47-1.

Mr. Bisson added that TRG has asked that the bounds be granite rather than pins.

Mr. Sylvain opened the public hearing. No one from the public was present to speak.

Mr. Campbell said staff recommends accepting the application as complete and approval.

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

There was a brief discussion regarding having granite bounds. Mr. Fontneau said it should be left up to the applicant.

A motion was made by Mr. Walker and seconded by Mr. Willis to approve the application with use of metal pins. The motion carried unanimously.

B. Robert & Judith Gustafson, 136 & 140 Ten Rod Road

The applicant requested a postponement to the June 5, 2017 meeting.

C. Richard Townsend, Jr., 30 Emerson Avenue

Randy Orvis of Geometres Blue Hills, LLC presented the lot line revision application. He said currently there is an existing mobile home and garage on one lot and the other is vacant. Mr. Orvis said the new lot line would run down the middle of the mobile home; however, his client would like to be able to keep the mobile home on the lot until the first duplex is built.

Both Mr. Sylvain and Mr. Walker said the mobile home would have to be moved.

Mr. Sylvain opened the public hearing. No one from the public was present to speak.

Mr. Campbell said staff recommends accepting the application as complete and approval. He also said the driveway that goes with the existing mobile home would have to be moved as well; and reminded Mr. Orvis his client still owes fees to the Planning Department.

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

A motion was made by Mr. Walker and seconded by Mr. Jaffin to approve the application with conditions as stated. The motion carried unanimously.

D. CPJ Properties, LLC, 0 Milton Road

Christopher Berry of Berry Surveying & Engineering explained the applicant owns three lots, the vacant lot in which they want to construct a warehouse to store engines and transmissions that have been stripped of all fluids, the lot that currently houses the building used to dismantle car parts and remove the fluid materials and is the only lot that has approval for a junkyard. He said the third lot is used to store cars as part of the junkyard. Mr. Berry informed the Board that the site was never approved to be used as a junkyard and they had to go before the Zoning Board of Adjustments for a Special Exception which they were granted. Mr. Berry said the site is not visible from Milton Road as it is located in a sandy pit; and went on to discuss the vegetation used as a buffer. Mr. Berry went on to say they are requesting waivers from landscaping and parking requirements. He said the warehouse will not generate any need for parking.

Mr. Berry noted that this is Rochester's only "green yard" which is something the State rewards owners for doing the job properly and doing it well.

Mr. Sylvain opened the public hearing. No one from the public was present to speak.

Mr. Campbell said staff supports both waiver requests, and would recommend accepting the application as complete and approval with conditions as stated.

He said there was some discussion with staff about requiring the applicant to merge lots but there's an issue with the lots being in two different zones; he said he believes they could keep the lots separate and use a cross easement.

Mr. Fontneau asked if there was something in the plan that states they won't be able to add more cars to the lot. Mr. Berry said there was. He said while working with the owner he said they sell one or two cars a year so they put a restriction on the number of cars that would be out front to four. Mr. Berry clarified those cars are not junk cars; they are fully functional cars that can be inspected and driven.

Mr. Fontneau asked that there be a note placed on the plan restricting the display area for any future issues.

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

A motion was made by Mr. Fontneau and seconded by Mr. Jaffin to approve the two waiver requests. The motion carried unanimously.

A motion was made by Mr. Fontneau and seconded by Mr. Jaffin to approve the application. The motion carried unanimously.

E. Metivier Family Trust, 685 Salmon Falls Road

Christian Smith of Beals Associates presented the preliminary subdivision plan. He said the lot consists of 74 acres with significant wetlands in the rear of the parcel, and they are proposing a conventional 40-Lot subdivision at the front of the parcel.

Mr. Smith said they have been in communication with the City Engineer regarding water pressure and connectivity. He went on to say one of the big items to come out of the TRG meeting was they thought it would be a good idea to try connecting to the road in the neighboring subdivision.

Mr. Sylvain opened the public hearing.

Kathy Baker of 749 Salmon Falls Road spoke about the amount of wetlands on the property and said she isn't sure the number of house would be feasible. She said the water goes from the back of the existing home down to Jeremiah Lane. Ms. Baker spoke about the barn she has on her property and the fact that it's sinking because the land is so wet.

Ed Coty of 706 Salmon Falls Road said the whole area is a natural run off that runs from Rochester Hill and flows to the Salmon Falls Road. He informed the Board the drainage pipe for the existing home had broke and filled the basement with four feet of water in less than a 24 hour period.

Gary Ruel of 684 Salmon Falls Road questioned one of the entrances to the proposed development. He said it's almost directly across from Tara Estates and is concerned because there's a sharp corner and people speed down through the area; he suggested the developer have a traffic study done. Mr. Ruel added he believes it would be degrading to the neighborhood to have 40 houses built on that parcel of land.

Lori Gay of 61 Laredo Lane informed the Board she lives at the end of the cul-de-sac- in the neighboring subdivision. She said she moved there in order to be on a quiet street and is now concerned here the proposed development might tie into her road.

Steve Tilton of 694 Salmon Falls Road said his two issues of concern are the constantly running water and the amount of traffic.

Mr. Tilton also added the proposal doesn't go with the theme of the surrounding area; saying the other properties have at least 2 acres.

There was no one further from the public present to speak; Mr. Sylvain brought the discussion back to the Board.

Mr. Campbell said TRG members did meet with the applicant. He said one of the main reasons they discussed joining with Lerado Lane was to minimize the number of curb cuts on Salmon Falls Road. He said staff does have concerns with drainage issues however, this is a preliminary application.

Mr. Sylvain asked who determined how many lots there would be. Mr. Smith said it was their designer and project manager that determine the number. There was a brief discussion on the number of proposed lots and whether or not they really needed that many. Mr. Fontneau said the City has a Master Plan and it talks about rural roads, viewscapes, and country subdivisions. He went on to say when the developer down the road was before the Board there was a lot of emphasis put on keeping the field in the front open.

Mr. Willis asked if they were planning on using the pump station at Tara Estates. Mr. Smith said yes, they are. Mr. Willis informed him that it's been a problem over the years and the developer will have to assist in making some upgrades.

VIII. Other Business

No one had any other business to discuss.

IX. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Healey to adjourn at 10:20 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planning Secretary