



**Regular City Council Meeting
February 6, 2024
Council Chambers
31 Wakefield Street
6:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Reconvened Regular City Council Meeting: January 9, 2024 *consideration for approval* P. 9**
 - 5.2 Special City Council Meeting: January 16, 2024 *consideration for approval* P. 17**
 - 5.3 Special City Council Meeting: January 24, 2024 *consideration for approval* P. 21**
- 6. Communications from the City Manager**
 - 6.1 City Manager's Report P. 23**
- 7. Communications from the Mayor**
- 8. Presentation of Petitions and Council Correspondence**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1. *Election*: City Council Ward 2, Seat B P. 33**
 - 9.1.1. *Oath of Office*: City Council Ward 2, Seat B**

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City Clerk's Office

- 9.2. **Resignation:** Joelle Boumel – Ward 5 Ward Clerk
consideration for approval
- 9.3. **Appointment:** Joelle Boumel – Ward 5 Moderator
consideration for approval P. 45
- 9.4. **Resignation:** Alex de Geofroy – Ward 5 Selectman
consideration for approval
- 9.5. **Appointment:** Alex de Geofroy – Ward 5 Ward Clerk
consideration for approval P. 47
- 9.6. **Appointment:** Kendra Finch – Ward 5 Selectman
consideration for approval P. 49
- 9.7. **Declaration of Vacancy:** Ward 6 Ward Clerk

10. Reports of Committees

10.1 Appointments Review Committee P. 51

- 10.1.1 **New Appointment:** John Gisis – Historic District Commission Seat A, Regular Member
Term to expire 1/2/2026 consideration for approval P. 51
- 10.1.2 **New Appointment:** Candy Bailey – Historic District Commission, Seat H, Alternate Member
Term to expire 1/2/2025 consideration for approval P. 52
- 10.1.3 **New Appointment:** Brett Veno – Historic District Commission Seat I, Alternate Member
Term to expire 1/2/2026 consideration for approval P. 52
- 10.1.4 **New Appointment:** Douglas Lachance – Planning Board, Seat K, Alternate Member
Term to expire 1/2/2025 consideration for approval P. 52
- 10.1.5 **Reappointment:** Kathleen Noble – Library

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City Clerk's Office

**Trustees, Ward 4 Term to expire 1/2/2027
*consideration for approval*** P. 53

**10.1.6 Reappointment: Peg Higgins – Library Trustees, Ward 1 Term to expire 1/2/2027
*consideration for approval*** P. 53

**10.1.7 Reappointment: Lance Powers – Zoning Board of Adjustments Seat A, Regular Member Term to expire 1/2/2027
*consideration for approval*** P. 53

**10.1.8 Reappointment: Peter Bruckner – Planning Board, Seat E, Regular Member Term to expire 1/2/2027
*consideration for approval*** P. 53

**10.1.9 Appointment: Rick Healey – Planning Board, Elevation from Alternate to Regular, Seat A, Term to Expire 1/2/2027
*consideration for approval*** P. 53

10.2 Codes & Ordinances Committee – No January meeting

10.3 Community Development Committee P. 55

10.4 Finance Committee P. 65

10.5 Planning Board P. 69

10.6 Public Safety P. 75

10.7 Public Works P. 79

11. Unfinished Business

12. Consent Calendar

13. New Business

13.1. Resolution Granting Community Revitalization Tax Relief to the Property Located at 135 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *first reading and refer to public hearing February 20, 2024* P. 103

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City Clerk's Office

- 13.2. Resolution for Supplemental Appropriation of \$946,855.00 to FY24 General Fund CIP Fund for Bridge Maintenance *first reading and consideration for adoption* P. 147**
- 13.3. Resolution for Supplemental Appropriation of \$182,496.00 to FY24 General Fund CIP Fund for Pavement Program *first reading and consideration for adoption* P. 151**
- 13.4. Update on Community Development Block Grant COVID-19 (CDBG-CV) Funded Gafney Home Project *first reading and refer to public hearing on February 20, 2024* P. 155**
- 13.5. Resolution for Council Authorization to Expend \$5,000 from the Opioid Settlement Funds on the Jesse Lewis Choose Love Movement *first reading and consideration for adoption* P. 157**
- 13.6. Consideration of Application - 60 Shaw Drive *Motion to approve or deny* P. 161**
- 14. Non-Meeting/Non-Public Session**
 - 14.1 Non-Public Session, RSA 91-A:3,II(d) Land**
- 15. Adjournment**

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City Clerk's Office

**Reconvened Regular City Council Meeting
January 9, 2024
Council Chambers
6:20 PM**

COUNCILORS PRESENT

Councilor Creteau
Councilor de Geofroy
Councilor Fitzpatrick
Councilor Fontneau
Councilor Herman
Councilor Karolian
Councilor Richardson
Councilor Sullivan
Councilor Turner
Councilor Walker
Deputy Mayor Hamann
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose Cox, City Manager
Terence O'Rourke, City Attorney

COUNCILORS ABSENT

Minutes

1. Call to Order

Mayor Callaghan called the Regular City Council meeting to order at 6:20 PM (following the Finance Committee meeting).

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Councilor Karolian led the City Council and all those present in the Pledge of Allegiance.

4. Roll Call

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present as listed above.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: December 5, 2023
consideration for approval

Councilor Walker **MOVED** to **ACCEPT** the minutes of the Regular City Council meeting of December 5, 2023. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 City Council Special Meeting: December 19, 2023
consideration for approval

Councilor Walker **MOVED** to **ACCEPT** the minutes of the Special City Council meeting of December 19, 2023. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

City Manager Ambrose announced that there would be a Special City Council meeting held on Wednesday, January 24 at 6:00 PM following the declaration of vacancy for the Ward 2 B City Council seat at this evening's meeting.

City Manager Ambrose stated that there were agenda bills included in the packet explaining her recommendations for the CIP Committee appointees that appear on this evening's agenda.

6.1 City Manager's Report

7. Communications from the Mayor

Mayor Callaghan thanked City Manager Ambrose and her staff for the work they had done to organize the City Council orientation on Friday, January 5 and announced that the second portion of the City Council orientation would take place on Friday, January 12. He thanked the Councilors for their participation and the strong turnout for this year's orientation.

7.1. Mayoral Appointments of Subcommittees

A memo appeared in the City Council packet detailing the Mayoral appointments to all City Council subcommittees and special committees.

8. Presentation of Petitions and Council Correspondence

9. Nominations, Appointments, Resignations, and Elections

9.1. **Resignation:** Matthew Richardson, Planning Board Regular Member *consideration for approval*

9.2. **Resignation:** David Walker, Planning Board Regular Member *consideration for approval*

Mayor Callaghan asked that agenda items 9.1 and 9.2, the above-listed Planning Board resignations, be taken together.

Councilor Walker **MOVED** that the resignation of himself and Matthew Richardson from the Planning Board be accepted, with regret. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.3. **Resignation:** Dennis Raymond, Moderator for Ward 5 *consideration for approval*

Councilor Walker **MOVED** that the resignation of Dennis Raymond as Moderator of Ward 5 be accepted, with regret. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.4. Mayoral and City Manager Nominations and Appointments

9.4.1. **Mayoral Nomination/Confirm by City Council:** Arts and Culture - Government Representative – Patricia Turner *Term to Expire on 1/2/2026*

9.4.2. **Mayoral Nomination/Confirm by City Council:** Historic District Commission - City Council Representative, David Herman *Term to Expire on 1/2/2026*

9.4.3. **Mayoral Nomination/Confirm by City Council:** Planning Board Regular Member – Donald Hamann *Term to Expire on 01/02/2026*

9.4.4. **Mayoral Nomination/Confirm by City Council:** Planning Board Alternate Member –

Matthew Richardson *Term to Expire on 01/02/2026*

9.4.5. Mayoral Nomination/Confirm by City Council: Recreation and Arena Commission, Regular Member - Bryan Karolian *Term to Expire on 01/02/2026*

9.4.6. Mayoral Appointment: CIP Committee, Regular Member – Donald Hamann *Term to Expire on 01/02/2026*

9.4.7. Mayoral Appointment: CIP Committee, Regular Member – Daniel Fitzpatrick *Term to Expire on 01/02/2026*

9.4.8. Mayoral Appointment: CIP Committee, Regular Member – David Walker *Term to Expire on 01/02/2026*

Mayor Callaghan stated that agenda items 9.4.1 through 9.4.8 were Mayoral appointments to subcommittees and special committees and were put on the agenda for informational purposes but did not require a vote for approval.

9.4.9. City Manager Nomination/Confirm by City Council: CIP Committee, Regular Member – Keith Fitts *Term to Expire on 01/02/2026*

9.4.10. City Manager Nomination/Confirm by City Council: CIP Committee, Regular Member – Sheila Colson *Term to Expire on 01/02/2026*

Councilor Walker **MOVED** to confirm the nomination of both Keith Fitts and Sheila Colson as Mayoral appointees to the CIP Committee with terms to expire 1/2/2026. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Walker questioned whether a Council vote was needed to confirm the earlier Mayoral appointments. Mayor Callaghan stated that there is no vote needed.

9.5. Appointment: Rachel Laughner – Municipal

**Registration Agent for the City of Rochester
(requires majority Council signatures)**

Councilor Walker **MOVED** to approve Rachel Laughner as the Municipal Registration Agent for the City of Rochester. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Karolian, Hamann, Turner, Fontneau, Sullivan, de Geofroy, Herman, Walker, Creteau, Fitzpatrick, Richardson, and Mayor Callaghan all voting in favor. The Mayor stated that all Councilors could sign the approval documentation following the meeting.

9.6. Declaration of Vacancy – City Council Ward 2, Seat B

Mayor Callaghan officially announced the City Council Ward 2, Seat B vacancy. He reiterated that there would be Special City Council meeting on January 24 at 6:00 PM to interview potential candidates and encouraged any ward 2 constituents who were interested in filling the seat to submit a Statement of Interest no later than 9:00 AM the morning of January 24.

10. Reports of Committees **no December meetings held*

11. Committee of the Whole: Review of Code of Ethics and Conduct *Refer to Codes & Ordinances*

Mayor Callaghan explained that the review of the Code of Ethics and Conduct would be sent to the Codes and Ordinances Committee for review and recommendations. Following the review at the Codes and Ordinances meeting, the Code of Ethics would come back to full council if there were any recommendations. Mayor Callaghan announced that the Codes and Ordinances Committee would also be reviewing the City Council Rules of Order at their first meeting.

Councilor Fontneau encouraged all Councilors to review the Code of Ethics and the Rules of Order and to attend the Codes meeting if possible to participate in the review and possible amendments.

Councilor Walker **MOVED** to refer the Code of Ethics and Conduct to the Codes and Ordinances Committee. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12. Unfinished Business

There was no unfinished business on the agenda.

13. Consent Calendar**14. New Business**

14.1. Resolution for Supplemental Appropriation of \$440,751 to Department of Public Works (DPW) Sewer CIP Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution for Supplemental Appropriation of \$440,751 to Department of Public Works (DPW) Sewer CIP Fund

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby appropriate an amount not to exceed Four Hundred Forty-Four Thousand Seven Hundred Fifty-One Dollars (\$440,751.00) to the Sewer CIP Fund for the purpose of paying costs associated with the NPDES permit through the Municipal Alliance for Adaptive Management (MAAM) and Intermunicipal Agreement with the Cities of Dover, Portsmouth, Newington, Exeter, Epping, Milton, Rollinsford and Rochester, NH, and further;

The City of Rochester, Department of Public Works in accordance with the provisions of the Intermunicipal Agreement shall act as the fiscal agent for the Municipal Alliance for Adaptive Management. The source of funds related to carrying out the activities approved by the MAAM shall be derived from City of Portsmouth, NH, One Hundred Fifty-Three Thousand One Hundred Thirteen and 98/100 Dollars (\$153,113.98), City of Dover, NH Ninety-Eight Thousand One ~~N~~Hundred Seventy-Six and 76/100 Dollars (\$98,176.76), Town of Exeter, NH, Sixty-Two Thousand Six Hundred Sixty-Six and 02/100 Dollars (\$62,666.02), Town of Epping, NH Ten Thousand Four Hundred and ~~F~~ourty-Four and 34/100 Dollars (\$10,444.34), Town of Newington, NH, Six Thousand Fifty-Seven and 72/100 Dollars (\$6,057.72), Town of Rollinsford, NH, Three Thousand

One Hundred Thirty-Three and 30/100 Dollars (\$3,133.30), Town of Milton, NH, Two Thousand Eighty-Eight and 87/100 Dollars (\$2,088.87) and City of Rochester's Sewer Fund Retained Earnings One Hundred Five Thousand Seventy Dollars and 01/100 Dollars (\$105,070.01).

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Hamann **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. There was a brief discussion regarding the rules of order for first readings and adoption. The **MOTION CARRIED** by a unanimous voice vote.

14.2. Unsealing of Non-Public Minutes *Motion to unseal the following:*

14.2.1. September 5, 2023, RSA 91-A:3, II(d) Land

14.2.2. October 17, 2023, RSA 91-A:3, II(d) Land

Councilor Hamann **MOVED** to unseal the minutes of the non-public session of September 5, 2023 and October 17, 2023, both under RSA 91-A:3, (II) for Land. Councilor Creteau seconded the motion. Councilor de Geofroy said that in the minutes of the October 17, 2023 non-public meeting, there were several votes that were unrecorded on the motion to enter into the non-public session. He requested that this be amended. The Clerk stated that this would be fixed. The **MOTION CARRIED** by a unanimous voice vote.

15. Non-Meeting/Non-Public Session

15.1. Consultation with Legal Counsel

Mayor Callaghan requested a roll call vote to enter into the non-meeting with legal counsel. The **MOTION CARRIED** by a 12-0 roll call vote with Councilors Fitzpatrick, Turner, Hamann, Richardson, Sullivan, Fontneau, Karolian, Creteau, Herman, de Geofroy, Walker, and Mayor Callaghan all voting in favor.

16. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Regular meeting at 6:30 PM

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

**City Council Special Meeting
January 16, 2024
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Creteau
Councilor de Geofroy
Councilor Fitzpatrick
Councilor Karolian
Councilor Richardson
Councilor Sullivan
Councilor Turner
Councilor Walker
Deputy Mayor Hamann
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose, City Manager
Terence O'Rourke, City Attorney

COUNCILORS EXCUSED

Councilor Fontneau
Councilor Herman

Minutes

1. Call to Order

Mayor Callaghan called the Special City Council Meeting to order at 6:00 PM.

Councilor Karolian led the Council in the Pledge of Allegiance.

2. Roll Call

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present as listed above.

3. Mayoral Nominations and Appointments

Mayor Callaghan stated that if there were no objections, he would like to handle items 3.1 through 3.6 in one motion. There were no objections.

3.1 Mayoral Nomination/Confirm by City Council: Arts and Culture - Government Representative – Patricia Turner Term to Expire on 1/2/2026

- 3.2 Mayoral Nomination/Confirm by City Council: Historic District Commission - City Council Representative, David Herman** *Term to Expire on 1/2/2026*
- 3.3 Mayoral Nomination/Confirm by City Council: Planning Board Regular Member – Donald Hamann** *Term to Expire on 01/02/2026*
- 3.4 Mayoral Nomination/Confirm by City Council: Planning Board Alternate Member – Matthew Richardson** *Term to Expire on 01/02/2026*
- 3.5 Mayoral Nomination/Confirm by City Council: Recreation and Arena Commission, Regular Member - Bryan Karolian** *Term to Expire on 01/02/2026*
- 3.6 Mayoral Reappointment/Confirm by City Council: Jonathan Shapleigh – Chair of the Rochester Economic Development Commission** *Term to Expire on 01/02/2026*

Councilor Walker nominated the above listed appointees in 3.1 through 3.6 with terms to expire as detailed above. He **MOVED** that all nominations cease, and the clerk cast one ballot for all nominees. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3.7 GSBP and GRDD TIF Advisory Board Membership memos *information only*

Mayor Callaghan explained that there were two informational memos attached detailing the memberships and terms for the Granite State Business Park as well as the Granite Ridge Development District, but no action is needed on this item.

4. Resolution to Accept and Appropriate \$252,000 Grant from the NH Department of Business & Economic Affairs for the Demolition of Former Public Works Facility at 45 Old Dover Road, Rochester *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

**Resolution to Accept and Appropriate \$252,000 Grant from
NH Department of Business & Economic Affairs for the
Demolition of Former Public Works Facility at 45 Old Dover
Rd, Rochester**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby accept a grant, and appropriate, Two Hundred Fifty Two Thousand Dollars (\$252,00.00) from NH Department of Business & Economic Affairs for the purpose of performing the demolition of the former Public Works Facility located at 45 Old Dover Rd. Rochester, NH. The entirety of this appropriation shall be derived from the NH Department of Business & Economic Affairs.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Special Meeting at 6:03 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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City Clerk's Office

**City Council Special Meeting
January 24, 2024
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Creteau
Councilor de Geofroy
Councilor Fitzpatrick
Councilor Herman
Councilor Karolian
Councilor Richardson
Councilor Sullivan
Councilor Turner
Councilor Walker
Deputy Mayor Hamann
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose, City Manager
Carlton Cooper, Ward 2B Candidate
Raymond Turner, Ward 2B Candidate
Rachel Lawrence, Ward 2B Candidate

COUNCILORS EXCUSED

Councilor Fontneau

Minutes

1. Call to Order

Mayor Callaghan called the Special City Council Meeting to order at 6:00 PM.

Councilor Karolian led the Council in the Pledge of Allegiance.

2. Roll Call

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present except for Councilor Fontneau, who was excused.

3. Election: City Council Ward 2, Seat B Candidate Statement*

3.1 Carlton Cooper

Carlton Cooper read a statement to the City Council outlining his background in the City of Rochester and interest in filling the Ward 2 Seat B vacancy.

3.2 Raymond Turner

Ray Turner read a statement to the City Council outlining his background in the City of Rochester and interest in filling the Ward 2 Seat B vacancy.

3.3 Rachel Lawrence

Rachel Lawrence addressed the City Council outlining her background in the City of Rochester and interest in filling the Ward 2 Seat B vacancy.

4. Adjournment

Mayor Callaghan announced that the City Council would vote on a candidate to fill the Ward 2, Seat B vacancy at the February 6, 2024 City Council meeting.

Mayor Callaghan **ADJOURNED** the City Council Special Meeting at 7:04 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

*Full video of candidate statements can be viewed [HERE](#)



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.gov

CITY MANAGER'S REPORT
January 2024

Contracts and documents executed since last month:

- **Department of Public Works**
 - Substantial Completion, RT202A Water Ext – D&C Construction **P. 25**
 - Task Order, Lead Copper compliance – Underwood Engineers. **P. 26**
 - Scope of Services, Bridge St Drainage repair – S.U.R. **P. 27**
- **Economic Development**
 - FY23 - 24 CAP Weatherization – Whispering Winds **P. 28**
 - Design work for Riverwalk Overlook – Fuss & O'Neill **P. 29**

The following standard report has been enclosed:

- Personnel Action Report Summary **P. 31**

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City Clerk's Office



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: January 18, 2024

SUBJECT: D&C Construction
RT 202A Water Ext & Tank Project
Partial Substantial Completion Dec. 7, 2023

CC: Peter C. Nourse, PE, Director of City Services
Timothy Goldthwaite, PE Assistant City Engineer

Attached please find (1) one copy of the partial Substantial completion document for the construction contract regarding the Rt202A Water Main & Tank Extension Project. This document is a partial Substantial Completion and excludes portions of the Water Tank portion of the project as approved by the DPW Engineers and the City's consulting engineers. There are stipulated punch list items for completion included in the document.

Please execute and return to me at the DPW for distribution.



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LAURA MCDORMAND, ADMIN. SERVICES & UTILTIY BILLING SUPERVISOR

DATE: January 18, 2024

**SUBJECT: Underwood Engineers
Task Order No. 11
Lead Copper Rule Compliance
Amount \$49,700**

**CC: Peter Nourse, Director of City Services
Lisa J. Clark, DPW Deputy Director**

Attached please find (1) copy of the Underwood Engineer's Task Order 11. This Task Order is for technical assistance in regard to the lead copper rule compliance. Underwood Engineers was selected for the professional engineering services per RFQ 21-19, good through June 30, 2025.

The funds are available in account **55016010-771000-23539= \$49,700.**

If you have any questions, please call, if not please sign, and return the document to me at the DPW.



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
MARK SULIVAN, DEPUTY FINANCE DIRECTOR

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: January 2, 2024

SUBJECT: SUR Construction
Bridge Street Drainage Repair
Proposal **\$45,940.25**

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the SUR Construction Company estimate/ scope of service for signature. The DPW is contracting a drainage repair project on Bridge Street. This work is outside the abilities of in house staff and equipment. .

The pricing for equipment and labor is per City of Rochester Bid # 23-26 for Equipment Rental and “On-call Construction Services and Related equipment Rentals”.

Funding is available in the following Corrective Drainage Accounts:
15013010-771000-20529 = Remaining Balance \$7,927.41
15013010-771000-22529 = Remaining Balance \$23,469.47
15013010-771000-24530 = Remaining Balance \$97,995.43 This Request \$14,543.37
Total Requested \$45,940.25

Please execute scope and return to me at the DPW for distribution.



02/01/2024

City of Rochester, New Hampshire
Economic Development Department
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

INTEROFFICE MEMORANDUM

TO: Kathryn Ambrose, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: January 24, 2024

SUBJECT: FY 23- 24 CAP Weatherization Assistance Program- Whispering Winds

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2023-2024. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for Community Action Partnership of Strafford County. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

Thank you very much. Please contact Kiersten with any questions or concerns.



MEMO

TO: Katie Ambrose, City Manger

CC: Mark Sullivan, Director of Finance

FROM: Michael Scala, Director of Economic Development

DATE: January 8, 2023

RE: Fuss and O'Neill Riverwalk Overlook Design Work (\$27,300)

Katie:

Please find attached the scope regarding the design work associated with the Riverwalk Overlook Project.

DPW requested their preferred vendor Fuss and O'Neill (F&O) to design this project based on F&O's current work on the Water and Columbus Street projects.

Funding for this project will utilize a portion of the \$200,000 appropriated through the City's ARPA grant.

If you are satisfied with the document, please review, sign, and scan back to me.

