**City of Rochester Planning Board**

Monday November 6, 2017

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on November 20, 2017)*

*Members Present*

Nel Sylvain, *Chair*

Dave Walker, *Vice Chair*

Matthew Kozinski, *Secretary*

Tim Fontneau

Robert May

Mark Sullivan

Tom Willis

*Members Absent*

Terry Dwyer, excused

*Alternate Members Present*

Joyce Bruckner

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 7:00 p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Starkweather voted in place of one of the vacant regular member positions and Ms. Bruckner voted in place of second vacant regular member positions.

**IV. Communications from the Chair**

Mr. Sylvain welcomed Joyce Bruckner to the Board as an alternate member. He asked if she would be willing to be the Planning Board representative for the Historic District Commission; Ms. Bruckner agreed.

Mr. Sylvain also reminded people to get out and vote on Tuesday and announced there was a change in the polling place for Ward 4. He said it changed from Home Depot to McClelland School.

**V. Approval of Minutes**

*A motion was made by Mr. Walker and seconded by Mr. Kozinski to approve the October 16, 2017 meeting minutes. The motion carried unanimously.*

**VI. New Applications:**

 **A. John & Cheryl Huckins, 60 Huckins Lane – Porkchop Subdivision**

Applicant John Huckins briefly explained the proposal for a 3-Lot porkchop subdivision.

Mr. Campbell said there is a Conditional Use Permit applicant that goes along with the subdivision application which he said staff supports. Mr. Campbell said staff recommends accepting the application as complete and approval.

Mr. Sylvain opened the public hearing.

Steve Diamond of 219 France Road, Barrington spoke about old notice’s of decision from Barrington and Rochester Planning Boards that said the lots should not be subdivided again without upgrades done to the road.

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

Mr. Fontneau asked if there are any wetlands on the property. Mr. Huckins said there are not.

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

*A motion was made by Mr. Walker and seconded by Mr. Kozinski to approve the Conditional Use Permit and the subdivision application. The motion carried unanimously.*

 **B. Casaccio Re Holdings, LLC, 48&58 Farmington Road – Site Plan**

Christopher Berry of Berry Surveying & Engineering said the applicant was before the Board about two months prior with a preliminary plan. He said they are proposing a 9,562 sq ft expansion to the service department located at the rear of the building to allow for more service bays and a larger wash bay. Mr. Berry said the application also includes the removal and repaving of 42,000 sq ft of pavement, with drainage improvements, landscaping, and lighting improvements which he said they worked with Planning Staff.

Mr. Berry said they have had a conversation with NH DOT District Six for a new driveway permit and have put

together an application and trip analysis based on the corridor traffic on Route 11 which triggered a right turn

deceleration lane into the site.

Mr. Berry went on to explain the design of the building addition and the colors to be used.

Mr. Sylvain opened the public hearing.

Doug Richardson of Waterstone Retail spoke saying he is concerned with three things. One is traffic and the deceleration lane; there being no coordination for connection with Marketplace Boulevard; and drainage and stormwater. He said because of these the Toyota project should not be approved.

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

Mr. Campbell said this is also a Conditional Use Permit because it is in the aquifer protection district. He said staff supports this and recommends accepting the application as complete and approval.

Mr. Fontneau asked Mr. Campbell to comment on the concerns of Mr. Richardson. Mr. Campbell said the issue is with NHDOT for the traffic concerns and needs to be taken up with them. He said if the Assistant City Engineer doesn’t have any issues with the proposed stormwater management system than nothing further is needed. As for the service road on Marketplace Boulevard Mr. Campbell said the Board can have that conversation if they wish, however he believes it would be a little premature because the placement for the easement hasn’t been proposed yet. Mr. Berry added that the project doesn't trigger an AOT permit.

There was discussion about Mr. Richardson's project. Mr. Campbell said the Board approved one plan that showed a service road but the applicant came back to the Board with a different plan showing the road in a different location however, the Board did not approve that plan. He said it's a little premature to tell this applicant they have to put a 60' ROW in when no one knows where the service road will be.

Mr. Willis said he is an advocate of a service road along the Route 11 corridor. He said it has been in the City's

Transportation Master Plan for the last 25 years. Mr. Willis said he would also like to make sure the ROW in the front on the site along Route 11 is wide enough so that one day NHDOT will be able to make Route 11 a five lane road.

