**City of Rochester Planning Board**

Monday August 21, 2017

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on September 11, 2017)*

*Members Present*

Nel Sylvain, *Chair*

Dave Walker, *Vice Chair*

Matthew Kozinski, *Secretary*

Tim Fontneau – arrived at 7:04pm

Rick Healey

Robert Jaffin

Mark Sullivan

Tom Willis

*Members Absent*

Robert May, excused

*Alternate Members Present*

Terry Dwyer

James Gray

Jeremy Hutchinson

Kyle Starkweather

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 7:01p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Starkweather voted in place of Mr. May.

**IV. Communications from the Chair**

There were no communications from the Chair.

**V. Presentation of Certificate of Appreciation to Rick Healey and Robert Jaffin**

Mr. Sylvain presented Mr. Healey with a Certificate of Appreciation for his dedication to the Planning Board, Historic District Commission, Government Channel, and City Council for 17 years.

Next Mr. Sylvain presented Mr. Jaffin with a Certificate of Appreciation for his dedication to the Planning Board, Strafford Regional Planning Commission and as the Planning Board representative to the Technical Review Group since 2012.

Mr. Sylvain told the Board a representative is needed for the TRG and the Historic District Commission.

**VI. Opening Discussion/Comments**

 **A. Public Comment**

Gregg DeNobile of Chesley Hill Road inquired about rezoning certain parcels. He said there isn’t any information on the City’s website and asked if there would be any information given for future discussions on the topic.

Mr. Sylvain informed Mr. DeNobile the Board wouldn’t be taking any action until the City Council gives them direction.

Matt Pappas of Stillwater Circle said he is a Civics teacher here in Rochester and tells his students all the time to get involved. He said he was a bit upset to learn that a waiver was granted to eliminate the need for sidewalks in a project that is currently before the Board and asked why they approved the waiver. Mr. Pappas said the City needs to be walk-able and bike-able and said Mr. Gray’s suggestion of wider road is not a good idea.

He said there is a problem with in his neighborhood with people driving way too fast and he is thinking about starting a petition with his neighbors to have sidewalks put in.

Mr. Pappas asked why the developer was exempted from sidewalks and also questioned why the Master Plan wasn’t followed.

 **B. Discussion of general planning issues**

Mr. Hutchinson said he thinks the Board should reconsider the waiver that was granted allowing the developer to not put in sidewalks.

Ms. Dwyer said she wasn’t sure why a waiver was granted because sidewalks were always required when she was on the Board before. She also asked that the Board reconsider.

There was a discussion regarding the length of time the Board has to reconsider a decision.

**VII. Approval of minutes**

*A motion was made by Mr. Walker and seconded by Mr. Healey to approve the August 7, 2017 meeting minutes. The motion carried unanimously.*

**VIII. Continued Applications**

 **A. McDonald’s USA, LLC – 291 North Main Street**

Mark Wixler of Bohler Engineering said they had submitted revised lighting plan along with pictures showing the shields added to the lights.

He said there were some issues that came up at the last meeting that needed to be addressed and feels confident that they have been.

Mr. Wixler said McDonald’s has cleaned up all the trash from the site and will make sure it is ongoing; they have fixed the fence and grading of the ground along the side of the property; and they have changed delivery times so there won’t be any early morning deliveries.

Mr. Sylvain opened the public hearing.

Jason Parker of 6 Claire Street said they have started picking up the trash. He said the light issue really hasn’t been fixed and they are still shining on his house. He said there is still an issue with a large gap between the ground and the bottom of the fence. Mr. Parker said the delivery trucks are still coming early but not as early; he was hoping for no deliveries before 9:00am.

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

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

Larry Lane of McDonald’s told the Board that the fence work had been done that morning. Mr. Sylvain told him to double check the whole fence to make sure nothing was missed.