Thank you,

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City Clerk's Office

DEPARTMENT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	PROMOTION	OTHER	MISC. INFO
TAX	MARY HAM	ADMINISTRATIVE TECHNICIAN II	1	X			X						
TAX	RACHEL LAUGHNER	TAX COLLECTOR	1	X							X		DEPUTY TAX COLLECTOR TO TAX COLLECTOR
TAX	DOREEN JONES	TAX COLLECTOR	1	X					X				
DPW	NANETTE BOWLEY	ADMINISTRATIVE ASSISTANT II	1	X						X			
DPW	STEVEN ALEX	MEDIUM EQUIPMENT OPERATOR	1	X						X			
POLICE	DONALD EMERSON	CROSSING GUARD	1			X				X			
DPW	NICOLAS PICKERING	GROUNDWORK LABORER	1		X		X						
LEGAL	PHEBE MINER	LEGAL INTERN	1			X	X						
DPW	WILLIAM NICHOLSON	WTP OPERATOR	1	X			X						
COMMUNICATIONS	JESSICA HAWES	COMMUNICATIONS SPECIALIST	1	X			X						
RECREATION	KYRAN JEANPIERRE	SUPPORT STAFF 1	1		X	X	X						
RECREATION	JACOB DEVINE	SUPPORT STAFF 1	1		X	X	X						
RECREATION	KAIDEN GRAY	SUPPORT STAFF 1	1		X	X	X						
RECREATION	STEVEN SCOTT	SENIOR SERVICES COORDINATOR	1		X		X						
ARENA	BENJAMIN GREGOIRE	FACILITIES AND OPERATIONS ATTENDANT	1	X			X						
RECREATION	BRAYDEN CRITTENDEN	SUPPORT STAFF 1	1		X	X	X						

Personnel REPORT

City Clerk's Office

9.1 ELECTION OF CITY COUNCIL WARD 2, SEAT B

CANDIDATE STATEMENTS OF INTEREST

- **Carlton Cooper P. 35**
- **Raymond Turner P. 37**
- **Rachel Lawrence P. 39**

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City Clerk's Office



City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

DESIRED POSITION: City Council Ward 2 Seat B

NEW RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

FIRST NAME: Carlton LAST NAME: Cooper

STREET ADDRESS: 15 Howe St.

ZIP: 03867

TELEPHONE: (H) (617) 947-6722 (W) _____ E-MAIL cwcooper20@yahoo.com

Please note: Any and all information provided on this form will become subject to disclosure and made publicly accessible.

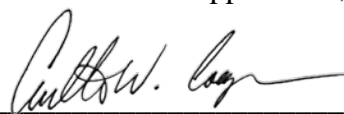
REGISTERED VOTER: (CIRCLE ONE) YES NO _____ WARD 2

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

My intention is to represent the taxpayers to ensure that our cities needs are being met. Being fair, open, and honest in how we conduct business while working together is crucial for the future of our city. I am confident that I will represent Ward 2 & the citizens of Rochester while still maintaining my beliefs and values. The city budget, drug problem / homelessness, economic development and getting our citizens more engaged will be areas of focus as a councilor.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: 

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City Clerk's Office



City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

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JAN 10 2024

CITY CLERK'S OFFICE
ROCHESTER, NH

STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP

DESIRED POSITION: CITY COUNCILOR (WARD 2)

NEW RE-APPOINTMENT REGULAR ALTERNATE

FIRST NAME: RAYMOND LAST NAME: TURNER

STREET ADDRESS: 15 HEMLOCK STREET

ZIP: 03867

TELEPHONE: (H) (603) 332-2790 (W) _____ E-MAIL RTURNER0606@AOL.COM

Please note: Any and all information provided on this form will become subject to disclosure and made publicly accessible.

REGISTERED VOTER: (CIRCLE ONE) YES NO WARD 2

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

LONG-TERM RESIDENT OF ROCHESTER (~25 YEARS)
ACTIVE IN THE COMMUNITY AS A 3-TERM SCHOOL BOARD MEMBER AND
MODERATOR FOR WARD 2
DECADES OF BUSINESS MANAGEMENT + MANUFACTURING EXPERIENCE

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Raymond Turner

Raymond Turner
 15 Hemlock Street
 Rochester, New Hampshire 03867
603-332-2790
rturner0606@aol.com

HIGHLIGHTS OF QUALIFICATIONS

- ◆ Long-term Rochester resident (~25 years), whose three children graduated from the Rochester school system.
- ◆ Volunteered as a math tutor at Rochester Middle School.
- ◆ Active in the community as a 3-term School Board Member and Moderator for Ward 2.
- ◆ Decades of business management and software & hardware manufacturing experience.

RELEVANT SKILLS AND EXPERIENCE

- Solid understanding of the Rochester School District policies and procedures.
- Management expertise in leadership, project management, conflict resolution, coaching, ...
- Basic knowledge of financial processes.
- Collaborative and comfortable working in or leading small teams.
- Appreciate diverse opinions and comfortable with healthy conflict.
- Results focused with an emphasis on impactful measures of success.

ROCHESTER HISTORY

2020 - Present	MODERATOR, Ward 2
2014 - 2019	SCHOOL BOARD, Ward 2

EMPLOYMENT HISTORY

2006 - Present	CISCO SYSTEMS, Boxborough, Massachusetts Software & Hardware New Product Program Manager Manufacturing Engineering Manager
2000 - 2006	SUNTRON/CELESTICA/FLEXTRONICS, New Hampshire Quality Assurance Manager & Supplier Quality Engineer
1995 - 2000	CABLETRON SYSTEMS, Rochester, New Hampshire Advanced Process Development & Quality Assurance Manager
1992 - 1995	TRW, Transportation Electronics Division, Marshall, Illinois NPI & Advanced Process Development Manager
1987 - 1992	DIGITAL EQUIPMENT CORPORATION, Augusta, Maine Senior Manufacturing Engineer

EDUCATION

Master of Business Administration	Plymouth State College, Plymouth, New Hampshire
B.S. in Industrial Engineering Tech	University of Southern Maine, Gorham, Maine

R. Lawrence
3 Broad Street
Rochester, NH 03867

City Council
City of Rochester, NH
31 Wakefield Street
Rochester, NH 03867

To the Members of the City Council of Rochester, NH:

I am writing this letter to apply for the vacant role of Councilor on City Council for Ward 2. As a dedicated and passionate resident of Rochester's Ward 2, my unique perspective and qualifications make me the ideal candidate for this position.

While looking for places to live in 2005, a year after completing my bachelor's degree in finance at Bentley University, I was immediately drawn to Rochester's affordability, access to nature, and sense of community. Although I briefly left for work and family obligations, I intentionally returned to Rochester in 2015, purchasing a home on Broad Street in Ward 2. I wanted to provide my young children with an ideal environment to grow up in – a vibrant neighborhood where they can freely play, interact with others, and develop lasting friendships. The Broad Street neighborhood embodies these qualities and more.

Throughout my nearly 20 years in Rochester, I have closely followed the challenges our city faces, particularly in the areas of housing and business development. I have actively volunteered at the Strafford County homeless shelter and recently joined the Warming Center as a volunteer. I have contributed to local organizations such as the NH Mutual Aid Relief Fund and Hope on Haven Hill. I have also helped unhoused Rochester neighbors access social services and find stable housing. I have organized successful community events for my neighbors, fostering a sense of camaraderie and encouraging neighbors to state their needs and help each other out. I am aware of the pressing issues regarding business development facing our city, such as revitalizing our downtown, attracting industry through workforce housing, development of retail sites like Hanson Street or the Ridge, adding housing with services for seniors such as the new EasterSeals housing, and the impending closure of the Waste Management site in several years.

In addition to my community involvement, my professional background makes me well-suited for the role of City Councilor. As outlined in my resume, I have served as a board member for several local and national nonprofits, gaining valuable experience in consensus-building, committee work, and adhering to Robert's Rules of Order. As a self-employed business owner, I work on the cutting edge of finance and operations, using innovative technology and community-based solutions to make high-quality financial advice accessible to millions of



Americans who previously did not have access. With a summa cum laude bachelor's degree in finance and a Master's degree in financial planning, I have a strong analytical and economics skill set, enabling me to conduct thorough financial analyses to inform decision-making. Throughout my career, I have consistently maintained cost-neutrality or profitability for each line of business I lead, even during the early stages of business development.

My approach to decision making combines both compassion and data-driven analysis, while always ensuring fiscal responsibility. In my personal life and as a business owner, I have held leadership positions that require active participation, objective decision making, and a willingness to consider multiple perspectives. I am open to changing my stance when presented with compelling evidence. Moreover, my public speaking experience and exceptional communication skills give me the ability to effectively convey ideas and engage with others.

Now is the time for me to get more involved in my local community as part of the Rochester City Council. I strongly believe Ward 2 voters deserve to have someone in their vacant City Council seat with a similar viewpoint and concerns for our unhoused neighbors as the candidate they voted to elect last November. As my children grow older and require less of my time, I have intentionally made space in my schedule to take on the responsibilities of a City Councilor. I am committed to using our city's resources wisely and finding innovative, humane solutions to address the issues we face. By bringing fiscal responsibility and a fresh perspective to the table, I am confident that I can contribute significantly to the Rochester community.

I am passionate about the future of Rochester, and I am eager to play an active role in ensuring that our city remains an exceptional place to live, work, and play. It would be an honor to serve as a City Councilor for Ward 2 and work towards the continued success of our community.

Thank you for considering my application.

Sincerely,

A handwritten signature in black ink that reads "Rachel Lawrence". The signature is written in a cursive style with a long horizontal flourish at the end.

Rachel Lawrence

Rachel Lawrence, CFP®, MSFP

3 Broad St, Rochester, NH 03867 sanborn.rb@gmail.com

(603) 205-9398

Summary

I'm passionate about money ideas that work in the real world, tackling systemic issues in ways that can be both good for the world and good for our bottom lines, and having fun while doing it all.

Experience

Programming Committee member

Financial Planning Association of New England, Apr 2017 - Present

Volunteer

Warming Center of Strafford County, Jan 2024 - Present

Founder and Financial Planner

Reverie Wealth, Aug 2022 - Present

I help women and their allies with all aspects of personal financial planning as a Registered Investment Advisor in the state of NH: budget and cash flow management, paying down debt, saving and investing towards a wide variety of goals, risk management, tax strategies, and estate planning.

Founder & Principal

Plan Ventures, May 2022 - Present

I consult with financial companies on how to dramatically grow financial planning capabilities through technology and I write/lead workshops on financial topics. Recent projects include:

Monarch Money:

- Wrote a software program to automatically determine how to use leftover income towards financial goals

Uprise:

- Advised on how to use technology (including AI), processes, and management to grow financial planning services and maintain high quality in financial plans

SoFi:

- Drafted 2-3 workshops per quarter for their workplace financial wellness program on a variety of financial topics including organizing money, budgeting, buying a home, and more

Neighborhood Trust Financial Partners:

- Ran a full evaluation of their TrustPlus coaching program to find efficiencies and made recommendations to increase the number of clients served without increasing the size of the team

- Created and led an "impact weighted coaching" training curriculum for the financial coaching team, in order to make bigger impacts on more clients in less time

Director Of Coaching, Dec 2018 - May 2022

Lead Financial Planner and Subject Matter Expert, Apr 2018 - Dec 2018

Ellevest

- Built a >\$1m business line from the ground up over 3 years
 - Managed the budget for business line, including >800% growth of ARR (annual recurring revenue) from 2018-2022 and >800% in quarterly average sales from 2020-2022; ensured costs<revenue
 - Ran data analysis for coaching business and interpreted the results for key stakeholders to inform business strategy
 - Created a predictive staffing model for coaching team
 - Hired and trained >15 employees; directly managed 10 full time employees and 9 consultants

- Coordinated and/or led more than 300 in-person or virtual workshops
- Owned financial planning risk for all of Ellevest
 - Sat on Risk Management committee with 7 other risk owners as part of official compliance work; met bi-weekly with CCO to review new or ongoing risks, steps to mitigate risk, and review and create processes to correct audit findings
 - Created robust financial planning guidelines for company-wide use and led a committee to constantly review and update guidelines based on new evidence
 - Implemented new financial planning software, advice standards, and call guidelines firm-wide
- Interviewed by numerous national publications (Business Insider, Cosmopolitan, CNBC, etc.) and podcasts on behalf of Ellevest
- Oversaw due diligence/vetting process for third party partners and worked cross-functionally with marketing and growth teams to implement new partnerships with clients

Director Of Financial Planning and Subject Matter Expert

Advizr, Oct 2016 - Mar 2018

- Led the development of Advizr's financial planning philosophy and the advice provided by their software; presented live and virtually on this topic to key decision makers alongside C-suite executives
- Strategized with executives and senior managers on new product offerings and helped determine priorities for our development roadmap
- Launched and managed a full customer support team from the ground up, including hiring, training and mentorship, implementation of support technology and analytics, workforce management, and setting up streamlined support processes for more efficient and higher quality customer support

Board member, Communications/Branding chair

The Freedom Cafe (Durham, NH), Aug 2017 - Aug 2020

- Responsible for developing the brand identity and clearly communicating the Freedom Cafe's anti-human trafficking mission to our community, volunteers, and supporters
- Led board discussions on organization-wide budgeting and spending priorities, including providing financial analyses of options for effective impact

Head of User Acceptance Testing/App Support, Dec 2015 - Oct 2016

Senior Financial Planner & Subject Matter Expert, Sep 2012 - Oct 2016

Training & Development Manager, Aug 2013 - Oct 2014

LearnVest/Northwestern Mutual

- Created and managed a support team for the users of our proprietary software
- Created and distributed firm-wide standards for financial planning advice, which were used with 40,000+ employees across Northwestern Mutual
- Spoke at multiple live events on various personal financial topics while representing LearnVest and Northwestern Mutual, engaged with the media to provide content and quotes on a wide variety of personal finance topics (quoted in Forbes, Business Insider, Fox Business, Market Watch, Financial Planning magazine, Investment News, The Fiscal Times, and more)
- Lead developer of proprietary financial planning software, including programming/coding, ensuring quality of advice and calculations, maintaining and updating software, and training/delegating maintenance to new support employees
- Launched a new branch office, including support structures for personnel and operations, creating job postings, hiring and terminating employees, technology and physical infrastructure, etc.
- Managed trainees for their first 6 months of employment, including semi-annual performance reviews, weekly 1:1 discussions, overseeing work product and client interactions, KPIs, and more

Board member, Programming Committee chair

Financial Planning Association of Northern New England, Sep 2011 - Aug 2014

Volunteer

Homeless Center for Strafford County, Sep 2009 - Sep 2010

Treasurer

National Guard Family Support - FRG, Sep 2009 - Feb 2011

- Treasurer and fundraising chair for the Family Readiness Group of the 172nd Mountain Infantry - Charlie Company, based in Milford, NH

Financial Planner, Research Analyst, and Chief Compliance Officer

Financial Focus, Inc., Oct 2007 - Aug 2012

- Used the CFP® six step personal financial planning process for a wide range of clients
- Developed new sources of business by meeting with centers of influence, obtaining referrals from existing clients, attending networking events, and having original content published.
- Researched and performed due diligence on rotating sectors of mutual funds, including small and mid cap equities, international equities, balanced funds, socially responsible funds, and high yield corporate bonds.
- Served as Chief Compliance Officer for 4 years; implemented and maintained compliance with all applicable regulations.

Mentor

Newfrontiers USA, Jun 2006 - Aug 2009

- Ran a Friday night program for at-risk preteens and teenagers in the Lafayette Street neighborhood of Rochester, NH, which included various games, activities, crafts, food, and a short discussion about lifestyle choices

Branch Operations Manager/Business Development

Commonwealth Financial Network, Dec 2005 - Sep 2007

Performance Analyst

Prime Buchholz LLC, May 2005 - Dec 2005

Operations Manager

Lincoln Investment, May 2003 - Apr 2005

Associate

Ameriprise Financial Services, LLC, May 2002 - Dec 2002

Education

Bentley University - McCallum Graduate School of Business

Master's Degree, Personal Financial Planning, 2017

Bentley University

BS, Finance, Summa Cum Laude, 2004

Boston University

Certificate, Financial Planning, 2011

Fiduciary360

Certificate, Fiduciary Studies and Prudent Practices

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City Clerk's Office



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**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Moderator _____

NEW RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

NAME: Joelle Boumel _____

STREET ADDRESS: 4 Mountain View Lane Rochester NH _____

ZIP 03867 _____

TELEPHONE: (H) 603 978 7416 (W) _____ E-MAIL jbboumel@gmail.com _____

REGISTERED VOTER: (CIRCLE ONE) YES NO _____ WARD 5 _____

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

I have worked as a Ballot Clerk, Asst. to the Supervisor of the Checklist, Ward Clerk
_____ and assisted the Moderator in past elections on all duties.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

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I certify that I am 18 years of age or older: Joelle Boumel _____

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**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Ward 5 Ward Clerk
NEW RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

NAME: Alex de Geofroy

STREET ADDRESS: 18 Sheepboro Rd

ZIP 03867

TELEPHONE:(H) _____ (W) _____ E-MAIL adegeofroy@gmail.com

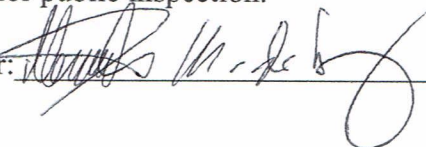
REGISTERED VOTER: (CIRCLE ONE) YES NO _____ **WARD** 5

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

Volunteered in elections since 2020, elected Selectman
2021 and have acted as Ward Clerk on interim
basis due to vacancy. Honored to be able to step
in and fill a gap and do more for the community
and support the democratic process.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: 

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CITY CLERK'S OFFICE
ROCHESTER, NH

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Selectman - Ward 5

NEW RE-APPOINTMENT REGULAR ALTERNATE

NAME: Kendra L. Finch

STREET ADDRESS: 9 Yvonne Street, Rochester, NH

ZIP 03867

TELEPHONE: (H) 603-498-1423 (W) same **E-MAIL** kfinch7@gmail.com

REGISTERED VOTER: (CIRCLE ONE) YES NO **WARD** 5

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

I have worked 3 elections.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

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I certify that I am 18 years of age or older: K Finch

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City Clerk's Office



City of Rochester, New Hampshire

CITY COUNCIL –
APPOINTMENTS REVIEW COMMITTEE

31 Wakefield Street • Rochester, NH

03867 (603) 332-1167

www.RochesterNH.gov

Appointments Review Committee

January 16, 2024

City Hall Chambers – Conference Room

5:15 PM

Committee Members Present:

Daivd Walker, Chair
Chuck Creteau
Bryan Karolian
Matthew Richardson

Committee Members Absent:

Minutes

Chair Walker called the Appointments Review Committee meeting to order at 5:15 PM on January 16, 2024.

New appointment(s):

John Gisis

Historic District Commission, Seat A (New Appointment, Regular member) *Term to Expire 1/2/2026*

Mr. Gisis gave an overview of his history within the City of Rochester as a lifelong resident, growing up in downtown.. Mr. Gisis stated that he is currently on the board of the Rochester Historical Society and has been active within the Community with his drone photography. He stated he is very interested in the history of the community and is hoping to become more involved.

The Committee asked Mr. Gisis his feelings on the recent development downtown of a 5-story buildings as well as other developmental progress within the City. Mr. Gisis stated that he felt that progress was inevitable and was not detrimental as long as it was allowable under City guidelines and if the developments were in keeping with the spirit and historical character of the area.

Councilor Creteau **MOVED** to recommend John Gisis to the City Council as a regular member of the Historic District Commission, Seat A, with a term to expire 1/2/26. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Candy Bailey**Historic District Commission, Seat H (New, Alternate Member) *Term to Expire 1/2/2025***

Ms. Bailey explained that she is a 50-year resident of Rochester, retired as a longtime employee of the Rochester School system, and is currently a Library Trustee and the Election Moderator for Ward 3.

The Committee asked Ms. Bailey her feelings on the recent development downtown of a 5-story buildings as well as other developmental progress within the City. Ms. Bailey stated that development is necessary within the City and emphasized the importance of consideration being given to the historical façades and character of the surrounding areas while staying within City ordinances and guidelines.

Councilor Creteau **MOVED** to recommend Candy Bailey to the City Council as an alternate member of the Historic District Commission, Seat H, with a term to expire 1/2/25. Councilor Karolian seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Brett Veno**Historic District Commission, Seat I (New, Alternate Member) *Term to Expire 1/2/2026***

Mr. Veno explained that he holds a Bachelor's degree in history. He spoke of his interest in the lesser known aspects of Rochester's history, such as the rail lines, history of industry such as shoe making and the brickyard within the City, and its location as a vacation destination. Mr. Veno stated that with his current schedule and employment, he had plenty of time to devote to the HDC and was looking forward to getting involved.

Councilor Richardson **MOVED** to recommend Brett Veno to the City Council as an alternate member of the Historic District Commission, Seat I, with a term to expire 1/2/26. Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Doug Lachance**Planning Board, Seat K (New, Alternate Member) *Term to Expire 1/2/2025***

Mr. Lachance explained his background in the City of Rochester as a former City Councilor and Mayor, as well as previous experience on the Barrington Planning Board. He stated that he is currently a realtor in the City and is looking for additional ways to serve the community and get involved. He felt that given his past experience, the Planning Board would be the best fit for him. The Committee discussed with Mr. Lachance his ability to remain unbiased and to weigh both sides of a case coming before the board. Mr. Lachance spoke about the need for progress within the City while not losing the character and small town feel of the community. He also discussed potential future uses for the Rochester Fairgrounds and the relationship between the City and RAMA.

Councilor Walker **MOVED** to recommend Doug Lachance to the City Council as an alternate member of the Planning Board, Seat K, with a term to expire 1/2/25. The Committee

briefly debated the motion. Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Re-Appointments/Discussions:

Chair Walker **MOVED** to approve all the below listed re-appointments as well as the elevation of Rick Healey from an alternate member on the Planning Board to a Regular Member with the term expirations as follows:.

Kathleen Noble

Reappointment: Library Trustees, Ward 4 – *Term to expire 1/2/2027*

Peg Higgins

Reappointment: Library Trustees, Ward 1 – *Term to expire 1/2/2027*

Lance Powers

Reappointment: Zoning Board of Adjustments, Seat A, Regular Member *Term to expire 1/2/2027*

Rick Healey

Planning Board, Seat A – Elevation from Alternate to Regular Member– *Term to expire 1/2/2027*

Peter Bruckner

Reappointment: Planning Board, Seat E, Regular Member – *Term to Expire 1/2/2027*

Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Chair Walker **ADJOURNED** the meeting at 5:58 PM.

Respectfully submitted,

Cassie Givara
Deputy City Clerk

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City Clerk's Office



Rochester City Council

Community Development Committee

MEETING MINUTES

Chuck Creteau, Chair
Matthew Richardson, Vice Chair
David Herman
Patricia Turner
Vacant Position

Meeting Date:	Monday, January 29, 2024	
Members Present:	Chuck Creteau Matthew Richardson David Herman Patricia Turner	Members Absent: Vacant Position
Staff Members Present	Kiersten Wright , Community Development Coordinator Todd Marsh , City of Rochester Welfare Director Skip Smith - Share Fund Jaymie Chagnon -Strafford Nutrition Meals on Wheels Jeff Donald - Alliance for Community Transportation Tarah Bergeron - Court Appointed Special Advocates of NH Elizabeth Fourar-Laidi - Community Partners Kathy Beebe -Haven Mandy Lancaster - Waypoint NH	

The Committee arrive back from the Tour of 135 North Main St-79E Applicant
 Call to order for regular meeting by Councilor Creteau at 6:02pm
 Roll Call: See Attached roll call list
 Kiersten Wright attended virtually per COVID policy.