Mr. Berry said the ROW through the front is 150' wide and is ample to do what DOT wants. He went on to say Granite Ridge District connectivity is forward thinking as many communities don't have this large scale master plan. He said the problem they are having with working along side the Ridge Phase II is they have one approved plan and he has seen at least two other plans. Mr. Berry said his client is not willing to commit to a ROW through the property when on one knows yet where it will end up.

Mr. Berry went on to say he did talk to NHDOT about Phase II of the Ridge and was told they don't have a permit application and they could not review it.

Mr. Richardson responded saying they have an approved project with the City of Rochester that they are working diligently on. He said there needs to be coordination and they can't have the deceleration lane go in front of their parcel.

Mr. Sylvain called a recess at 7:47pm so Mr. Campbell could get a copy of the approved Ridge Phase II plan the City has.

Mr. Sylvain called the meeting back to order at 7:54pm

Mr. Campbell explained the approved plan for Phase II of the Ridge and said there is a modification plan that has not yet been approved that shows the service road location has changed.

There was discussion about the proposed connection roads and whether or not a ROW should be created at this point. Mr. Gray suggested tabling the application to the next meeting and in that time the Planning Department look into the approved plan for the Phase II of the Ridge and the regulations for the Granite Ridge District to see if it would be required to show where the ROW would be and whatever other actions would need to be taken.

Mr. Campbell explained per Ordinance the Planning Board has the right to require the applicant before them have a 60' ROW to allow for interconnection between properties.

Mr. Berry said Waterstone has two plans, one that is approved and one that isn't. He said his client is before the Board with an expansion that they are seeking approval and the Board is asking her to give up 60' of her property in an area that we don't know where the connection road is going to be and not knowing how it will work between the two sites. Mr. Berry added that he doesn't think it is a fair request that the applicant is asked to give up land at this point.

Mr. Starkweather said the applicant is being asked to give up land with no compensation; he said the applicant owned the property before the Ridge and she'll own it after the Ridge and it would be grossly unfair to hold the 10,000 sq ft expansion over her head to get the ROW.

Mr. Walker clarified it was the City Council that put the provision into the regulations for the Granite Ridge District to have a loop road.

The applicant, Lisa Casaccio addressed the Board. She said had meetings with Waterstone and for 10 hours they talked but it wasn't until the end that Waterstone let it be known they didn't have approval from Northgate Apartments for the end of the service road. She said she did talk to Waterstone about connecting but the talks broke down because she wanted to move forward with her expansion. She said they started off wanting to buy 2 ½ acres then it went up to 4 ½ acres of her land in order to build an apartment complex. Ms. Casaccio said things got a little loud when she said she wouldn't sell to them at this time.

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

Mr. Starkweather made a motion to approve the application, however the motion was not seconded.

*A motion was made by Mr. Willis and seconded by Mr. Walker to table the application to the November 20, 2017 meeting. The motion carried by a 7 – 2 roll call vote.*

**C. Paul & Sue Normand, 52 Pondview Lane – Subdivision**

Mr. Campbell told the Board there are some issues still being worked out regarding the road so staff recommends postponing the application to the next meeting.

*A motion was made by Mr. Walker and seconded by Mr. Willis to continue the application to the November 20, 2017 meeting. The motion carried unanimously.*

 **D. John & Sandra Scruton, 154 Meaderboro Road – Subdivision**

Joel Runnals of Norway Plains Associates explained the 2-Lot subdivision plan. He said they will be seeking approval from the Town of Farmington also because the parcel shares a town line as well as seeking subdivision approval from DES.

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

Mr. Campbell told the Board the applicant is seeking a waiver from Subdivision Regulation 4.3 which staff supports and would recommend accepting the application as complete and approving.

Mr. Fontneau asked what will be done with the well. Mr. Runnals said they will remain where they are and there will be easements.

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

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the waiver request and the subdivision application. The motion carried unanimously.*

**VII. Other Business**

 **A. Release of surety for Dunkin Donuts – Map 114 Lot 8**

Mr. Campbell informed the Board staff was able to communicate with a representative from Dunkin Donuts. He said they provided an as-built plan and he recommends releasing the surety.

*A motion was made by Mr. Walker and seconded by Mr. Kozinski to release $5,000.00 plus interest. The motion carried unanimously.*

 **B. Review of 2018 meeting dates**

The Board reviewed the proposed meeting dates for 2018. There were no issues.

*A motion was made by Mr. Kozinski and seconded by Mr. Walker to accept the 2018 meeting dates. The motion carried unanimously.*

**VIII. Adjournment**

*A motion was made by Mr. Kozinski and seconded by Mr. Walker to adjourn at 8:53 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal Galloway,

*Planning Secretary*