Mr. Sylvain asked what the hours were. Mr. Lane said they were open until midnight 7 days a week. Mr. Sylvain told him the original notice of decision showed the hours as being Sunday thru Thursday 6:00am to 11:00pm and Friday & Saturday 6:00am to 12:00am. He said McDonald’s never came back for an amendment.

There was some discussion regarding the time of deliveries and the parking lot lights. Mr. Lane said he found out the employees were leaving some of the parking lot lights on for safety when they left at night but they will now be parking closer and in front of the building so all the lights will now be shut off.

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

*A motion was made by Mr. Walker and seconded by Mr. Willis to approve the application. The motion carried unanimously.*

**IX. Request for Zoning changes by REDC and possible amendment to the Granite Ridge District**

Mr. Campbell said they would not be discussing anything for Granite Ridge. He said the Committee has determined the TIF finance plan needs to be updated. He said if it does not get amended to allow for housing there will be no need for the Board to make any amendments to the Zoning Ordinance.

Mr. Campbell said the Rochester Country Club is requesting the front portion of their parcel be rezoned to R2 to allow for multifamily housing. Mr. Walker said the Board made it a point during Comprehensive Rezoning to eliminate spilt zones. Mr. Sylvain said normally homes along golf courses are single family, not multifamily.

Mr. Kozinski said duplexes are allowed in the agricultural zone which is the current zoning. He said once the zone is changed to R2 the golf course/and or country club are not permitted. Mr. Campbell said the second half of the request from the REDC was to allow golf courses. Mr. Kozinski said so anything that is zoned R2 in the city will now be allowed to have a golf course.

Ms. Dwyer asked if this would open a can of worms if they considered doing this. She said the Board worked very hard to not have split zones.

Mr. Healey suggested subdividing the parcel and amend the zoning for the newly created parcel to R2.

Mr. Fontneau said you see condos along golf courses not necessarily apartments. He said he would have to see further details of what they actually want to do before he could make a decision.

Mr. Starkweather said he echo’s a lot of the same sentiments against split zones. He went on to say if the Board does rezone the parcel to R2 even if the intent of the developer isn’t to develop it with giant multifamily housing it’s already opened up to be allowed for future development.

Ms. Dwyer said the Board also needs to look at the infrastructure and whether or not it would be able to sustain an additional large development. She said they also need to look at what possible amenities will be available in that section of town; and added they would need to look at what the total cost to the City would be.

Dave Garvy who is representing Rochester Country Club said they would like to move the 18th green a little to be able to construct apartment buildings. He said it would be geared toward snowbirds not millennial’s.

The Board discussed the parking issues that already exist for the Country Club and whether or not they want a densely populated area in that zone.

Mr. Campbell said the next area the REDC is requesting for rezoning is the parcel that is currently Easy Street Shoes. He said it is currently zoned highway commercial and they would like to change it to industrial. Mr. Campbell said the lot next to it is R1 and they would like to change it to highway commercial; and across Route 125 they are proposing highway commercial which is now R2. He said they are also proposing to change the Main Street area of Gonic from neighborhood mixed use to downtown commercial. The Board briefly discussed the requests and asked that it be put on the September workshop meeting agenda.

**X. Review of May 2017 Surety and Inspections**

Mr. Campbell said there haven’t been too many changes to the surety list. He said Waterstone was the most recent change with an updated Letter of Credit.

**XI. Other Business**

**A. Release of Surety for HM Machine**

Assistant City Engineer Owen Friend-Gray said the City has been holding surety to ensure the site was stabilized. He said it is stabilized and there are no further issues so he recommends releasing the $7,000.00 plus any interest.

*A motion was made by Mr. Walker and seconded by Mr. Sullivan to release the surety in the amount of $7,000.00 plus interest. The motion carried unanimously.*

Mr. Sylvain reminded the Board if they are unable to attend a meeting to please let the Planning Staff know so they are not marked absent.

Mr. Sullivan volunteered to be the Planning Board representative for the TRG meetings.

**XII. Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Willis to adjourn at 8:46 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal Galloway,

*Planning Secretary*