PUBLIC INPUT	No Public Input
Approval of Minutes- October 16, 2023	Councilor Turner moved to approve minutes from October 16, 2023. Seconded by Councilor Herman and approved by all.
Introduction of New Committee Members to Welfare Director Todd Marsh	Todd Marsh the Welfare Director for the City of Rochester introduced himself again to the committee and stated he was there to assist in hear from the applicants for FY25 CDBG Funding.
Information on CDBG (Community	Kiersten Wright, the Community Development Coordinator for the City of Rochester gave an overview of the Community Development Block Grant

<p>Development Block Grant) Program</p>	<p>(CDBG) Program. Wright explained the requirements for CDBG funding, and the breakdown of how funds can be allocated:</p> <p>15% Public Service Agencies 20% Administration 65% Public Facilities/Infrastructure or Housing Rehabilitation.</p> <p>Wright also informed the Committee that there is currently \$26,005 in unallocated funds from FY24's CDBG grant that can be used towards next year's projects. More information can be found at the bottom of the meeting minutes.</p>
<p>Discuss Future Meeting Dates and Time</p>	<p>A discussion was had to move the committee meetings from the 3rd Monday of the month to the 2nd Thursday of the month to avoid conflicts with other committee meetings that members are a part of.</p>
<p>Meet with Applicants for CDBG FY25 Funding</p>	<p>Sharefund- Skip Smith- \$16,000 Skip Smith from the Sharefund introduced himself to the committee and discussed the various ways that Sharefund has helped the community. The Sharefund has been around for over 30 years originally starting under Holy Rosary Church and becoming its own entity, while also taking on Gerry's Food Bank. They are the only diaper bank in the area and provide food and clothing to those in need as well as rental assistance. In 2023 alone they helped 105 families with rental assistance, amounting to over \$56,000. Already in the first month of 2024 they have spent \$2800 in rental assistance. Councilor Creteau requested from the city's Welfare Director to know more about the relationship between Welfare and the Sharefund. Mr. Marsh stated that Welfare and Sharefund have a good relationship, and that Sharefund has provided a lot of services to those in need within the city. Mr. Smith stated that they do not just help in providing financial assistance, they'll also try to help those coming to them with their budgets and to connect them to other groups that may assist them in other ways. Councilor Turner asked if there is a higher rate of repeat residents. Mr. Smith explained that residents are allowed financial assistance once in a 12 month period. It was also noted that Sharefund has a good relationship with Amazon Campground and that they are not limited by the same governmental regulations that the Welfare Department might be.</p> <p>Strafford Nutrition Meals on Wheels- Jaymie Chagnon- \$5,000 Jaymie Chagnon from Strafford Nutrition Meals on Wheels introduced herself to the committee and gave an overview of the services that Strafford Nutrition Meals on Wheels offers. In 2023 the Meals on Wheels program assisted roughly 500 Rochester residents. For every meal, the organization needs to raise 25-30% of the funds. They focus on elderly care and low- moderate income residents, but do help other residents that may be in need of assistance, like a child who recently had surgery and is in need of multiple meals a week. One of the goals of their organization to help keep people out of institutions as long as possible (nursing homes, or other facilities). While the drivers do delivery meals, they also are making welfare checks while they are there. If they notice something is off or if a resident seems to be in a different state then</p>

normal, or they aren't answering, they reach out to the person emergency contacts to see if they are ok. The drivers provide companionship to these residents, and in some instances the seniors trust these drivers more than others, and on occasion they have been asked to come in to help when communicating with the fire department. Mr. Marsh from Welfare stated that this group keeps an eye out on the city's most vulnerable group of people. Councilor Creteau inquired as to what percentage of recipients are Rochester residents. Ms Chagnon stated that they assist roughly 1500 people a year with about 500 of them being from Rochester, making Rochester roughly 1/3 the amount of people they assist on a yearly basis. They work hard with grant writers and getting funding through grants and cities. Patricia Turner asked how many people work for them, 27 mostly drivers, mostly part timers.

Alliance for Community Transportation (ACT)- Jeff Donald- \$6,000

Jeff Donald introduced himself to the committee and gave an overview of the program. The funding from the CDBG program that they are requesting would go towards operating community rides, staffing for the Regional Coordination Council and operational costs for regional transportation call center. Coast is the lead agency that provides overview for the program. Community Rides offers to help plug some gaps that some other transportation groups miss, allowing for those outside the normal area for assistance to receive it. So far this year, the common app, which takes all the local transportation services and puts them into one application to request, has received 107 Rochester Resident requests. Todd Marsh noted that the Common App is a great tool that allows residents one place to go to rather than numerous applications. Kiersten Wright also noted that so far in FY24 ACT has done a good job with reporting requirements and that they have been very responsive when requests have been made. Jeff also wanted to note that they have started to update their system to ask for more information to assist in further reporting.

Court Appointed Special Advocates (CASA)- Tarah Bergeron- \$5000

Tarah Bergeron from CASA introduced herself to the committee and gave an overview of what Court Appointed Special Advocates (CASA) does. CASA of New Hampshire is different from other state CASAs as they cover the whole state of New Hampshire where as other CASAs are regional. They currently have about 600+ volunteers to help across the state with about 1500 children in need each year. Volunteers are trained to help represent the victimized children; they are the voice for the children in cases of abuse or neglect. CASA Volunteers are unpaid Guardian ad Litem. At this time there are not a lot of volunteers in Rochester, however there are about 100 children from 68 cases since July of 2023 that are from Rochester. The CDBG Funding that CASA is requesting would go towards training costs to train more volunteers from Rochester. The Community Development Committee members thanked Ms. Bergeron for all that they do within the community and the children they have helped.

Community Partners- Elizabeth Fourar-Laidi- \$5000

Elizabeth Fourar-Laidi introduced herself to the committee and gave an overview of Community Partners and the program they will be requesting

funding for. Community Partners helps to provide development and mental health services to meet the needs of families and individuals within Strafford County. The Rental Assistance program is what they are requesting funding for, which is currently funded by grants. Case Managers are assigned to the family or individual to help them stabilize their situations. Councilor Creteau asked if this is specifically for rental in order to help them not lose their housing and how to they help with stabilizing. Ms. Fourar-Laidi stated that the case managers are trained individuals who help using numerous systems. They offer courses as well has have experienced trainers in their system to help train case managers. Councilor Creteau inquired how long the program has been in place, and it was stated over 8 years. Councilor Turner asked about how many people are assisted per year; roughly 20 to 25 residents. Councilor Herman inquired how much assistance was provided. Ms Fourar- Laidi stated that it varies depending on the residents situation. Todd Marsh from Welfare stated that rental assistance doesn't take long to be used up due to the rising costs of rent. He also inquired how they handle duplication of benefits to prevent residents from taking advantage of multiple programs. Currently Case Managers review their information to ensure that duplication of benefits does not happen. Councilor Richardson inquired why they hadn't received prior year funding, was it due to not being awarded or not applying. Prior to FY24 they had not received funding in a few years, and in FY24 they had not applied for funds due to having COVID funds.

Haven- Kathy Beebe- \$5,000

Kathy from Haven introduced herself to the committee and explained that they are looking for CDBG funding to help with the 6 unit emergency shelter they are currently leasing. There is a plan for Haven to build their own shelter, but they are working on finding the proper location and funds prior to building. For that happens they still need to have a shelter for those seeking safety from domestic abuse situations. For a while they had COVID Funding that helped subsize the rental costs, but unfortunately that funding is not available. The 6 unit shelter is used in various ways, including overnight shelter while those awaiting transportation to other accommodations, a few week stay, a few month stay or in one case several years. Haven does have case managers to help get people into permanent housing and help get them back to some normalcy. Haven is a low barrier shelter but safety is their number one priority for those in need. Haven does also try to work with local Housing authorities to get housing from those fleeing domestic violence situations. This funding would be used specially for the 6 unit lease.

Waypoint- Mandy Lancaster- \$10,000

Mandy Lancaster from Waypoint introduced herself to the committee, giving a brief overview of their facility. Waypoint is a drop in engagement center. They provide showers, laundry, food, clothing, etc for unhoused residents between the age of 12 to 25. This is the younger demographic that might not be able to enter a shelter like Willand Pond(18+). They do have a transitional living center in Dover, but the Rochester location is a drop in center at this time. Waypoint works with the youths to help get them into programs, get schooling, housing or other needs while also trying to get them to connect with their community. There are case managers who help the residents with various different needs, including

	<p>resume building, how to have meals and even conflict resolution. Councilor Richardson inquired as to how many youths do they typically see. Currently there have been 70 unduplicated youths in the drop in center this year (July to January). Councilor Creteau inquired as to what kind of staff works at the facility. Ms. Lancaster explained that they have staff with various types of degrees from social workers, psychiatrists and many more. They also work on getting staff training as well as work with people that have lived experiences and can give better insight to the situations that the residents have been through. Todd Marsh from Welfare stated that their department is in contact with Waypoint frequently throughout the month and that they will send a representative with the youths to welfare to help support them. Councilor Creteau inquired if they have a connection with CASA (Court Appointed Special Advocates). Ms. Lancaster explained that they do not work with children who are already in the system, but they will help reconnect them to the system if they need assistance.</p>
<p>Other Business</p>	<p>The Committee discussed the 79E tour they had prior to the start of the meeting. Councilor Richardson made a motion to recommend the 79E application for 135 North Main St for 7 Years. Councilors Herman and Turner seconded, all were in favor. Wright noted she would inform Jenn Marsh from Economic Development of this approval from the Community Development Committee.</p> <p>Councilor Creteau brought up the Rule of Order for City Council and section 4.19 Functions of The Community Development Committee. Currently the functions include the following items: Economic Development, Industrial Development, Land Use Policy, Technology Issues, Chamber of Commerce, Rochester Main Street, Arts and Cultural, Recreation, Parks, Adult & Youth Services, Promotion Activities and Festivals, Public Relations, COAST, CDBG, and Human Services.</p> <p>The Committee discussed how this could be broken up into different umbrella categories, with Social Services as one, having organizations or projects like CDBG, Human Services and COAST under one section and on Community Development having groups like Chamber of Commerce, Rochester Main Street or projects like the 79E applications under it.</p> <p>The Committee agreed that they should have a purpose statement for the Community Development Committee on the city website so that residents know what the committee does and how they can get involved. Councilor Herman stated he would like there to be more education for the public on how to get involved and what we do as a committee. Councilor Creteau invited Todd Marsh from Welfare to join the meetings going forward when he can as he thinks he maybe a valuable resource of knowledge. Todd Marsh</p>

	stated he would try to make the meetings he can, however he does have other committees and boards he is a part of that may prevent him from attending.
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Motion to adjourn meeting made by Councilor Turner. Approved by all, meeting adjourned at 9:05pm

Next Meeting – Monday, February 8th, at 6:00 p.m., Coheco Conference Room, City Hall Annex, 33 Wakefield St.

Topics: Meet with other CDBG and Municipal applicants, further discussion on the committee’s goals.

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Respectfully Submitted by

Kiersten “Kay” Wright, Community Development Coordinator.

<u>ATTENDANCE SHEET</u>			
<u>Date: 1/29/2024</u>			
<u>Name</u>	<u>Title</u>	Present	Excused
Councilor Creteau	<i>Chair</i>	X	
Councilor Richardson	<i>Vice Chair</i>	X	
Councilor Turner	<i>Member</i>	X	
Councilor Herman	<i>Member</i>	X	
Vacant Position	<i>Member</i>		
<u>Others Present</u>			
Kiersten Wright *	Community Development Coordinator	X	
	<u>*attending virtually per COVID policy</u>		
Todd Marsh	Welfare Director	X	

Points to note for CDBG applications:**Eligible Agencies:**

Agencies must have a 501(c)3 tax exemption status with the IRS and provide proof of this when applying for funding. At least 51% of their clients must earn very low, low or moderate incomes. Income rates can be provided by the Community Development Coordinator for the City or can be found [here](#). Agencies must have a place of business in Rochester, or provide services to very low, low and moderate income Rochester residents.

Eligible Expenses:

The cost of labor, supplies, and/or materials required for the service agency to function are eligible expenses. Grant funds **cannot** be used for political activities or for government owned buildings (ie. City hall, the community center, police station), unless used to remove a barrier for ADA Accessibility.

Project Beneficiaries:

At least 51% of the individuals and/or families assisted by the program must earn very low, low or moderate incomes. Beneficiaries must also be Rochester residents. Agencies can provide services to other cities, however of their Rochester residents, they must be 51% very low, low or moderate income. Since several homeless shelters take residents from Rochester, funding can be used for groups outside of Rochester so long as they can show they have assisted residents (ie. My Friend's Place or Cross Roads House who accepts Rochester residents at the request of Welfare).

Available Funding:

Under the Community Development Block Grant **15%** of the awarded funding can be allocated to **Public Service Agencies, 20% to administration** and the remaining **65% can be used for housing rehabilitation or public facilities/infrastructure**. The lowest amount to award a group is \$1000 under Public Service Agencies.

Examples of Public Service Agencies (day to day running of agencies, not updates to buildings)

- Waypoint
- CASA
- Strafford Nutrition Meals on Wheels
- Share Fund
- Haven
- Dover Adult Learning Center

- Cross Roads
- Alliance for Community Transportation

Examples of Housing Rehabilitation:

- Community Action Partnership of Strafford County- Weatherization Program

Examples of Public Facilities

- Waypoint- Youth Drop in Center – Funded with Public Facilities funds
- Hanson Pines- Kayak Launch
- Rochester Child Care Center- Fire Doors
- Rochester Child Care Center- Blinds replacement
- East Rochester Public Library- Replacement of faulty lights and broken water heater
- Haven- New Shelter Land Acquisition
- Homeless Center for Strafford County- New Kitchen
- Homeless Center for Strafford County- Ductwork Project

Emergency Use:

Funding from CDBG funds can be allocated for emergency use in the event of natural disasters, however due to the low dollar amount the city receives, it would be best to look under alternative options prior to looking into the use of CDBG funding.

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City Clerk's Office

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Finance Committee

Meeting Minutes

Meeting Information

Date: January 9, 2024

Time: 6:00 P.M.

Location: 31 Wakefield Street

Committee members present: Mayor Callaghan, Councilor Fitzpatrick, Councilor Sullivan, Councilor Turner, Councilor Walker, and Deputy Mayor Hamann

City staff present: City Manager Katie Ambrose. Finance Director Mark Sullivan. Cassie Givara, Deputy City Clerk.

Others Present:Agenda & Minutes**1. Call to Order**

Mayor Callaghan called the Finance Committee meeting to order at 6:00 PM.

Deputy City Clerk Cassie Givara took the roll call attendance. Councilors Fitzpatrick, Sullivan, Turner, Walker, Deputy Mayor Hamann, and Mayor Callaghan were all present.

2. Acceptance of Minutes: November 14, 2023

Councilor Hamann **MOVED** to **ACCEPT** the minutes of the November 14, 2023, Finance Committee meeting. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Public Input

No members of the public came forward to speak.

4. Unfinished Business:**4.1.1 Waste Management Reserve Fund Draft – Review**

Mark Sullivan, Finance Director, gave a brief overview of the reserve fund that the City has proposed to establish in anticipation of the Waste Management closure in 2034. The closure of the landfill will cause the host community fees to cease, and the City will experience a loss of assessed value as well

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as fees necessitated from local resident waste needing to be transported to outside locations. Director Sullivan explained that the FY24 operating budget included \$4.6 million in host fee revenue and is anticipated to increase this year.

Director Sullivan explained the draft ordinance and the process that it has been through thus far in the Finance Committee. There had been some clarification requested within the ordinance regarding how the funds could be spent and what the triggers would be for expenditure. The fund would be established with a minimum amount of \$1 million being placed in the fund annually; with the interest, there could be approximately \$25-\$26 million by the end of the 10-year period. This money could be used to offset non-property tax revenue during the annual budget process.

Director Sullivan directed the committee to a revised draft ordinance as well as charts showing the growth of the account between 2024-2034, building the reserve balance. He explained that he was looking to answer questions in preparation for sending the revised ordinance to Codes and Ordinances for further review.

Councilor Walker asked if the goal of this reserve account is to offset the tipping fees in the annual budget. Director Sullivan confirmed that this is the intent; to ease the transition when this large non-property tax revenue is no longer collected and to avoid large increases in property tax in the year of the landfill closure. Councilor Walker questioned how long this fund would assist with offsetting these revenues. Director Sullivan clarified that these funds are not expected to be a replacement in perpetuity. He gave an overview of how this money would be invested and used in the budget.

Councilor Hamann stated that when the landfill closes, there will be costs to both the City and its residents to have trash transported out of the City; this would be a heavy impact if there is not a reserve fund set up ahead of time.

Councilor Fontneau asked if the funds would be “frozen,” or if there would be an option for Council to access those funds within the 10-year period at their discretion if there was need elsewhere. Councilor Fontneau also asked if there would be a cap put on the fund with a maximum balance in the instance that the landfill stays open beyond the expected closure date. Director Sullivan stated that there are conditions listed within the ordinance which would trigger the use of these funds. The intent is to narrow the use of the funds and disallow the use for the type of circumstance posited by Councilor Fontneau. Director Sullivan stated there is no cap on the fund, however Council could take a closer look at this if desired. City Manager Ambrose clarified that City Council would be voting annually on the allocation into this fund and reviewing the projections for the fund at the same time. Rather than setting a cap, Council could potentially opt to allocate a lesser amount if desired.

Mayor Callaghan asked if the Trustees of the Trust fund would have some flexibility to place this allocation into a higher interest account as needed. Director Sullivan stated that this conversation would occur with the Trustees when the fund was established, directing them to invest the fund in long-term, higher interest instruments.

Councilor Walker **MOVED** to send the Waste Management Reserve Fund to the Codes and Ordinances Committee. Councilor Hamann seconded the motion. The MOTION CARRIED by a unanimous voice vote.

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5. New Business: None**Reports from Finance & Administration****5.2.1 Monthly Financial Report Summary-December 31, 2023**

Director Sullivan stated that the financial reports, at 50% through fiscal year 2024, are trending well. Motor Vehicle registrations are at 51% of budget, Host Community fees are at 49% of the \$4.6 million. Building permits are slightly behind, but as mentioned at past Finance meetings, winter is a slow season for building and development. He summarized the remainder of the revenues and stated expenses are trending to budget.

6. Other

No Discussion.

7. Adjournment

Mayor Callaghan **ADJOURNED** the Finance Committee meeting at 6:18 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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City Clerk's Office

City of Rochester Planning Board

Monday, January 08, 2024

City Hall Council Chambers

31 Wakefield Street, Rochester, NH 03867

(These minutes were approved on *******, 2023)

Members Present

Mark Collopy, *Chair*

Robert May, *Vice Chair*

Donald Hamann

Matthew Richardson

Alan Dews

James Hayden

Peter Bruckner

Members Absent

Michael McQuade, excused

Alternate Members Present

Rick Healey

Staff: Jaclyn Millard, *Administrative Assistant II of Planning & Development*

(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. They may be copied for a fee.)

I. Call to Order

The Chair called the meeting to order at 6:30 p.m.

II. Roll Call

Planning Department Administrative Assistant II, Jaclyn Millard, conducted roll call.

III. Seating of Alternates

There was no seating of alternates.

IV. Communications from the Chair

There were no communications from the Chair.

V. Approval of Minutes

A. December 11, 2023

A motion was made by Mr. Hamman to approve the December 11, 2023, Planning Board meeting minutes and seconded by Mr. May. The motion carried unanimously.

VI. Opening Discussion/Comments

A. Public Comment

The Chair opened the public comments, explaining it's an opportunity for members of the public to address any general planning issues to the Planning Board.

Anne Carter of 6 Blue Hills Drive commented on the 15 Piper Lane Blue Hills subdivision development (M250-L28) at the end of her street. She said she is following up on some questions and points she's made over the past year that have not been addressed. Specifically, she expressed concern about the subdivision not being in compliance with deed restrictions.

Displaying a poster board with photos of the development, she pointed to an 860 square foot building that will remain on the property. Although the subdivision plans list this property as a duplex, per the tax records going back to 2001, that property is a single unit with two buildings.

She explained that this is important because the deed (SCR book 1174 page 59) has only five covenants and restrictions that must continue no matter the owner of the land. These restrictions only allow a single building per lot. However, a few properties with duplexes, including this one, were grandfathered into the deed covenants. She explained she has been asking, "Shouldn't that be corrected to meet with the deed requirements? Otherwise, doesn't that create further noncompliance?"

She then pointed to a photo of another supposed structure that is listed as a duplex but is, according to tax records, a six-bedroom with four connecting units.

Next, Ms. Carter expressed concern that the SCR Book 1174 Page 59 Towle Deed Setback #3 Restrictions are still not reflected on plans drawings even though a two-foot angle adjustment has been on the plans since November 2022. This restriction states that no building shall be within 15 feet of any side lot line nor within 25 feet of the boundary line on the road. Despite Joel Runnals stating in the December 5, 2022, Planning Board meeting, that adjustments had been made to meet these restrictions, all the plans show that the setbacks are still at 20 feet and 10 feet instead of the required 25 and 15.

B. Discussion of general planning issues

There were no general planning issues to discuss.

VII. Extension Applications:

A. [Real Estate Advisors, Jeremiah Lane](#) Extension request to meet General and Subsequent conditions Case# 223 – 21 – A – 16 to December 16, 2024

Hunter Adams presented this case on behalf of owner Walter Cheney. He stated they are applying for a third extension on this property and that they understand that is more than usual. They are still working on it. They are trying to either sell it because they don't have the upfront capital to deal with the intersection and long road to get to the houses. They are currently working with an engineer to do something different with the plan. They would like the plan extended because they are going to keep the roadway the same. They would keep the Franklin and Portland intersection improvements intact as long as the subdivision is approved. He believes there have been no zoning changes that would make the subdivision out of compliance at this point. So, it would presumably pass.

The Chair asked if the Board had any questions.

Mr. May stated he isn't sure why they need the third extension. He stated he is disinclined to approve it but would like input from staff.

Ms. Millard explained recently they had gone to the Zoning Board for review of possible multi-family in that area, but due to it being agriculture, the Zoning Board found there was not a hardship, so they denied the application. Ms. Saunders has been working with the applicant, Mr. Cheney and his engineer on options for this property and application. But they do not have any updated information. Ms. Saunders is hoping to meet with Mr. Cheney soon.

Mr. Dews stated he would feel better with just doing 90 days. He explained that if they keep kicking this can down the road, it could result in a can of worms they don't want to open.

Mr. May asked if they have the option of continuing this case until the next meeting.

The Chair stated that a year extension is too long for his tastes but that 90 days might be a little too short. He stated it would have been nice to have someone like Mr. Berry there to give them an idea of what they are talking about for changes. He explained that Jeremiah Lane has been a long process and that when it finally got approved it was a stretch in some respects. However, they went with it and now are asking for another year extension, which is long.

Mr. Healey pointed out that the third extension usually means the last extension. He asked if the changes will be an amendment.

Ms. Millard replied that yes, they would need to come back to the Planning Board for an additional amendment. She explained that the application on which they are asking for an extension is itself an amendment that was approved back in 2019. So, the Notice of Decision and conditions that were on that application and approved are from 2019.

Mr. Healey asked that since this is the third extension on this amendment, if they come back with the adjusted plans under another amendment, does that reset the timing?

Ms. Millard replied that she believes it does but can double check with Ms. Saunders. Since this application was originally submitted in 2016, it is about to expire if it hasn't expired already. So, that new application would start a new process of being able to move forward with further extensions.

Mr. Healey stated he is not in favor of a whole year. But he would be in favor of six months since right now is not the best time to be out there and six months goes into the summer.

Mr. Dews wondered if two weeks would make that big of a difference since the deadline has come and gone. He would like input from Ms. Saunders on that.

Ms. Millard replied that the next meeting is a retreat and that she is not sure if applications will be reviewed then. So, the next regular meeting will be February 5.

The Chair and Mr. Hayden suggested continuing the application until February 5, 2024. Mr. Hayden explained that they should find out more about the proposed changes before setting a deadline on the extension. For example, if the changes are engineering-related, more than 90 days will be needed. So, he doesn't want to pigeon-hole the applicant into a tight deadline.

Mr. Richardson asked if it has still been in the engineering phase since 2016 than nothing has been done on site?

Mr. Adams confirmed that nothing has been done.

Mr. Richardson responded that he would not be in favor of a third extension for another year. He would be in favor of a deadline closer to six months and of waiting to hear more details and postponing it until next month.

The Chair asked Mr. Adams if someone could come on February 5. Mr. Adams replied that he could have Mr. Berry, who was unavailable for this meeting.

The Chair stated they need more substantial information that Ms. Saunders could provide since she has history with this case. He asked if the property is up for sale right now.

Mr. Adams replied that they had it listed for a year or two then now they've only been in private negotiations.

Mr. May clarified the motion was not to vote on the merits of the extension request, but to put it off until February 5, 2024, hopefully with more input from staff and the applicant.

A motion was made by Mr. Dews and seconded by Mr. Hamann to continue the extension request to February 5, 2024. The motion carried unanimously.

The Chair asked Mr. Adams to make sure they are on the agenda for February 5, 2024.

VIII. Review of Inspections for October 2023

Ms. Millard explained that due to DPW being understaffed, all inspections are a little behind. The Planning Department itself has been unable to conduct inspections. Some have been completed for November but at this time they were not ready to go.

The Chair asked if the Board had any questions. The Board had no questions.

IX. Review of Surety for December 2023

Ms. Millard stated she has been working on the completed applications to see which ones she can return money to or release bonds to. Three are being reviewed for release tonight. Six more are pending waiting for as-builts and different information. So, the Board will see more releases coming up in the future.

The Chair asked if any contact had been made on the Lydall Performance Materials. Ms. Millard replied that at this time they don't know who the point of contact is to release their surety.

X. Release of Surety

- A.** Accolade Towers, LLC / John Kenney, Surety release for Cell Tower Removal Bond # 017-011-208 (100%) in the amount of \$10,000.00. Located at 80 Dry Hill Road

Mr. May asked if the reason why they are releasing this is pursuant to State law that states they are no longer allowed to keep surety for cell towers falling over and being removed. He added that he has no problem releasing it.

Ms. Millard confirmed that is correct, per RSA 12 K11.

A motion was made by Mr. Bruckner and seconded by Mr. Hamann to release the surety. in the sum of \$10,000. The motion carried unanimously.

- B.** Motor City Automotive Group / Ryan Eschbach, Surety Bond Release for construction of building addition (100%) in the amount of \$6,667.00. Located at 154 Farmington Road

A motion was made by Mr. Dews and seconded by Mr. Hamann to release the surety in the sum of \$6,667.00. The motion carried unanimously.

- C.** Cornerstone VNA, Cash Surety Release for construction of building addition (100%) in the amount of \$5,013.44 plus interest. Located at 178 Farmington Road

A motion was made by Mr. Hamman and seconded by Mr. Dews to release the surety in the sum of \$5,013.44 plus interest. The motion carried unanimously.

XI. Other Business

A. Planning Update

Ms. Millard shared that the retreat will be taking over the Planning Board’s scheduled workshop meeting on January 22, 2024. They are unsure of the location at this time. It will be in joint with the Zoning Board to give both Boards a chance to go over updates and ask questions to the New Hampshire Municipal Association lawyer. Food will be provided.

The Chair asked what time it starts. Ms. Millard replied she believes it will start at the usual meeting time, 6:30 pm, but added once they know where they will be able to give them the when.

Mr. Dews asked what is happening with the landscaping place in violation on Milton Road. He added that it doesn’t look like anything has changed.

Ms. Millard replied that if it’s the business around 89 Milton with a lot of construction equipment on it, Ms. Mclsaac and Ms. Saunders have contacted them for a status and to reinforce what has been discussed through the courts. The Chair added they are now selling cars in front of it. Mr. Richardson added it is the owner’s equipment that is up for sale.

B. Other

There was no other business.

XII. Adjournment

A motion was made by Mr. Hamman and seconded by Mr. Dews to adjourn the meeting at 6:57 pm. The motion carried unanimously.

Respectfully submitted,

Davinna J. Artibey,
Temporary Planning Administrator

and

Shanna B. Saunders,
Director of Planning & Development

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City Clerk's Office

**Public Safety Committee
Draft Meeting Minutes
January 17, 2024
6:00 PM
Council Chambers**

Members Present

Councilor Bryan Karolian, Vice Chair
Councilor Chuck Creteau
Councilor Kevin Sullivan

Members Absent

Councilor Timothy Fontneau, Chair (excused)
Councilor David Herman (excused)

Others Present

Jarrold Norris, P.E. Assistant City Engineer
Gina Golden-Silvestro, GIS/AM Technician
Deputy Chief Andrew Swanberry, PD
Paul Callaghan. Mayor
William Burke, 29 Lupine Lane
Suzette Richards, 5 Walnut Street

Councilor Karolian brought the meeting to order at 6:00 PM.

1. **Approve Minutes from October 18, 2023 Public Safety Meeting Councilor Sullivan *MOVED* to approve the minutes from October 18, 2023. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

2. Public Input

William Burke of 29 Lupine Lane was present to discuss sidewalks being added to Chamberlin Street. He is concerned that when walking or jogging in the area between Franklin Street and Whitehall Road there are no sidewalks and there is not enough room for pedestrians to move over when vehicles are approaching. He has had about 10 issues in the past few years with close calls of getting hit. Vehicles are speeding in the area as well. He stated he has mentioned to several neighbors about getting sidewalks and they say they agree as well.

Suzette Richards of 5 Walnut Street was present to discuss her concerns about traffic coming from the traffic circle onto Walnut Street. She lives at the beginning of Walnut Street and is concerned pulling out of her driveway that they will get hit. She would like a blind drive sign for this location. She also is concerned with how fast traffic goes around the circle onto Walnut Street and Washington Street and through town. She asked if speed could be monitored in these locations. There are many people walking in the area. She also asked if a flashing sign showing speeds is possible. Councilor Karolian asked the Deputy Chief Swanberry for his input. Deputy Chief Swanberry said for traffic enforcement they get input from forums like this and the public as to where are the best places to steer their efforts. He will use the input about the circle and add to the list to target. The speed trailer can display what your

speed is, or it can display nothing and collect data. Councilor Creteau lives in the area and said that vehicles are speeding when taking the turn from North Main Street to Walnut Street and he almost got hit today. He would like to see a sign that posts the speed coming off the turn to around 25 MPH. Councilor Karolian asked to keep in committee to see what the options are.

3. Chestnut Hill Road

Councilor Karolian asked Deputy Chief Swanberry to give an update. Deputy Chief Swanberry stated that patrols were increased for the months of October and November. There were 112 traffic stops made during this period. Councilor Sullivan asked if this motion addresses the concern. Deputy Chief Swanberry said yes, a citizen came in for public comment with speeding concerns with children on the road. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

4. Flashing Lights and Raised Table Policy Discussion

Councilor Karolian asked Deputy Chief Swanberry if he has any updates. Deputy Chief Swanberry had no updates at this time. **Councilor Creteau MOVED to keep in committee. Councilor Sullivan seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

5. Chestnut Street-Speed Control

Councilor Karolian asked if there were any updates at this time. Councilor Sullivan asked if this was an item from the current meeting or a previous meeting. This is an open item from a previous meeting. **Councilor Sullivan MOVED to keep in committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

6. Rangeway Drive

Councilor Karolian said this item was in committee from a previous meeting and asked if there were any updates. There were no updates at this time. **Councilor Sullivan MOVED to keep in committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

7. Pickering Road/ Brickyard

Councilor Karolian summarized the issue. Jarrod Norris said in reviewing the location for the crosswalk request this would not be a good location for a crosswalk. With there being two intersections here and adding a crosswalk to an already busy area would not be recommended. He stated that new sidewalks and a flashing beacon is planned to be completed in the Pickering Road /Railroad Avenue area next year. Councilor Sullivan asked what the concern was where they want the crosswalk. Mr. Norris said that with the traffic flow and the two intersections having a crosswalk at that location

is a concern. Councilor Sullivan said he sees the challenge and asked if the foot traffic was high in the area for the demand. Jarrod Norris said that this was a request from one individual, and this services less than 10 properties. He said they did do a review of the school zone in this location, and it was recommended that the pedestrian traffic go back up to Railroad Avenue and back down to get to the school. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

8. Autumn Street/ Salmon Falls Road

Councilor Karolian summarized the issue and asked Deputy Chief Swanberry if the speed trailer was placed at that location. Chief Swanberry stated that the trailer was put out for one week in the beginning of November. One week in each direction. The average speed was 31.55 mph. The 85 percentile was 37 mph. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

9. Lowell Street- Streetlight between Westview and Royal Crest

Councilor Karolian summarized the issue. Mayor Callaghan said the concern is when you are driving towards Somersworth between Hillside Drive and Royal Crest MHP it is very dark in that area. Pedestrian traffic has increased in the area and there have been a few accidents as well. Mr. Norris said he would like to share the streetlight policy for the new members to stay consistent. Mr. Norris read the policy that a streetlight should be installed no closer than every fourth pole. Gina Golden displayed the GIS image on screen and stated that there is a 950-foot span in this area that does not have a streetlight. There are three existing poles in the 950-foot span that a light could be installed on. Mayor Callaghan asked what the cost is to install a light. Mr. Norris stated it is around \$300.00. Mr. Norris had a concern if there are properties located by the light being installed that they would have concerns. Councilor Sullivan asked Mr. Norris to provide the streetlight policy. **Councilor Creteau MOVED to keep in committee. Councilor Sullivan seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

10. Church Street – Handicap Parking Spots

Councilor Karolian stated that this item has already been resolved and recommends taking it off the agenda. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

11. Charles Street- Flashing light / Signage

Councilor Karolian summarized the issue. Mayor Callaghan said this is from November. The women's son walks to William Allen School and is concerned about the traffic coming off from Knight Street onto Charles Street. He referred the

committee to page 8 of the agenda to review the email. The email states that the cars are speeding through and not stopping or just slowing slightly while inching towards the crosswalk while there are pedestrians there. Councilor Karolian asked Deputy Chief Swanberry for his input. Deputy Chief Swanberry said this particular intersection has not come up on his radar as a problem. Councilor Karolian asked if Deputy Chief Swanberry could put this on his list. Deputy Chief Swanberry agreed. **Councilor Sullivan MOVED to keep in committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

12. Chamberlain Street- Sidewalks

Discussed during Public Input. **(kept in committee)**

13. Meaderboro Rd/ RT202A- Intersection

Councilor Karolian summarized the issue. Mayor Callaghan stated that Director Peter Nourse has this on his CIP that includes major improvements to the intersection. Mayor Callaghan recommended keeping in committee. **Councilor Sullivan MOVED to keep in committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

14. Flat Roch Bridge Road- Hidden Driveway

Councilor Karolian summarized the issue. Mayor Callaghan asked Mr. Norris what the policy is for hidden driveway signs. Mr. Norris said he would need to review what the definition is for a hidden driveway. Mr. Norris visited the location, and stated this is clear flat land to the intersection. Mr. Norris believes the vegetation might be overgrown but the shoulder appears clear, the trees belong to the property owner. Councilor Karolian suggested reaching out to the property owner to let them know that the trees are not in the right of way and are their responsibility. Councilor Karolian also asked Deputy Chief Swanberry to put this on the list as well to monitor for speed. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

15. Other

Councilor Karolian asked if anyone has any other items. Deputy Chief Swanberry said the speed trailer was out on Crow Hill Road in early October. The speed limit is 30 MPH. The average speed recorded in just over a week was 19 MPH. The 85 percentile was 24.65 MPH. Councilor Karolian asked Deputy Chief Swanberry how many speed trailers the department currently has. Deputy Chief Swanberry said they have one speed trailer, and it is used to provide data to the committee as well as putting it in locations that they know have issues.

Mayor Callaghan asked Mr. Norris to provide a cost estimate next month for the sidewalks on Chamberlin Street and if there are any domain issues in doing this.

Councilor Karolian ADJOURNED the meeting at 6:43 PM.

Public Works and Buildings Committee
City Hall Council Chambers
Meeting Minutes
January 23, 2024

MEMBERS PRESENT

Councilor Donald Hamann, Chairman
 Councilor Daniel Fitzpatrick
 Councilor Kevin Sullivan
 Councilor David Walker

MEMBERS ABSENT

Councilor Alexander de Geofroy (Excused)

OTHERS PRESENT

Peter C. Nourse PE, Director of City Service
 Dan Camara, Coordinator GIS & Asset Mgmt.
 Lisa Clark, Deputy Director, DPW
 Renee Bourdeau, Geosyntec Engineers

MINUTES

Councilor Hamann called the Public Works and Building Committee to order at 7 PM

1. Roll Call

Ms. McDormand took the roll call attendance. Chair Hamann, Councilor Sullivan, Councilor Walker and Councilor Fitzpatrick were all present. Councilor de Geofroy was absent with excuse.

2. Approval of the November 16, 2023, PWC Minutes

Councilor Fitzpatrick made a motion to accept the minutes of November 16, 2023, meeting as presented. Councilor Sullivan seconded the motion. The motion passed unanimously.

3. Public Input

There was no public present for public input.

4. Overview of the City's Municipal Separate Storm Sewer System Permit (MS4) and Progress Update.

Mr. Nourse stated that the Department of Public Works (DPW) annually updates the Public Works Committee (PWC) on this MS4 Permit compliance and status. Mr. Nourse noted that the MS4 permit is one of the big three permits environmental permits for the City of Rochester, the other two being the Wastewater discharge permits at the Wastewater Treatment Plant. This is a significant permit, and the City is on year five of this permit. Mr. Nourse introduced Renee Boudreau, Stormwater Engineer with Geosyntec Engineers, as the City's consultant for MS4 Permit Compliance. Ms. Bourdeau presented a PowerPoint presentation and discussed the process of permitting, the history of the City's

permit, the permit requirements past and present, the status of compliance and requirements of the current permit that will continue until the next permit is issued. Ms. Bourdeau's Power Point presentation is attached to the minutes. Ms. Bourdeau explained the current permit objectives include public education, public involvement, illicit discharge detection and elimination (IDDE), a construction site stormwater control program and good housekeeping and pollution control prevention. She went over the current and future measures being used for compliance and she discussed the need for maintenance of the City's MS4 infrastructure. Chair Hamann asked who was responsible for the culverts under the driveways. Mr. Nourse referenced RSA 236:13 that requires property owners to maintain their own driveway culverts. He noted that this statute requires abutters to provide their own access to the right-of ways and to maintain their drainage including culverts. Councilor Sullivan asked what stormwater Best Management Practices (BMP) on private properties are. Mr. Nourse stated that typically a BMP is a pond or rain garden, the City does have about 78 of them. Councilor Sullivan asked is there a schedule or operation maintenance plan for the 78 that the City does have. Mr. Nourse stated that they did not have a plan yet, in the proposed budget there is a request for funding required to get the ponds to a functional condition that City forces could maintain in the future. He noted that there is a significant amount of work to bring them to a functional status and then the City will need to implement a long-term schedule. Councilor Walker asked the question if the Inflow/Infiltration (I/I) programs were completed in the City. Mr. Nourse stated that Sewer System master plan is a decade long program, and they are in year two at this time. The first year of construction is in FY 2025. Mr. Nourse noted right now they are doing inflow investigations they are now inspecting 4,500 buildings and getting results. Mr. Nourse stated that several areas in the City will get relined pipes and neighborhoods will be addressed, but we are still gathering information in order to direct that work. Chair Hamann said that he spoke with Councilor de Geofroy who could not be at the meeting tonight. He stated that Councilor de Geofroy is the chair of the Codes and Ordinances Committee, and he is having discussions with the Building and Licensing Department to see what changes may be necessary for code enforcement. He asked Mr. Nourse if Public Works should be working with them as well to see if there is anything they can do to help enforce the MS4 and Wastewater permit compliance. Mr. Nourse noted that Code enforcement is very important and that DPW should work with them on these discussions.

5. Overview of Topics to be Discussed at Public Works Committee in 2024.

Mr. Nourse discussed an overview of 2024 Public Works Committee agenda items; specific dates were not specified, and other agenda items will be added as required. The list is below:

- Overview of MS4 (Stormwater) Permit and Progress Update (January)
- Capacity and Safety Improvements to NH Rt 11

- Suitability of Public Waste and Drinking Water Utilities to Support the Granite Ridge Development District
- Round Pond Reservoir Project Overview
- Water Treatment Facility Hydraulic Analysis and Water Residuals Management
- Cocheco Well Treatment Upgrades for Manganese/Iron/PFAS
- Wastewater Treatment Facility National Pollution Discharge System (NPDES) Individual Permit
- Tebbetts Rd. / Old Dover Rd. Intersection Improvements
- Portland St. New Sidewalks – TAP Grant
- Sewer System Master Plan
- Milton Rd./Amarosa Dr./Salmon Falls Rd. Intersection Improvements
- City Water Meter Replacement Program Update
- Signalized Intersection Master Plan
- Municipal Bridge Inspection Report and Planned Bridge Work
- Lead and Copper Rule Revisions
- Columbus Ave./Summer St. Intersection Improvements
- The Cyber Security of the Industrial Control Systems of Water and Wastewater Treatment Facilities
- Asset Management

Mr. Nourse note that they are having a Public Meeting for Local Concerns regarding the Capacity and Safety Improvements Project on NH Route 11 on January 31, 2024, at 7 PM at the DPW 209 Chestnut Hill Road.

Mr. Nourse also noted that there's an informational meeting for the Milton Road, Amarosa Drive, and Salmon Falls Road Intersection Improvements Project on Thursday January 25, 2024, at 7 PM at the DPW, 209 Chestnut Hill Road.

6. **Other**

Adjustment of Meeting Time for the Public Works and Buildings Committee

Mr. Nourse addressed the committee regarding the meeting time. Mr. Nourse asked the committee tonight if they would like to adjust the time of the Public Works and Buildings

Committee to 6 PM, similar to the Public Safety Committee meeting and other City meetings. The committee agreed to change the PWC meeting time to 6 PM.

Introduction of Grethen Young, New Technical Director of Public Works

Mr. Nourse introduced the committee to the new Deputy Director for Technical Services as Gretchen A Young, PE. Mr. Nourse noted that the DPW is happy to have her, and she has good reputation with the municipal engineering network. Mr. Nourse further noted she has extensive background in stormwater and drinking water, and she fills a key position at DPW. Mr. Nourse further stated that Gretchen Young was hired in 2014 as a Construction Engineer and performed extremely well and Mr. Nourse stated they are extremely thrilled to have her back. The committee welcomed her back.

Strafford Square Circle

Councilor Sullivan said he had a resident come to him with concern regarding the first three driveways as you go around the circle to exit onto Walnut Street. He stated they cannot see backing out of their driveways and he was wondering if there was anything that could be done. Mr. Nourse thanked Councilor Sullivan for bringing it up and stated he will look into this to see if something can be done. Councilor Walker asked Mr. Nourse if there are any plans to put the watering trough back. Mr. Nourse noted the trough will be placed in the area where there is some greens space Walnut and Washington Streets.

Councilor Hamann adjourned the meeting at 8:16 PM

Minutes respectfully submitted by Laura McDormand, DPW Administration & Utility Billing Supervisor



STORMWATER PROGRAM UPDATE

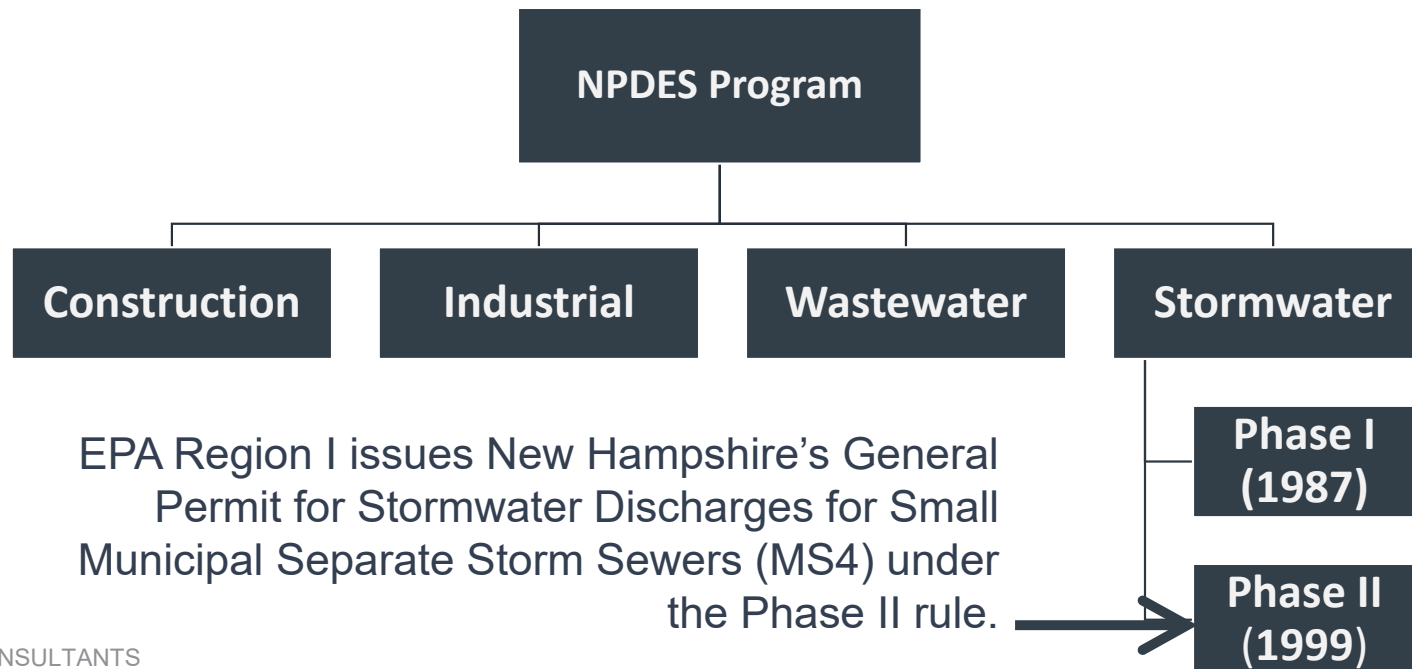
Public Works and Buildings Committee Update

January 23, 2024

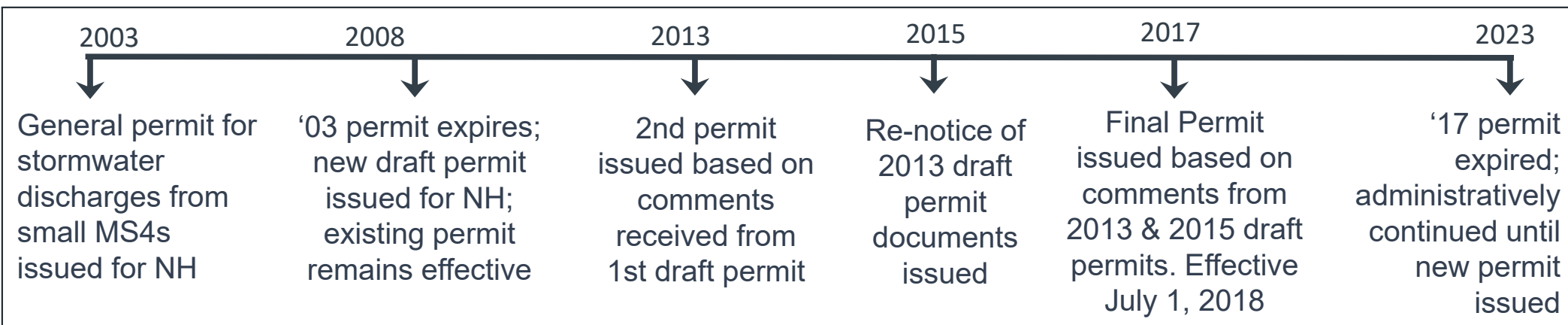
GEOSYNTEC CONSULTANTS

NPDES OVERVIEW

Clean Water Act of 1972 established the National Pollutant Discharge Elimination System (NPDES)



MS4 PERMIT OVERVIEW



- 2017 MS4 Permit
 - Applicable to 60 Traditional MS4s and 3 Non-traditional MS4s
 - Additional requirements compared to 2003 permit
 - 5 Year Permit Period (administratively continued June 30, 2023, until new permit is issued)
- DPW Overall Objectives
 - Develop and Implement new MS4 Permit Requirements

MS4 APPLICABILITY

MS4 Permit applies to all City-owned property and assets within the regulated area, which includes those maintained by the School Department.

- Area of City-Owned Property (including school): 2,626 acres
- Area of City-Owned Property within MS4 regulated area (including school): 1,365 acres
- Area of School Maintained Property within City: 149 acres
- Area of School Maintained Property within MS4 regulated area: 149 acres
- Number of City Owned Facilities/Parcels (including school owned): 165 parcels
- Number of School Maintained Facilities/Parcels: 9 parcels

Have conducted outreach with the School Department and Maintenance Staff to educate them on the permit requirements



**MINIMUM
CONTROL
MEASURES
(MCMS)**

Stormwater Management Program (SWMP)

MCM#1: Public Education

MCM#2: Public Involvement

MCM#3: Illicit Discharge Detection and
Elimination

MCM#4: Construction Site Stormwater
Runoff Control Program

MCM#5: Post Construction Site Stormwater
Control Program

MCM#6: Good Housekeeping and Pollution
Prevention

TMDL/WATER QUALITY LIMITED REQUIREMENTS

Supplemental Permit Requirements:

Requirements:

Implement targeted Best Management Practices (BMPs) to reduce identified pollutants causing impairment in high-priority water bodies

City of Rochester Action Items

Bacteria/Pathogens Impairment

- Increased Ranking for Outfalls in IDDE Program
- Additional Public Education and Outreach Requirements

Nitrogen Impairment

- Additional Public Education and Outreach Requirements
- Additional Good Housekeeping & Pollution Prevention Measures
- Nitrogen Reduction Tracking
- Additional Stormwater Management Requirements

Metals Impairments

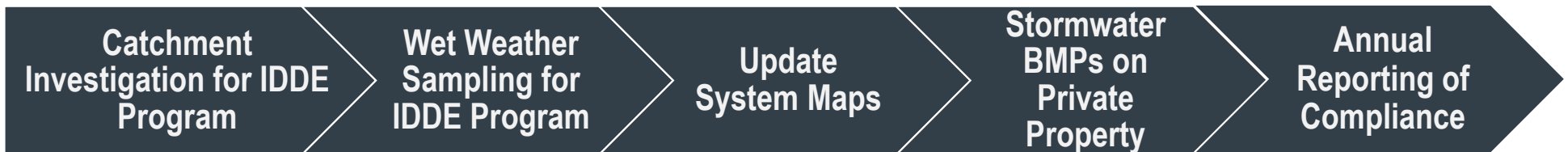
- Additional Good Housekeeping & Pollution Prevention Measures
- Additional Stormwater Management Requirements

COMPLIANCE SCHEDULE

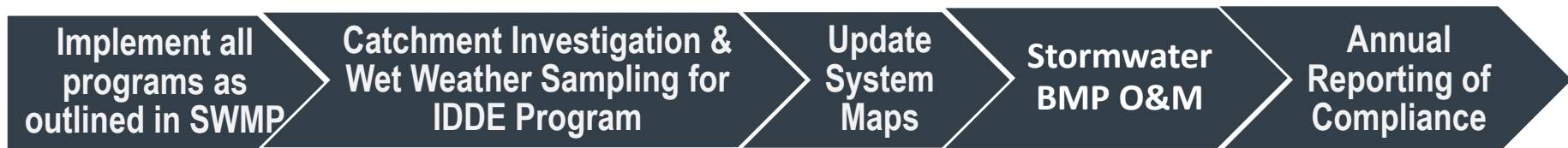
Completed Year 5 Activities



Ongoing and Planned Year 6 Activities



Future Activities





BENEFITS TO ROCHESTER

GEOSYNTEC CONSULTANTS

- Ongoing satisfactory compliance with 2017 MS4 requirements
- Improved water quality in receiving waters
- Expanded public education on stormwater management
- Improved tracking and inspection of stormwater assets
- Reduction of illicit discharges to City's storm drain system
- Prioritization for structural stormwater retrofits of City-owned properties



RECENT PROGRESS



CITY STORMWATER ASSETS

- 3,500 catch basins
- 860 drain manholes
- 165 outfalls
- 35 Culverts
- 800,000 linear feet of drainpipes and culverts (6" - 84" diameter)
- 78 City-owned and maintained stormwater treatment practices

STORMWATER TREATMENT PRACTICE MAINTENANCE

- Inspected 78 practices in Fall 2021
 - Identify/confirm treatment practice type
 - Identify maintenance needs
- Level of Effort to Revive Practice
 - High (\$\$\$): 11 practices
 - Medium (\$\$): 19 practices
 - Low (\$): 24 practices
 - Annual O&M: 23 practices

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**SEDIMENT BUILD-
UP CREATING
LIMITED CAPACITY**



**WOODY VEGETATION
LIMITING CAPACITY OF
POND**



LOCATION: EBONY DRIVE

**SEDIMENT BUILD-
UP CREATING
LIMITED CAPACITY**



LOCATION: INDUSTRIAL WAY

**EROSION
ALONG A
BASIN SIDE
SLOPE**



LOCATION: MISTY LANE

**WOODY VEGETATION,
LEAVES, AND BRUSH
LIMITING CAPACITY
OF POND**

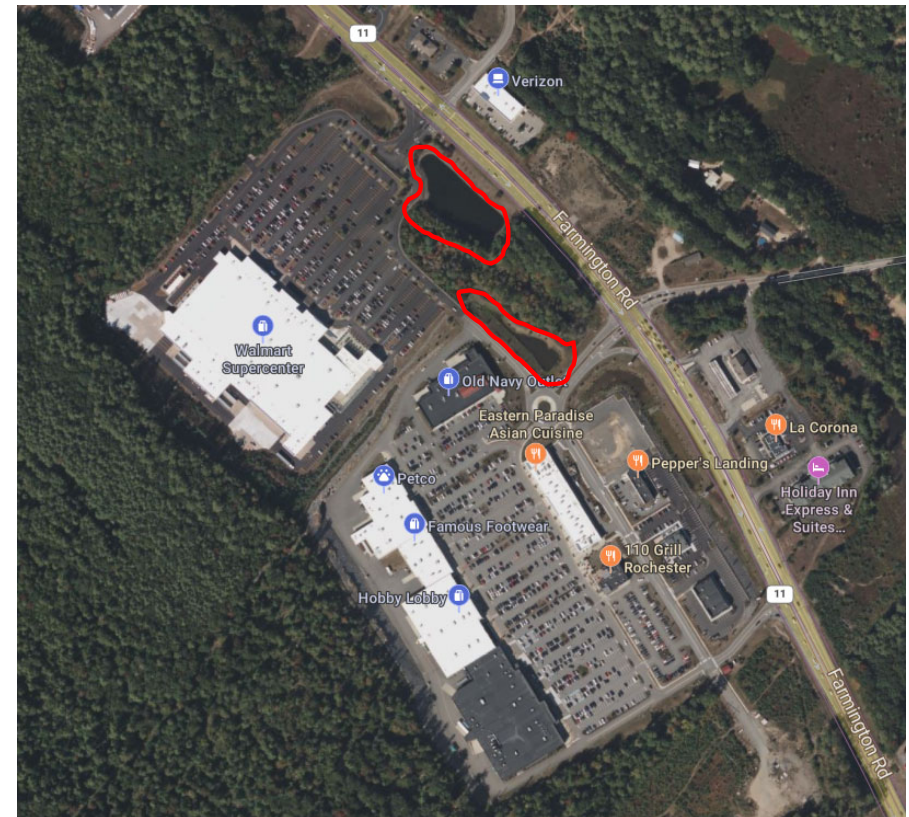


WHY IS MAINTENANCE IMPORTANT?

- Reduces flooding
- Improves water quality
- Allows the City to get nitrogen load reduction for Great Bay Total Nitrogen General Permit Adaptive Management Plan & Settlement Agreement

PRIVATE STORMWATER TREATMENT PRACTICES

- Identify locations and verify types of privately owned stormwater practices
 - Quantify the pollutant load reductions associated with these practices
 - Upload this into the DES tracking and accounting system
- Determine if stormwater practices have a maintenance agreement in place
 - Develop an e-permitting module to track maintenance of private practices
 - Send a letter to each property owner to indicate when annual maintenance is due and how to submit reports
 - Provide maintenance agreement template for those practices that do not currently have them



CATCHMENT INVESTIGATION

- Investigate each outfall to look for evidence of illicit discharge or connections
 - Any discharge to the storm drain that is not comprised of 100% stormwater
- Starting at the outfall look for dry weather flow or evidence of an illicit connection (odor, turbidity, floatables)
 - If flow is observed sampling is conducted
 - Make observations through entire outfall catchment area
- Collecting asset data (inverts, diameters, pipe type)



Drain manhole DMH0389
on Brookfield Street

CATCHMENT INVESTIGATION

165 Outfalls need to be investigated

- 11 Complete (end of Year 5)
- 48 are on-going
 - Need additional data review to determine next steps
 - Need wet weather sample before they can be considered complete
- All outfalls need to be investigated by June 30, 2028

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17



WET WEATHER SAMPLING

- 1 sample required at all 165 outfalls
- Required before a catchment investigation can be complete
- 54 Completed
- All sampling need to be completed by June 30, 2028

NEXT MS4 PERMIT

- Timeline – unclear
- IDDE program should remain the same (10-year program)
 - Possible recommended actions for wet weather exceedences
- Additional water quality impairment requirements (Appendix H)
 - Retrofit of City properties to include stormwater treatment practices
 - Tracking and accounting requirements for City stormwater treatment practices
- Expanded reduction credits for structural and non-structural stormwater practices
- Optimization of catch basin cleaning and street sweeping

QUESTIONS



Resolution Granting Community Revitalization Tax Relief to the Property Located at 135 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

Be it Resolved by the Mayor and City Council of the City of Rochester, as follows:

Whereas, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted RSA Chapter 79-E, entitled “Community Revitalization Tax Relief Incentive”; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, Andy Yau, owner of the so-called 135 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 135 North Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA Chapter 79-E Community Revitalization Tax Relief Incentive;

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 135 North Main Street property contemplated by the owner’s Community Revitalization Tax Relief Application dated January 5, 2024, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 135 North Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 135 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 135 North Main Street provides the following public benefits to downtown Rochester:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally and historically important on a local level, within the context of the City's Historic District and the City center in which the building is located;
- III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) the terms of this resolution; and (c) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of seven (7) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 135 North Main Street property.



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

LEGAL AUTHORITY

SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]



City of Rochester, New Hampshire

Economic Development Department

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.rochesternh.net/economic-development

Review Form: For RSA 79e Community Revitalization Tax Relief Incentive

Building Name (if any): Building Address: 135 North Main Street Owner Name(s): Andy Yau Owner Address(es): PO Box 1324, Rochester, NH	Map# 0121 Lot# 0346 Zoning: Downtown Commercial Overlay District: Special Downtown Year Built: 1920 Square Footage of Building: 2536
Contact Name: Andy Yau Phone 646-525-1672 Email address: andycyau@gmail.com	Applicant Name(s) (if different from owner): Applicant Address: 875 Greenland Road B-9, Portsmouth, NH 03801 Phone #: 646-525-1672 Email address: andycyau@gmail.com
	Application Fee Paid: Yes <input checked="" type="checkbox"/> No
Existing Uses (describe number of units by type and size) Is there a change of use associated with this project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, please describe: First floor commercial unit that consists of 1150 square feet will be renovated and turned into a 3 bedroom residential unit.	Is the building eligible or listed on the State or National Register of Historic Places or located in a Local, State, or Federal Historic District? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Provide historic district name:
Will the project include rehabilitation of residential units? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many: 2 If yes, please describe: There are currently 2 residential units at approximately 600 square feet that will be both be renovated.	Will the project involve affordable residential units*? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe: <small>*Portsmouth-Rochester, NH 60% RENT LIMIT: EFFIC. \$1294/ 1 BR \$1386 / 2 BR \$1663. NHHFA RENTS EFFECTIVE DATE: 9/8/2023. Rental rates are below the above maximums.</small>
<u>Other Review & Comment (if necessary)</u> Historic District Review: Special Downtown Review: <u>2/3/23 – Project Narrative</u> Minor Site Review: <u>April 27, 2023</u> Planning Board Review: n/a Zoning Board of Adjustment: n/a Tax Assessor: TBD	<u>Section 79:E-4</u> Application Date: <u>January 5, 2024</u> Complete: <u>yes</u> Staff Review: <u>January 5, 2024</u> Community Development Committee: <u>1/29/2024</u> Post Public Hearing: <u>no later than 2/10/2024</u> Public Hearing* Date: <u>2/20/2024</u> <small>*Required within 60 days of receipt of application</small> City Council^: <small>^Required within 45 days of Public Hearing</small>

Does this application meet the appropriate tests?

Is it a qualifying structure located in a designated downtown zone? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Pre-rehabilitation assessed value (from most recent City Assessment): \$ 133,800	
Total estimated cost of rehabilitation (from application):	\$ 454,000
Percentage of rehabilitation costs to assessment valuation:	<u>339.31</u> %
Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation assessed valuation, or \$75,000, whichever is lower? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Is there public benefit? Must satisfy at least 1 of the conditions below. (Section 79-E:7)	
<input checked="" type="checkbox"/> It enhances the economic vitality of the Downtown District. <input type="checkbox"/> It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district. <input checked="" type="checkbox"/> It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community. <input checked="" type="checkbox"/> It increases residential housing in urban or town centers. <input type="checkbox"/> In a Local, State, or Federal Historic District?	
Are other funding programs being applied to this project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.	

ELIGIBILITY: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1) Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)	<u>5</u>
2) Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)	<u>2</u>
3) Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)	_____
4) Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)	_____
* Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.	<u>7</u>
	(Total)

Name & Title: Jenn Marsh, Assistant Director of Economic Development
Date: January 11, 2024

City Council Review/Decision

Public Hearing Posting: _____ Public Hearing Date: _____

City Council Meeting Date: _____

Does the City Council agree with findings of at least one Public Benefit?

- Enhances economic vitality of the village ___Yes___No
- Enhances and improves a culturally or historically important structure? ___Yes___No
- Promotes development of the downtown, providing for efficiency, safety, and greater sense of community? ___Yes___No
- Increases residential housing units in downtown? ___Yes___No

The Application was:	() GRANTED () DENIED
Substantial Rehabilitation Tax Relief Incentive granted for (up to 5 years beginning with completion of rehab)	Years
Tax Relief Incentive for New Residential Units granted for (up to an additional 2 years, 4 years if affordable housing)	Years
Tax Relief Incentive for Rehabilitation of Historic Places in accordance with the U.S. Secretary of Interiors Standards for Rehabilitation for (up to additional 4 years)	Years
Total	Years

IF DENIED, REASON(S) FOR DENIAL

Number of Yea: _____ Number of Nay: _____

Follow Up Letters Sent to:

- Applicant/Owner
- Assessing Department
- Economic Development
- Planning Department
- City Manager's Office
- Finance Department

COVENANTS

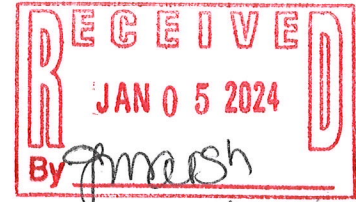
Completed By: _____ Date: _____

Filed at Strafford County: _____ Date: _____

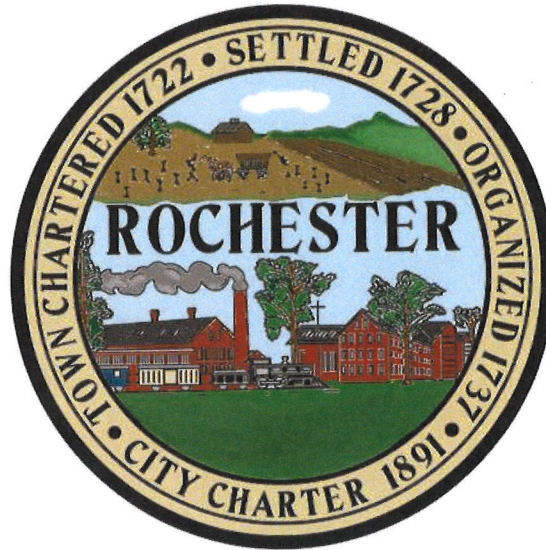
Copies to:

- Assessing Dept
- Finance Dept
- In File

02/01/2024



final draft.



City of Rochester, New Hampshire

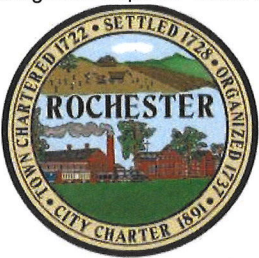
Community Revitalization Tax Relief Incentive

Instructions to the Applicant:

The following documents contain everything you need to complete your application for tax relief to revitalize your building. Please read everything carefully. The application materials are based upon the requirements set forth by NH RSA 79-E. You will need to fill out the application, take part in a public hearing with the City Council, and execute a covenant with the City. If you have any questions with the application, the process, or what to expect, please call Michael Scala, Economic Development Director, at 603-335-7595 or email michael.scala@rochesternh.net.

Thank you for your interest in the Community Revitalization Tax Relief Incentive. The City of Rochester wishes you the best of luck with your application and restoration project!

02/01/2024



City of Rochester, New Hampshire

Economic Development Department
31 Wakefield Street, Rochester NH 03867

Community Revitalization Tax Relief (per RSA 79E)

Application must be accompanied by \$150 application fee payable to "City of Rochester"

Date of Preparation: 12/18/23

Property information

Property address/location: 135 North Main St, Rochester NH 03867

Name of building (if any): Nomain Kingdom

Tax map & lot #: 0121-0346 Year built: 1920

Square Footage: 2536 Condition: Extremely Poor

Zoning: DTC Vacant, how long: Commercial(5+ years), Residential(2Yrs)

Is this structure eligible or listed on the State or National Register of Historic Places, or located in a local, state or federal Historic District?

Name of District: Downtown

Existing Uses (describe current use, unit type/size, # floors, # employees. Add additional pages if needed):
See attached addendum.

Change of Use?: Yes to a total of 4 residential units

Property Owner

Name (include name of individual): Andy Yau

Company: NoMain Kingdom LLC

Mailing address: P.O Box 1324, Rochester NH 03866

Telephone #: 6465251672 Email: Andycyau@gmail.com

Applicant or Agent Contact:

Name (include name of individual): Andy Yau

Company: Nomain Kingdom LLC

Mailing address: P.O Box 1324, Rochester NH 03866

Telephone #: 646-525-1672 Email: andycyau@gmail.com

EXHIBIT

Proposed Project Information

Name of Architect (if known): N/A

Name of Licensed Contractor (if known): Albert Leeman Will the

project include rehabilitation of residential units? Yes No If yes, how many 4

Are the residential units defined as "affordable"?

(The current affordable rents in the City of Rochester are available at [NH-Housing-Rental-Survey-Report-2021.pdf \(nhhfa.org\)](#))

Describe the commercial space, square footage, uses and conditions (add additional pages if needed):

1 Commercial unit : Needs to be completely rehabilitated. Has been vacant for years.
Size: 1150 SF. Uses: Office or retail use. It was previously a barbershop. To be converted to a 3 bedroom residential unit.

Please describe in detail the public benefits associated with this project? You may attach pages to the

application for this and the following question. (RSA 79-E:7)

See attached

Explain the project in your own words:

See attached

Pre-Rehabilitation Ad Velorum Tax Valuation \$ 133,800.00

Please obtain a Property Record Card from the Rochester Assessing Department, and include a copy with the application.

Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation valuation, or

\$75,000, whichever is lower? 339.31

Note: This program is available for projects where the rehabilitation cost equals or exceeds 15% of the pre-rehabilitation assessed valuation or \$75,000, whichever is lower. If your project does not meet this standard, it is not eligible for Tax Relief under RSA 79e.

Project costs

Describe work that will constitute the substantial rehabilitation and estimated/projected costs.

Historic Restoration: N/A Cost: \$ 0

Sustainability/Efficiency: Sprayfoam& minisplits Cost: \$ \$40,500.00

Interior Alterations: Complete renovation throughout Cost: \$ 318,500.00

Exterior Alterations: stairs & siding & curb appeal Cost: \$ 25,000.00

Structural: N/A Cost: \$ 0

Electrical: Complete Rewire Cost: \$ 20,000.00

Plumbing: Complete plumbing Cost: \$ 10,000.00

Mechanical: N/A Cost: \$ 0

Safety/Fire Protection: Sprinklers & Water Line Cost: \$ 40,000.00

Other: N/A Cost: \$ 0

Expected construction dates. Start: 04/01/24; Finish: 12/31/24

Total project cost: \$ 454,000.00

Please attach written estimates whenever possible.

Will any state or federal grants or funds be used in this project?

If yes, please provide information in detail on an additional sheet.

Note: The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Other Approvals and Information

Please include the scheduled date of review or attach the **Notice of Decision** as appropriate:

Project Narrative or Letter of Intent to Planning: Project Narrative Date: 02/03/23

Historic District Review: N/A Date: N/A

(Required only if replacing a qualified structure)

Other (please specify): Minor Site Plan Approval Date: 04/27/23

Application Checklist

(Applications are not complete, and review will not be scheduled, until all supporting items are delivered)

- Completed Application form with signatures.
- Application Fee made payable to City of Rochester
- ~~Documentation and photos of Historic Information~~
- Copy of Property Record Card
- Description of Public Benefit
- Site plans, diagrams, elevations associated with the Project
- Cost Estimates associated with the Project
- ~~Documentation of State or Federal Funds~~
- Notice of Decision for Other Reviews
- Request for Tax Relief

Request for Community Revitalization Tax Relief

- Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)
- Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)
- Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)
- Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)

* Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.

Please explain your request for the above tax relief categories. You may attach an additional sheet. See attached


Submission of Application

This application must be signed by the property owner. Please submit an electronic version and /or a complete package of information to:

Rochester Community & Economic Development
Mail: 31 Wakefield St, Rochester, NH 03867
michael.scala@rochesternh.net

A \$150.00 application fee (payable to "City of Rochester") must be submitted in order for this application to be considered complete. Please follow up at 603-335-7522 to insure all information and payments have been received.

I (we) hereby submit this application under the Community Revitalization Tax Relief Incentive Statute (NH RSA 79-E) and attest that to the best of my (our) knowledge all of the information herein and in the accompanying materials is true and accurate. I (we) have reviewed the statute and understand that: a) there will be a public review process and public hearing to evaluate the merits of this application; b) I (we) will need to enter into a covenant with the City; and c) I (we) may be required to pay reasonable expenses associated with the creation and recording of the covenant to the Strafford County Registry of Deeds.

Signature of property owner (1):  _____
DocuSigned by: 06F6E6BEFFC44CB...

Printed Name: Andy Yau Date: 12/18/23

Signature of property owner (2): _____

Printed Name: _____ Date: _____

ATTACHMENT I
City of Rochester RSA 79e Application

The Standards (Department of the Interior regulations 36 CFR 67) pertain to all historic properties listed in or eligible for listing in the National Register of Historic Places.

- 1) A property shall be used for its intended historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archeological resources affected by a project, shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

ATTACHMENT II
City of Rochester RSA 79e Application

TITLE V
TAXATION

CHAPTER 79-E

COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE

Section 79-E:1

79-E:1 Declaration of Public Benefit. –

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

II-a. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the governing body makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in RSA 79-E:7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.

II-b. It is further declared to be a public benefit to encourage the rehabilitation of historic structures in a municipality by increasing energy efficiency in the preservation and reuse of existing building stock.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this chapter.

Source. 2006, 167:1. 2009, 200:3, 4, eff. July 15, 2009. 2013, 78:1, eff. April 1, 2013.

Section 79-E:2

79-E:2 Definitions. – In this chapter:

I. "Historic structure" means a building that is listed on or determined eligible for listing on the National Register of Historic Places or the state register of historic places.

II. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter. Qualifying structure shall also mean historic structures in a municipality whose preservation and reuse would conserve the embodied energy in existing building stock. Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals. Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

III. "Replacement" means the demolition or removal of a qualifying structure and the construction of a new structure on the same lot.

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IV. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less. In addition, in the case of historic structures, substantial rehabilitation means devoting a portion of the total cost, in the amount of at least 10 percent of the pre-rehabilitation assessed valuation or at least \$5,000, whichever is less, to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation. Cities or towns may further limit "substantial rehabilitation" according to the procedure in RSA 79-E:3 as meaning rehabilitation which costs a percentage greater than 15 percent of pre-rehabilitation assessed valuation or an amount greater than \$75,000 based on local economic conditions, community character, and local planning and development goals.

V. "Tax increment finance district" means any district established in accordance with the provisions of RSA 162-K.

VI. "Tax relief" means:

(a) For a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

(b) For the replacement of a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a replacement structure shall not exceed the property tax on the replaced qualifying structure as a result of the replacement thereof.

(c) For a qualifying structure which is a building destroyed by fire or act of nature, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on such qualifying structure shall not exceed the tax on the assessed value of the structure that would have existed had the structure not been destroyed.

VII. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

Source. 2006, 167:1. 2009, 200:5-7. 2010, 329:1, 2. 2011, 237:1, 2, eff. July 5, 2011. 2013, 78:2, eff. April 1, 2013.

Section 79-E:3

79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –

I. Any city or town may adopt or modify the provisions of this chapter by voting whether to accept for consideration or modify requirements for requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

Source. 2006, 167:1. 2010, 329:3, eff. July 20, 2010.

Section 79-E:4

79-E:4 Community Revitalization Tax Relief Incentive. –

I. An owner of a qualifying structure who intends to substantially rehabilitate or replace such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee.

I-a. In order to assist the governing body with the review and evaluation of an application for replacement of a qualifying structure, an owner shall submit to the governing body as part of the application, a New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian and a letter issued by the local heritage commission and if the qualifying structure is located within a designated historic district established in accordance with RSA 674:46, a letter from the historic district commission or, if such local commissions are not established, a letter issued by the New Hampshire division of historical resources that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether any proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

(1) The governing body finds a public benefit under RSA 79-E:7; and

(2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations; and

(4) In the case of a replacement, the governing body specifically finds that the local heritage commission or historic district commission or, if such local commissions are not established, the New Hampshire division of historical resources has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of the qualifying structure will achieve one or more of the public benefits identified in RSA 79-E:7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement. In connection with these findings, the governing body may request that the division of historical resources conduct a technical evaluation in order to satisfy the governing body that historical resources will not be adversely affected.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

(a) The development program or financing plans for such tax increment finance districts; or

(b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment

financing district; or

(c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

Source. 2006, 167:1. 2009, 200:8-11, eff. July 15, 2009.

Section 79-E:5

79-E:5 Duration of Tax Relief Period. –

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

I-a. For the approval of a replacement of a qualifying structure, the governing body may grant such tax assessment relief for a period of up to 5 years, beginning only upon the completion of construction of the replacement structure. The governing body may, in its discretion, extend such additional years of tax relief as provided for under this section, provided that no such additional years of tax relief may be provided prior to the completion of construction of the replacement structure. The municipal tax assessment of the replacement structure and the property on which it is located shall not increase or decrease in the period between the approval by the governing body of tax relief for the replacement structure and the time the owner completes construction of the replacement structure and grants to the municipality the covenant to protect the public benefit as required by this chapter. The governing body may not grant any tax assessment relief under this chapter with respect to property and structures for which an election has been made for property appraisal under RSA 75:1-a.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

IV. The governing body may adopt local guidelines to assist it in determining the appropriate duration of the tax assessment relief period.

Source. 2006, 167:1. 2009, 200:12. 2010, 329:4, eff. July 20, 2010.

Section 79-E:6

79-E:6 Resumption of Full Tax Liability. – Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:7

79-E:7 Public Benefit. – In order to qualify for tax relief under this chapter, the proposed substantial rehabilitation must provide at least one of the public benefits, and the proposed replacement must provide one or more of the public benefits to a greater degree than would a substantial rehabilitation of the same qualifying structure, as follows:

I. It enhances the economic vitality of the downtown;

II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;

II-a. It promotes the preservation and reuse of existing building stock throughout a municipality by the

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rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation.

III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or

IV. It increases residential housing in urban or town centers.

Source. 2006, 167:1. 2009, 200:13, eff. July 15, 2009. 2013, 78:3, eff. April 1, 2013.

Section 79-E:7-a

79-E:7-a Public Benefit Determinations. – Cities or towns may adopt according to the procedure in RSA 79-E:3 provisions that further define the public benefits enumerated in RSA 79-E:7 to assist the governing body in evaluating applications made under this chapter based on local economic conditions, community character, and local planning and development goals.

Source. 2010, 329:5, eff. July 20, 2010.

Section 79-E:8

79-E:8 Covenant to Protect Public Benefit. –

I. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

Source. 2006, 167:1. 2009, 200:14, eff. July 15, 2009.

Section 79-E:9

79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty. –

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation or replacement has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the

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local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

Source. 2006, 167:1. 2009, 200:15, eff. July 15, 2009.

Section 79-E:10

79-E:10 Lien for Unpaid Taxes. – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:11

79-E:11 Enforcement. – All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80.

Source. 2006, 167:1. 2007, 42:3, eff. July 20, 2007.

Section 79-E:12

79-E:12 Rulemaking. – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:13

79-E:13 Extent of Tax Relief. –

I. (a) Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

(b) Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this chapter, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed.

II. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect the public benefit as required in this chapter, provided that in the case of a

02/01/2024

qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

Source. 2006, 167:1. 2010, 329:6. 2011, 237:3, eff. July 5, 2011.

Section 79-E:14

79-E:14 Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Source. 2006, 167:1, eff. April 1, 2006.

Community Revitalization Tax Relief Incentive Additional Information

Existing Uses:

135 North Main St, Rochester NH 03867

2 Residential Units that are approximately 600 square feet each. Consists of a total of 4 rooms. Both residential units are located on the top second floor.

1 Commercial Unit that consists of 1150 Square Feet. It used to be occupied by a barbershop many years ago. It can be used as retail space or office space. The commercial unit is located on the lower first level.

3 Total Units. Three Stories.

Describe the commercial space, square footage, uses and conditions:

135 North Main St, Rochester NH 03867

Commercial unit 1: Needs to be completely rehabilitated.

Has been vacant for years. Size: 1150 SF

Uses: Office or retail use. It was previously a barbershop

To be converted into a 3 bedroom residential unit

135 N.Main, Rochester NH Public Benefits

Please describe in detail the public benefits associated with this project?:

The proposed real estate development project offers several public benefits, including:

1. **Redevelopment of distressed and under utilized properties:**
The dilapidated and distressed look of the buildings, coupled with the underutilized property, is adversely impacting the aesthetic appeal of the vicinity near downtown Rochester. This redevelopment initiative seeks to revitalize the area, aiming to enhance its visual appeal and create a more desirable living space.
The project involves the conversion of long-vacant, run-down commercial units into modern and revitalized residential units. Notably, situated immediately upon crossing the Cocheco Arched bridge.
2. **Support for the town's Great American Design Charette(GAP) plan:** The project supports the town's plans for expanding the boardwalk, improving downtown, and contributing to the overall development and growth of Rochester.
3. **Increased housing opportunities:** By converting the previously vacant commercial unit into a residential unit and completing the third level, the project will provide new housing options for additional 2 families, and housing for a total of 4 families.
4. **Improved access to recreational amenities:** The utilization of the space near the Cocheco river will provide tenants with access to the river, making it more lively and offering additional recreational opportunities.

These benefits demonstrate the positive impact this project will have on the area and the town as a whole, contributing to the gentrification and revitalization efforts, and improving the quality of life for the residents.

Explain the project in your own words:

The project located at 135 North Main St, Rochester, New Hampshire, centers around the revitalization of a currently dilapidated, mixed-use building comprising three units. Situated in the downtown area, this project aims to be an overall improvement of the locality. The building, which currently houses a lower-level commercial unit and two residential units on the second floor, will undergo significant enhancements to enhance the aesthetic appeal and contribute to the area's rejuvenation.

The proposed changes include converting the lower-level commercial unit into a spacious 3-bedroom residence with 1150 square feet, featuring a strategically positioned living room with views overlooking the Cocheco River. The second floor will consist of two residential units—one with 2 bedrooms and the other with 1 bedroom—while the third floor will be transformed into a single-bedroom unit with a living room facing the river. This redesign will result in a total of four units, representing an increase from the original 3 units.

Another key to the project's vision is a commitment to energy efficiency. The building will be equipped with efficient features such as efficient heat pumps and spray foam insulation, aligning with contemporary sustainability standards. By elevating the aesthetic and functional aspects of the property while incorporating energy-efficient technologies, the project aims to not only enhance the living experience for residents but also contribute positively to the economic and visual appeal of the downtown area.

Request for Tax Relief

Please explain your request for the above tax relief categories. You may attach an additional sheet.

I am submitting this application to request Community Revitalization Tax Relief for my project at 135 North Main St, Rochester, New Hampshire. The proposed incentives are outlined as follows:

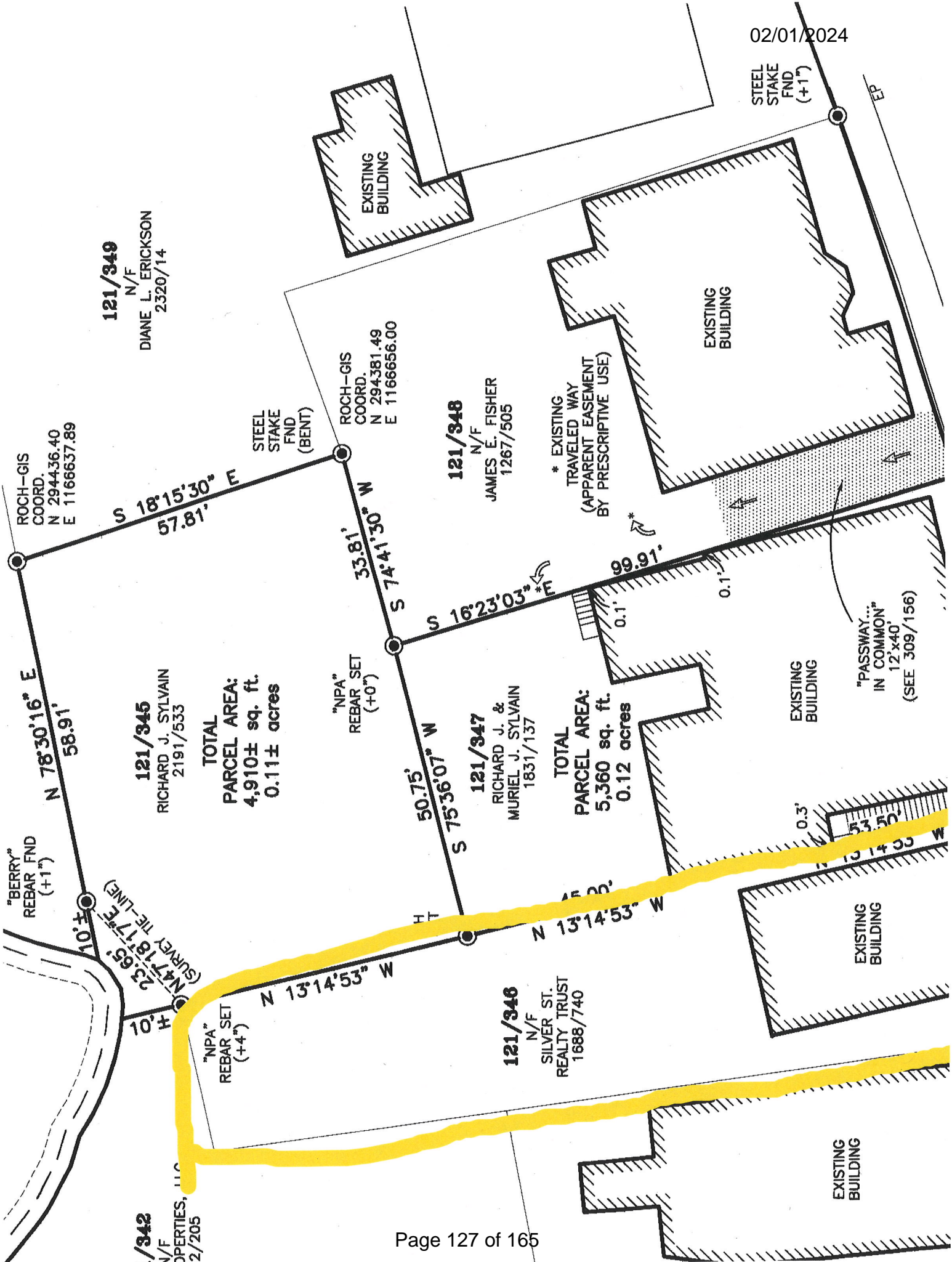
- Substantial Rehabilitation Tax Relief Incentive: Up to 5 years
- Additional Tax Relief Incentive for New Residential Units: Up to 2 years

This comprehensive package of incentives, totaling 7 years, is sought in conjunction with my project, which involves the conversion of a commercial unit and the third floor into two new residential units. Notably, this redevelopment entails a significant investment, with expenditures reaching 328% of the rehabilitation value.

The escalation of construction costs, compounded by factors such as inflation and labor expenses, has substantially increased the project budget, posing financial challenges that impact its overall feasibility. Consequently, I am seeking tax relief to mitigate these challenges and enhance the project's financial viability over the long term.

The building, unoccupied for the past two years, with the commercial unit vacant for over five years, underscores the urgent need for revitalization. The current construction costs are daunting, and tax relief is crucial to alleviating the financial burden associated with this endeavor. Without the proposed tax incentives, the completion of the project would be deemed financially tough.

As I navigate an existing substantial mortgage, along with the financial responsibilities of property taxes, insurance, and potential construction loan costs, the relief provided by the tax incentives is pivotal for the successful realization of this revitalization effort. Your support in granting this tax relief will not only facilitate the rejuvenation of a neglected property but also contribute significantly to the economic and aesthetic enhancement of the downtown area.



121/349

N/F
DIANE L. ERICKSON
2320/14

ROCH-GIS
COORD.
N 294436.40
E 1166637.89

S 18°15'30" E
57.81'

STEEL
STAKE
FND
(BENT)

ROCH-GIS
COORD.
N 294381.49
E 1166656.00

121/348

N/F
JAMES E. FISHER
1267/505

S 74°41'30" W
33.81'

* EXISTING
TRAVELED WAY
(APPARENT EASEMENT
BY PRESCRIPTIVE USE)

N 78°30'16" E
58.91'

121/345

RICHARD J. SYLVAIN
2191/533

TOTAL
PARCEL AREA:
4,910± sq. ft.
0.11± acres

"NPA"
REBAR SET
(+0")

S 75°36'07" W
50.75'

121/347

RICHARD J. &
MURIEL J. SYLVAIN
1831/137

TOTAL
PARCEL AREA:
5,360 sq. ft.
0.12 acres

S 16°23'03" E
99.91'

EXISTING
BUILDING

"PASSWAY...
IN COMMON"
12'x40'
(SEE 309/156)

"BERRY"
REBAR FND
(+1")

N 13°14'53" W
23.65'
(SURVEY TIE-LINE)

"NPA"
REBAR SET
(+4")

N 13°14'53" W
10.0'

121/346

N/F
SILVER ST.
REALTY TRUST
1688/740

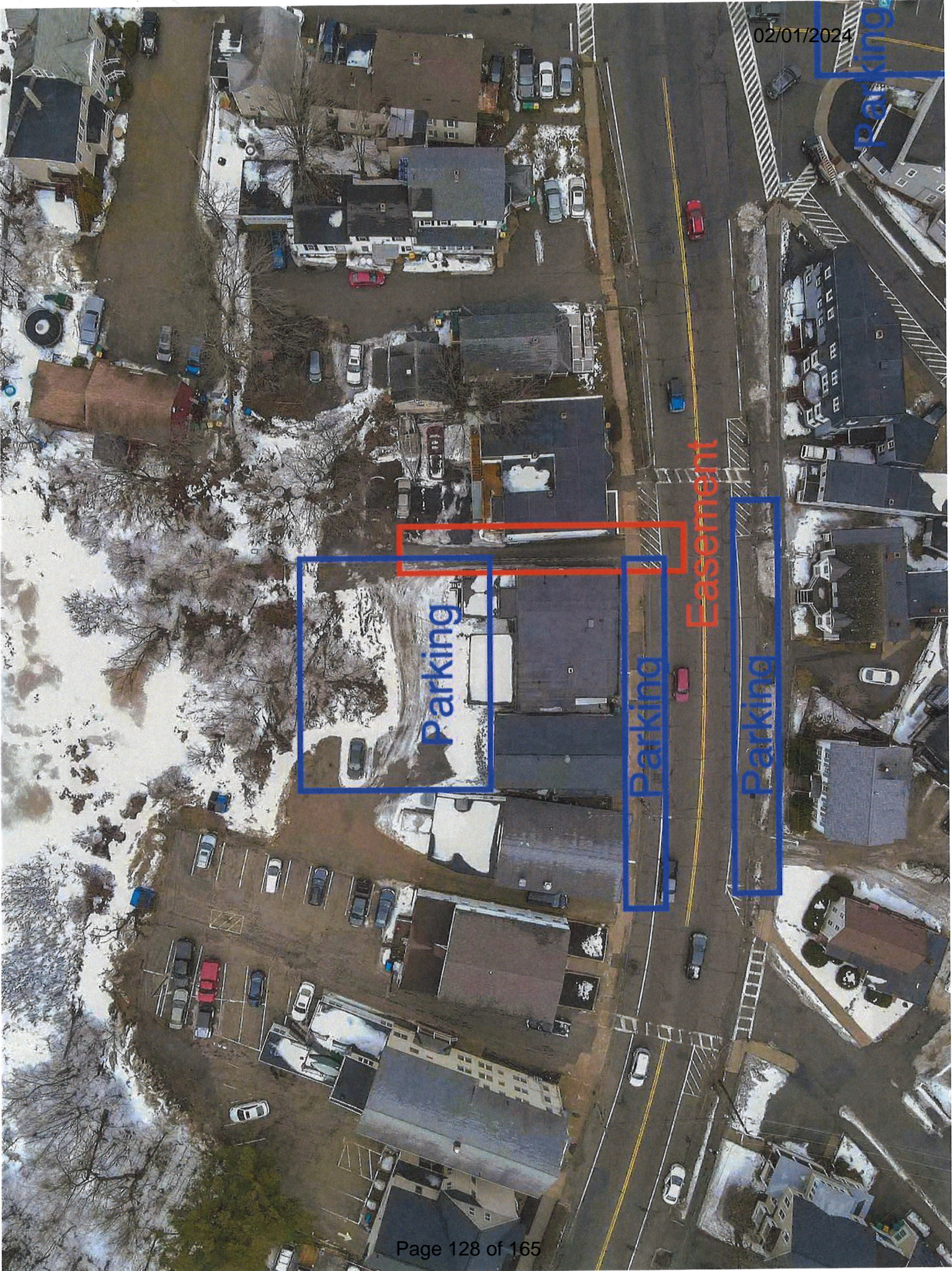
N 13°14'53" W
10.0'

EXISTING
BUILDING

EXISTING
BUILDING

1/342

N/F
OPERTIES, LLC
32/205



02/01/2024





Book: 5003 Page: 1009

E-Doc # 220001728
Book 5003 Page 1009

01/31/2022 01:49:44 PM
Page 1 of 3

Catherine A. Berube
Register of Deeds, Strafford County
LCHIP STA193020 25.00
TRANS TAX ST857249 5,894.00

Warranty Deed

Ravi Jignasha Realty LLC, incorrectly identified in the prior deed as Ravi Jignasha Realty LLC a New Hampshire Limited Liability Company of 26 Shakespeare Road, Rochester, New Hampshire 03839 for consideration paid, grant to Nomain Kingdom, LLC, a New Hampshire Limited Liability Company of 875 Greenland Road #B-9, Portsmouth, New Hampshire 03801, **WARRANTY COVENANTS,**

TRACT I:

A certain tract or parcel of land, together with any buildings and improvements thereon, situate on the northerly side of North Main Street in Rochester, Strafford County, New Hampshire, and shown as Tax Map 121, Lot 347 (incorrectly stated on prior deed and Plan 66-30 as Lot 346) on plan entitled "Plan of Land, North Main Street, Rochester, N.H. for Richard J. and Muriel J. Sylvain" drawn by Norway Plains Associates, Inc., dated June, 2002, recorded at the Strafford County Registry of Deeds as Plan 85-74, more particularly bounded and described as follows:

Beginning at a 1/2" iron pin on the northerly side of North Main Street, said point marking the southeasterly corner of land now or formerly of Silver St. Realty Trust, and the southwesterly corner of the premises herein described; then running N 13° 14' 53" W along land now or formerly of the Silver St. Realty Trust a distance of ninety-eight and fifty hundredths (98.50') feet, more or less, to a drill hole at land now or formerly of Richard J. Sylvain; then turning and running N 75° 36' 07" E along land now or formerly of James E. Fischer a distance of fifty and seventy-five hundredths (50.75) feet, more or less, to a "NPA" rebar and land now or formerly of James E. Fischer; then turning and running S 16° 23' 03" E along land now or formerly of Fischer a distance of ninety-nine and ninety-one hundredths (99.91') feet, more or less, to a point on the northerly side of North Main Street; then turning and running along the northerly side of North Main Street along a curve to the right having a radius of 955.00 feet, a distance of fifty-six and twenty-three hundredths (56.23') feet, more or less, to the point of beginning. Containing 5,360 square feet (0.12 acres) more or less.

sement

Together with a right of passway to be used in common with the owner of property abutting the above described premises to the east, and said property owner's heirs and assigns, over the twelve foot strip or tract of land lying between the above described premises herein conveyed and the westerly sideline of the house on said abutting (to the east) property.

TRACT II:

A certain tract or parcel of land situate off the northerly side of North Main Street in Rochester, Strafford County, New Hampshire, and shown as Tax Map 121, Lot 345 on plan entitled "Plan of Land, North Main Street, Rochester, N.H. for Richard J. & Muriel J. Sylvain" drawn by Norway Plains Associates, Inc., dated June 2002, to be recorded at the Strafford County Registry of Deeds, more particularly bounded and described as follows:

Beginning at a drill hole off the northerly side of North Main Street, said point being approximately 98.50 feet N 13° 14' 53" W a distance of 98.50 feet from a 1/2" iron pin on the northerly side of North Main Street marking the southeasterly corner of land now or formerly of the Silver St. Realty Trust and the southwesterly corner of land now or formerly of Richard J. and Muriel J. Sylvain; then running N 13° 14' 53" W along land now or formerly of the Silver St. Realty Trust a distance of fifty and no hundredths (50.00') feet, more or less, to a "NPA" rebar and land now or formerly of A&E Properties, LLC; then turning and running in a general northwesterly direction along land now or formerly of A&E Properties, LLC a distance of ten (10') feet, more or less, to a point on the southerly shore of the Cocheco River; then turning and running in an easterly direction along the shore of the Cocheco River to a point at land now or formerly of Steven W. and Joan M. Noel; then turning and running in a general easterly direction along land now or formerly of Noel for a distance of ten (10') feet, more or less, to a "Berry" rebar; then turning and running N 78° 30' 16" E along land now or formerly of Noel a distance of fifty-eight and ninety-one hundredths (58.91') feet, more or less, to a "Berry" steel stake at land now or formerly of Fisher a distance of fifty-seven and eighty-one hundredths (57.81') feet, more or less, to a steel stake at land now or formerly of James E. Fisher; then turning and running S 74° 41' 30" W along land now or formerly of Fisher a distance of thirty-three and eight-one hundredths (33.81') feet, more or less, to a "NPA" rebar and land now or formerly of Richard J. and Muriel Sylvain; then turning and running S 75° 36' 07" W along land now or formerly of Sylvain a distance of fifty and seventy-five hundredths (50.75') feet, more or less, to the point of beginning.

Containing 4,910 square feet (0.11 acres), more or less.

Tract III:

A certain tract or parcel of land with the buildings thereon situate on the Northerly side of North Main Street in said Rochester, County of Strafford, State of New Hampshire, bounded and described as follows:

Beginning at said Street at the Southwesterly corner of land now or formerly of John Boivin; Thence running North 5° 30' East 150 feet by land of said Boivin and land now or formerly of Charles Evans to other land now or formerly of said Evans;

Thence turning and running in an Easterly direction by other land now or formerly of said Evans on a line until it hits a point 150 feet distant from North Main Street, said line running North 0° 4' East; Thence turning and running South on the course of said line by other land now or formerly of said Evans and land now or formerly of one Bilodeau for a distance of 150 feet to said North Main Street; Thence turning and running in a Westerly direction by said North Main Street for a distance of 40 feet to the point begun at.

Meaning and intending to convey the same premises conveyed to Ravi Jignasha Realty LLC (incorrectly recited as Ravi Jignasha Realty LLC), by deed from Jarnail and Joga Singh dated May 17, 2010 and recorded with the Strafford Registry of Deeds on May 18, 2010 at Book 3834, Page 178 and second deed from Edward R. Mone II to Ravi Jignasha Realty LLC dated April 30, 2012 and recorded at Book 4014, Page 66.

This is not homestead property.

Witness my/our hand(s) this ²⁸~~22~~nd day of December, 2021

Ravi Jignasha Realty, LLC

BY: [Signature]
Gautam Patel, Manager

State of New Hampshire
County of Strafford

²⁸~~22~~ On the ²⁸~~22~~nd day of December, 2021, before me, personally appeared, Ravi Jignasha Realty, LLC, By: Gautam Patel, Manager to me known or proven to be the party/parties executing the foregoing instrument, and he/she/they acknowledged said instrument, by him/her/they executed, to be his/her/their free act and deed.

My Commission Expires:

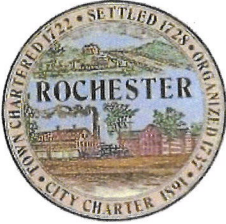


[Signature]
Notary Public:

Printed/Typed Name

SEAL

02/01/2024



PLANNING & DEVELOPMENT DEPARTMENT
City Hall Annex – First Floor
33 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.gov

Planning & Zoning
Conservation Commission
Historic District Commission
Arts & Culture Commission

Andy Yau
PO Box 1324
Rochester, NH 03866

Date: May 5, 2023

RE: Application by Andy Yau for a Change of Use from Commercial to Residential at 129 & 135 North Main Street, Map 121 Lot 346&347.

Dear Mr. Yau,

The Planning Department has reviewed your application dated February 3, 2023 for a proposed Change of Use from Commercial to Residential at 129 & 135 North Main Street.

Due to the number of units being converted, this proposal requires Minor Site Plan approval. The density and use of the property is permitted but further review is necessary. The application can be found below:

[Minor Site Plan Application Link](#)

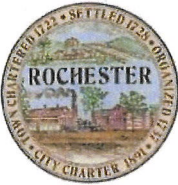
The application will need to be submitted prior to moving forward with the proposed project. Please contact the Planning Department with any questions.

Sincerely,



Ryan O'Connor,
Senior Planner

cc: View Permit PN-23-13
File



Notice of Decision of Minor Site Review

Applicant:	Nomain Kingdom LLC; Andy Yau
Project location:	129 & 135 North Main Street
Type of project:	Change of Use; (Commercial to Residential)
Case #	121-346 & 347-DTC-23
Date of decision:	April 27, 2023

Dear Mr. Yau,

Your application for the proposed Change of Use to create additional dwelling units and remove the commercial uses at 129 & 135 North Main Street, has been **approved** by the Special Site Review Committee.

129 North Main Street (Tax Map 121 Lot 347) has been approved to be converted to six (6) dwelling units with no commercial units.

135 North Main Street (Tax Map 121 Lot 346) Has been approved to be converted to four (4) dwelling units with no commercial units.

The following conditions shall apply:

1. Available parking and travel lanes must be delineated at the rear of the property. This may be done by signage or striping. The purpose is to maintain a travel lane and access for emergency vehicles.
2. The dumpster to be installed must meet Site Plan Regulations, Section 9(D).
 - a. Disposal areas shall be fully enclosed and screened from the street and from abutting properties by a fence, a wall, vegetation, or another method to a height of 6 feet or, where a dumpster is used, 6 feet or 1 foot above the height of the dumpster, whichever is greater.
 - b. All dumpsters shall be placed on a suitable surface. When there will be intensive usage, the dumpster shall be located on a minimum 6-inch thick concrete pad
 - c. Solid waste facilities shall be strategically located in order to minimize visibility from the street; minimize visibility and the impact of odors, noise, and flyaway trash upon abutters; and allow for easy access and removal.
3. The property must comply with all Fire Department regulations, including the following:
 - a. Prior to occupancy of the additional units, a sprinkler and fire alarm system must be installed. Plans will be reviewed upon submittal.
 - b. Two-hour separation must exist between the different occupancy types. Please contact the Fire Department for and clarification.

- c. Primary and Secondary egress will be required for conversion of the attic space to a dwelling unit.
- d. A Knox-Box may be requested for the property.
- 4. Prior to occupancy of the space, each building must be addressed and meet all E911 standards. Please coordinate with the Planning Department to readdress the property prior to building permit submittal.
- 5. The City has requested a vegetative buffer be maintained between the properties and the river. This area is within the floodplain and vegetation may assist in stormwater management.
- 6. Please coordinate with Economic Development regarding requirements for a 79E application. Note that the Assessing Department will need to inspect the property to obtain a current valuation.
- 7. Other permits. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project. Contact the City of Rochester's Building, Zoning and Licensing Department at 332-3508 regarding building permits. Please also contact the City of Rochester Fire Department at 330-7182 to ensure that the proposed building meets all Fire Codes. Finally, please contact the Department of Public Works for any stormwater, sewer, or water permits or fees that are required.

APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 30 days of the date the Board made its decision.

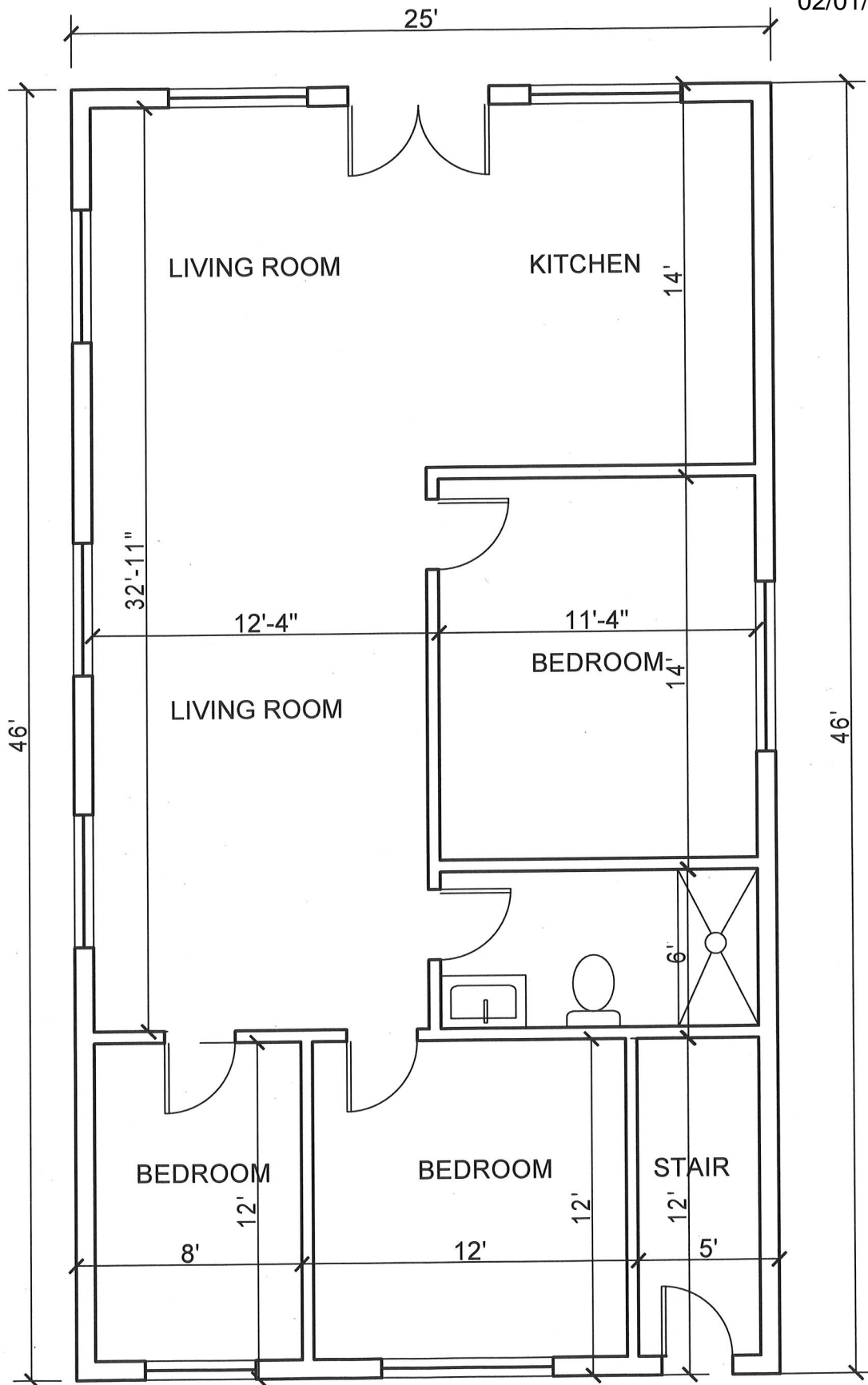
Thank you for working with City Staff through this process. If you have any questions, please contact the Planning Department (603-335-1338).

Sincerely,

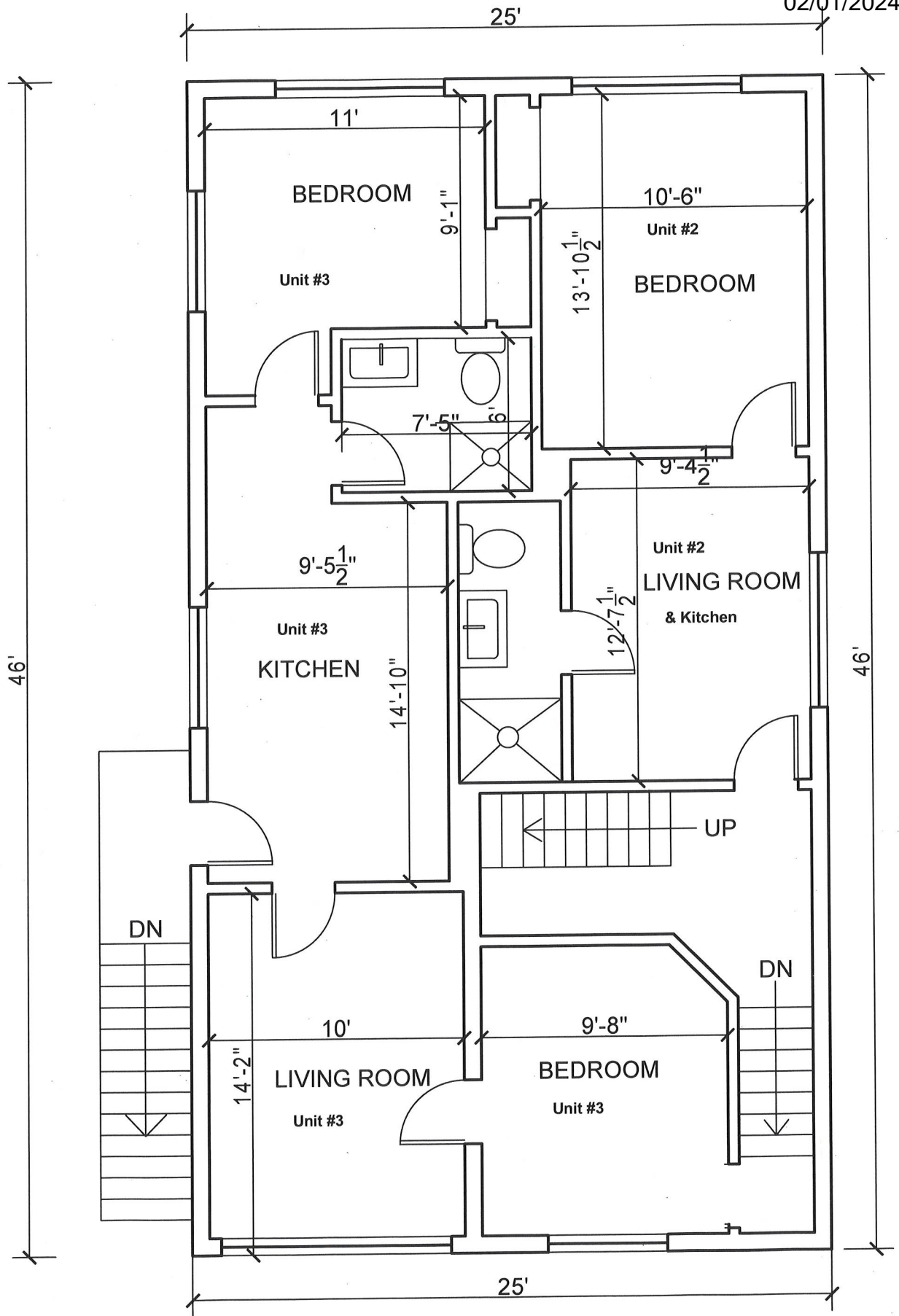


Ryan O'Connor,
Senior Planner

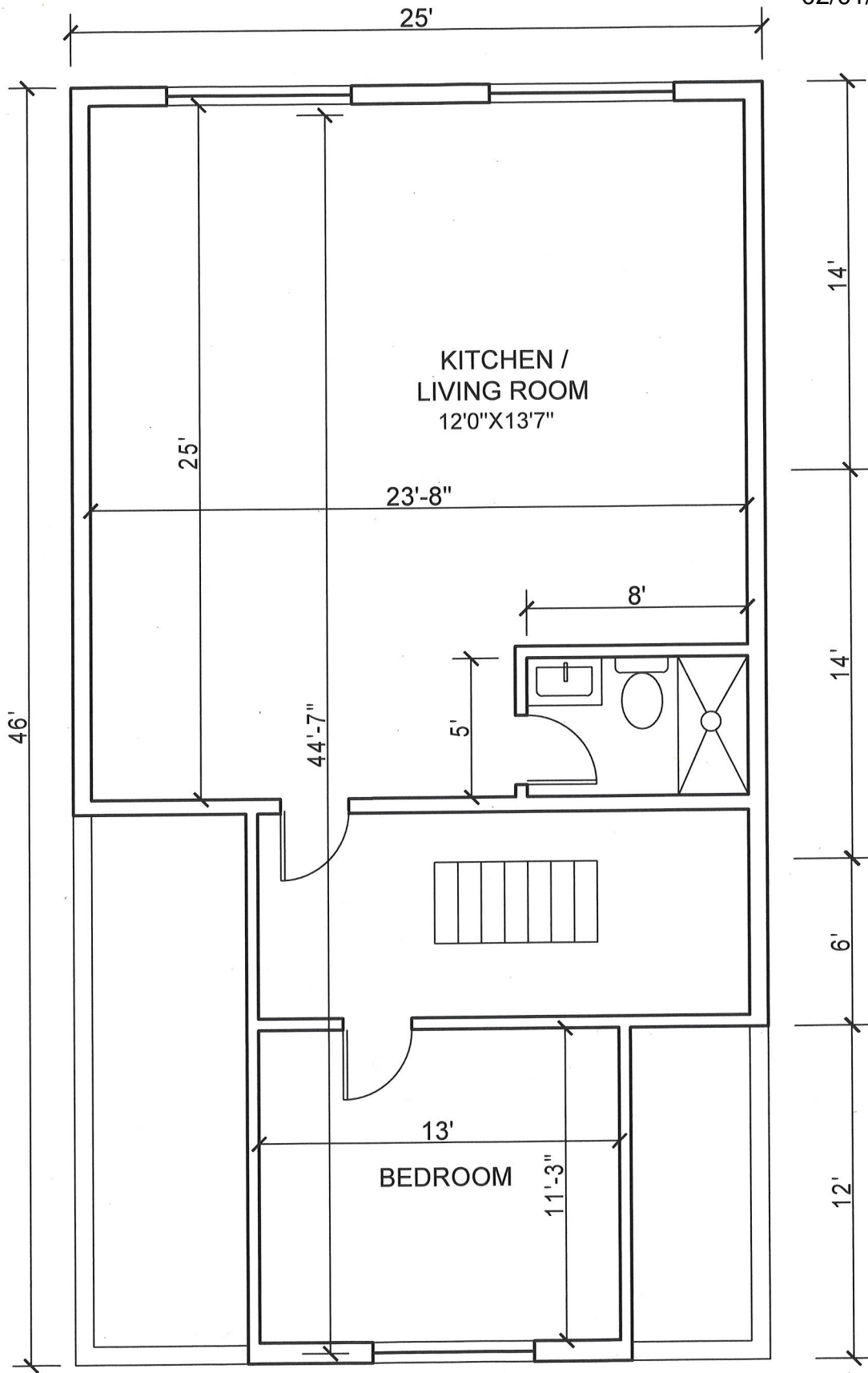
cc: File
SP-23-7



FIRST FLOOR

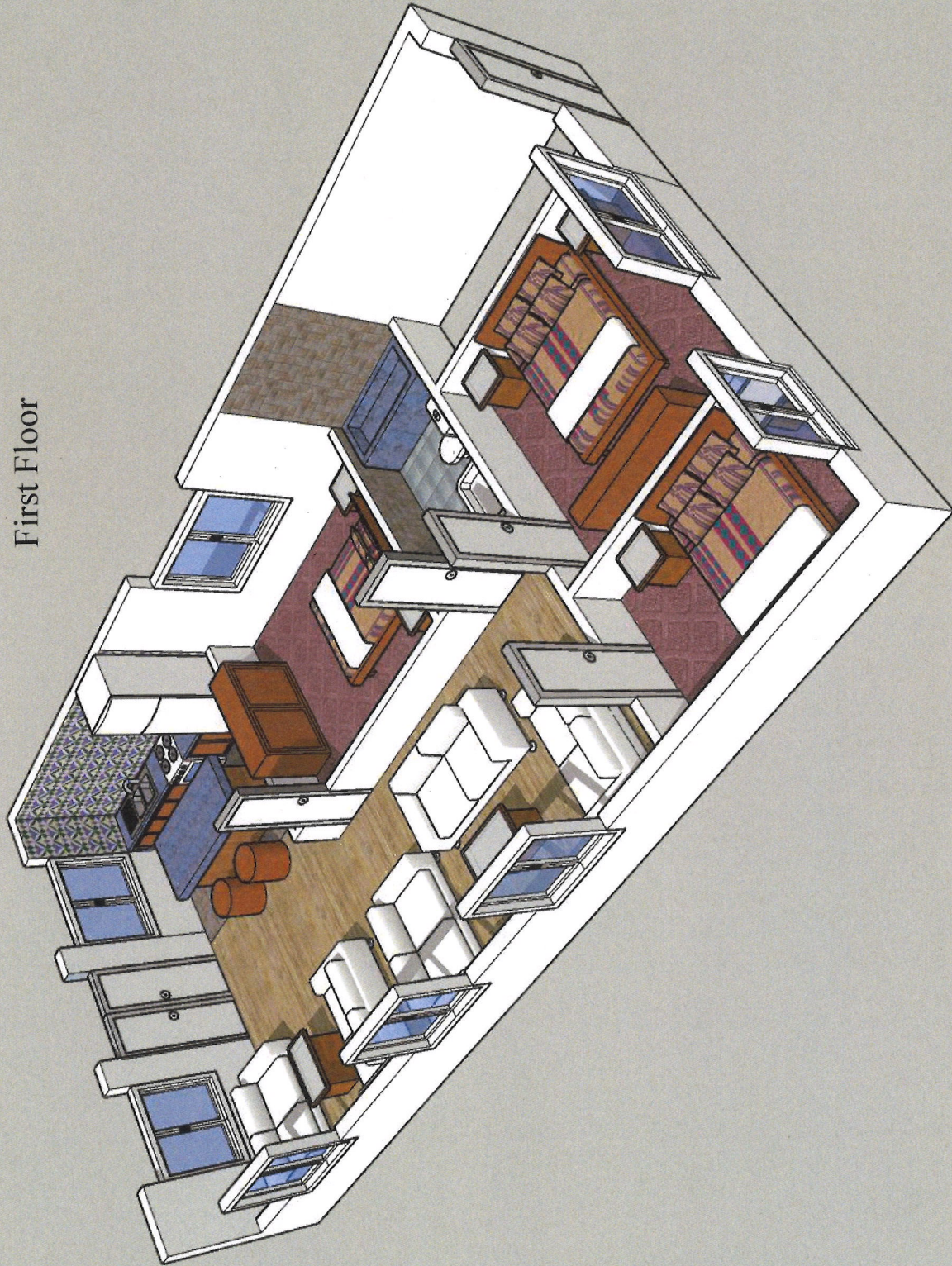


SECOND FLOOR

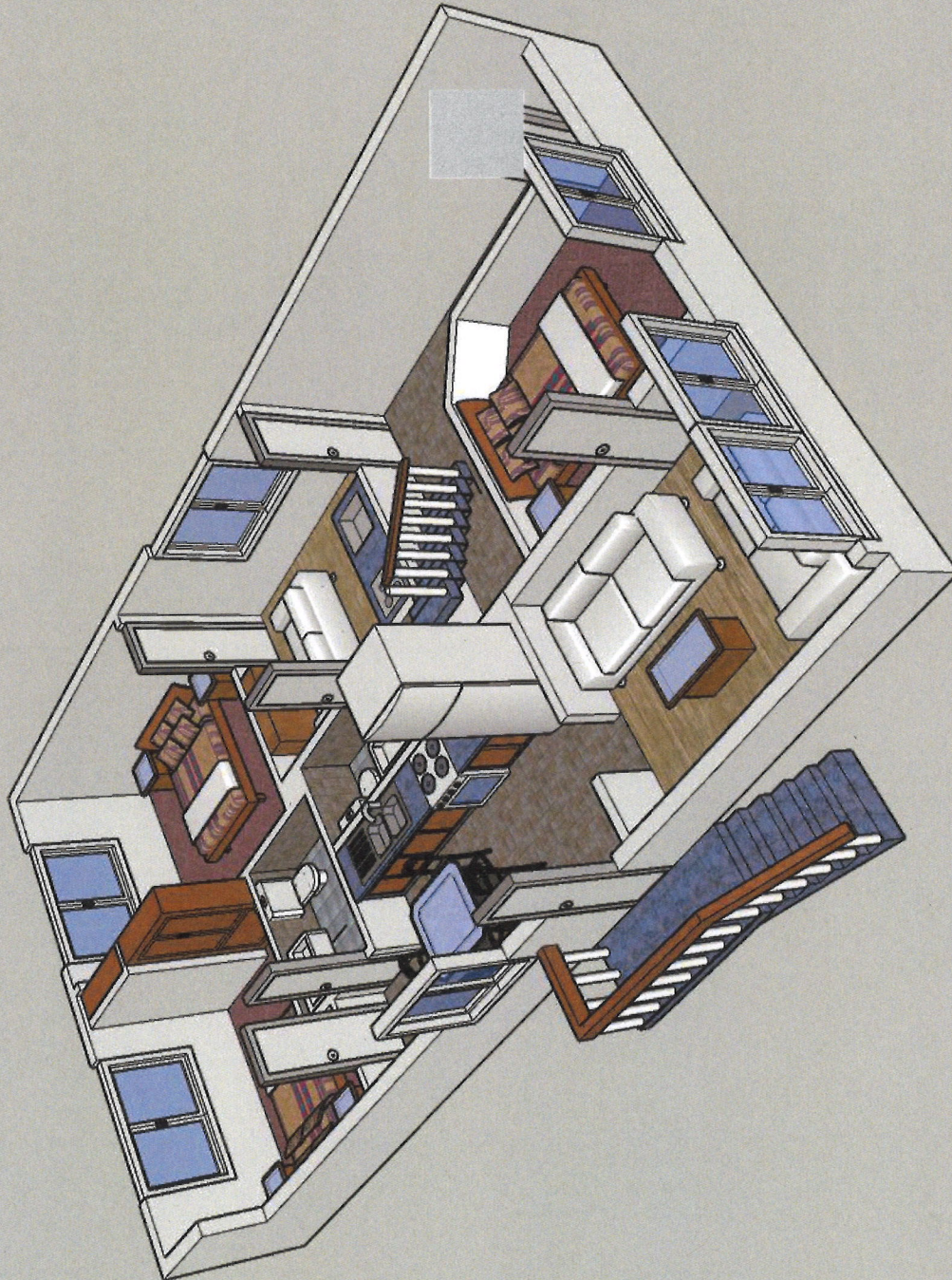


ATTIC FLOOR

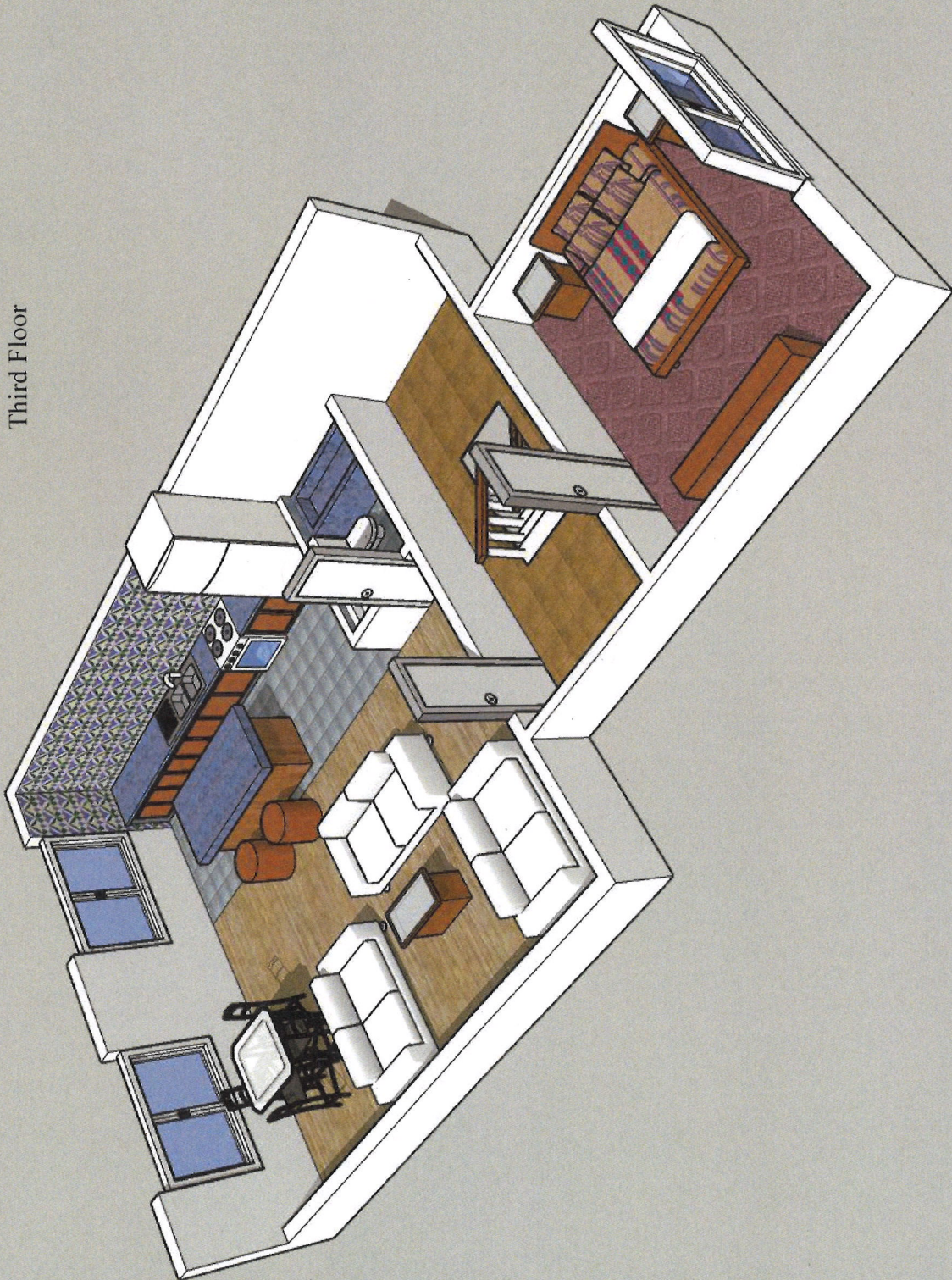
First Floor



Second Floor



Third Floor





CAI Property Card

Town of Rochester, NH

GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR	
<p>LOCATION: 135 NO MAIN ST ACRES: 0.11 PARCEL ID: 0121-0346-0000 LAND USE CODE: 013 CONDO COMPLEX: OWNER: RAVI JIGNASHA REALTY LLC CO - OWNER: MAILING ADDRESS: 26 SHAKESPEARE RD ROCHESTER, NH 03839-5433 ZONING: DTC PATRIOT ACCOUNT #: 272</p>	<p>BUILDING STYLE: MIX USE BLDG UNITS: 2 YEAR BUILT: 1920 FRAME: WOOD EXTERIOR WALL COVER: VINYL ROOF STYLE: GABLE ROOF COVER: ASPH SHINGLE</p>	
	BUILDING INTERIOR	
<th data-bbox="81 703 966 745">SALE INFORMATION</th> <td data-bbox="966 535 1534 1291"> <p>INTERIOR WALL: AVERAGE FLOOR COVER: AVERAGE HEAT TYPE: FORCED W/A FUEL TYPE: GAS PERCENT A/C: 0 # OF ROOMS: 7 # OF BEDROOMS: 3 # OF FULL BATHS: 2 # OF HALF BATHS: 1 # OF ADDITIONAL FIXTURES: 0 # OF KITCHENS: 2 # OF FIREPLACES: 0 # OF METAL FIREPLACES: 0 # OF BASEMENT GARAGES: 0</p> </td>	SALE INFORMATION	<p>INTERIOR WALL: AVERAGE FLOOR COVER: AVERAGE HEAT TYPE: FORCED W/A FUEL TYPE: GAS PERCENT A/C: 0 # OF ROOMS: 7 # OF BEDROOMS: 3 # OF FULL BATHS: 2 # OF HALF BATHS: 1 # OF ADDITIONAL FIXTURES: 0 # OF KITCHENS: 2 # OF FIREPLACES: 0 # OF METAL FIREPLACES: 0 # OF BASEMENT GARAGES: 0</p>
<th data-bbox="81 903 966 945">PRINCIPAL BUILDING AREAS</th> <td data-bbox="966 1291 1534 1333"></td>	PRINCIPAL BUILDING AREAS	
<p>GROSS BUILDING AREA: 4,640 FINISHED BUILDING AREA: 2,536 BASEMENT AREA: 1,150 # OF PRINCIPAL BUILDINGS: 1</p>		
<th data-bbox="81 1102 966 1144">ASSESSED VALUES</th> <td data-bbox="966 1375 1534 1417"></td>	ASSESSED VALUES	
<p>LAND: 49,500 YARD: 0 BUILDING: 84,300 TOTAL: \$133,800</p>		
SKETCH	PHOTO	

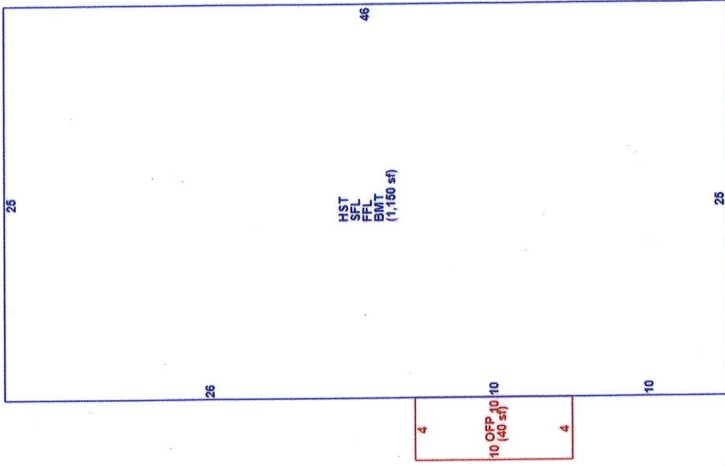


www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.

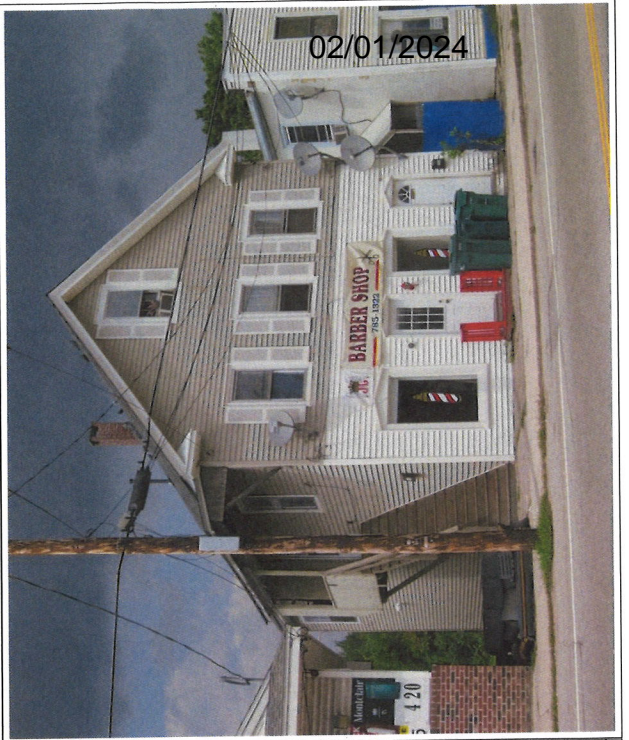
CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Model	94	Commercial	Half Bath Ratin	A	SAME
Style	40M	MIX USE BLDG	Extra Fixture(s)	0	
Grade	C	Average	Extra Fix Rating		
Stories	2		MIXED USE		
Units	2		Code	Description	Percentage
Residential Unit	2		1140	RESINCOMM	100
Comm Units	1.00		COST / MARKET VALUATION		
Wall Height	04	VINYL	RCN		306,240
Exterior Wall 1	0	GABLE	Year Built		1920
Exterior Wall 2	01	ASPH SHINGLE	Depreciation Code		FA
2nd Ext Wall %	01	AVERAGE	Remodel Rating		66
Roof Structure	06	CONCRETE	Year Remodeled		66
Interior Wall 1	08	AVERAGE	Depreciation %		0.810
Interior Wall 2	12	GAS	Functional Obsol		
Interior Floor 1	02	FORCED W/A	Economic Obsol		
Interior Floor 2	07	SPACE HTRS	Trend Factor		34
Basement Floor	20.00		Special Adj		84,300
% Heated	3.00		Condition %		
Heat Fuel	0.00		Percent Good		
Heat Type	3		RCNLD		
2nd Heat Type	0		Dep % Ovr		
2nd % Heated	0		Misc Imp Ovr		
Heat Systems	0		Misc Imp Ovr Comment		
Bedrooms	0		Cost to Cure Ovr		
Full Bath(s)	0		Cost to Cure Ovr Comment		
Bath Rating	0				
3/4 Bath(s)	2				
3/4 Bath Rating	A				
Half Bath(s)	1				
Half Bath Rating	A				
Extra Fixture(s)	0				



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value			
BUILDING SUB-AREA SUMMARY SECTION															
	Living Area														
	Floor Area														
	Unit Cost														
	Undeprc Value														
BMT	BASEMENT			0	1,150			288		26.98		31,022			
FFL	1ST FLOOR			1,150	1,150			1,150		107.72		123,874			
HST	HALF STORY			575	1,150			575		53.86		61,937			
OFF	OPEN PORCH			0	40			0		51.18		2,047			
SFL	2ND FLOOR			1,150	1,150			1,150		107.72		123,874			
UNFIN	UNFINISHED AREA ADJ			-339	-339			-339		0		-36,516			
											II Gross Liv/Lease Area	2,536	4,301	2,824	306,238





02/01/2024

City of Rochester, New Hampshire
Office of Economic & Community Development
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

MEMO

TO: Mark Sullivan, Finance Director; Katie Ambrose, City Manager;
Terence O'Rourke, City Attorney; Mike Scala, ED Director; Darcy
Freer, Chief Assessor; Kelly Walters, City Clerk; Cassie Givara,
Deputy City Clerk
FROM: Jenn Marsh, Assistant Director of Economic Development
DATE: January 5, 2024
RE: RSA 79E application – 135 North Main Street

The Economic Development Department received an application from Andy Yau, owner of 135 North Main Street. A \$150 application fee will be delivered to the Finance Office today.

The project is scheduled for a first reading on February 6, 2024. See attached application and review form. Review form dates for upcoming meetings will be completed once I have more information from the agenda committee on public hearing and second reading dates. I am also waiting to schedule the Community Development Committee tour until the committee is established and the posting date until we have one.

Please let me know if there are any questions.

**Resolution for Supplemental Appropriation of \$946,855.00 to FY24 General Fund CIP
Fund For Bridge Maintenance**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby appropriate Nine Hundred Forty Six Thousand Eight Hundred Fifty Five Dollars (\$946,855.00) to the General Fund CIP for the purpose of paying costs associated with bridge maintenance. The entirety of this supplemental appropriation shall be derived from the SB 401 State Bridge Funds previously received by the City.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE	
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

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SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]

**Resolution for Supplemental Appropriation of \$182,496.00 to FY24 General Fund CIP
Fund For Pavement Program**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby appropriate One Hundred Eighty Two Thousand Four Hundred Ninety Six Dollars (\$182,496.00) to the General Fund CIP for the purpose of paying costs associated with the Pavement Program. The entirety of this supplemental appropriation shall be derived from the State Highway Block Aid Grant previously received by the City.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE	
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

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SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

LEGAL AUTHORITY

SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]

**Resolution for Council Authorization to Expend \$5,000 from the Opioid Settlement
Funds on the Jesse Lewis Choose Love Movement**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby authorize that Five Thousand Dollars (\$5,000.00) from the Opioid Settlement Fund be expended on a speaking engagement provided by the Jesse Lewis Choose Love Movement. The entirety of this expenditure shall be derived from the Opioid Settlement funds previously received by the City.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT **Jesse Lewis Choose Love Movement**

COUNCIL ACTION ITEM
INFORMATION ONLY

FUNDING REQUIRED? YES NO
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES NO

FUNDING RESOLUTION FORM? YES NO

AGENDA DATE	2-6-24		
DEPT. HEAD SIGNATURE	Mark Sullivan		
DATE SUBMITTED	1-31-24		
ATTACHMENTS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

Request to expend \$5,000 from the Opioid Settlement Funds for a speaking engagement presented by Scarlett Lewis from the Jesse Lewis Choose Love Movement. The Jesse Lewis Choose Love Movement is a non profit 501 (c) 3 below is excerpt from their website. [About Us - Choose Love Movement](#)

“Scarlett Lewis founded the Choose Love Movement after her son, Jesse, was murdered during the Sandy Hook Elementary School tragedy in December 2012 which remains as one of the worst mass shootings in U.S. history.

At six years old, Jesse, alongside 19 of his first-grade classmates and six educators, died. In the ultimate act of courage, law enforcement later learned that Jesse used his final moments to heroically save nine of his friends.

Upon returning home, Scarlett discovered a message Jesse had written on their kitchen chalkboard that became the catalyst of the movement. It read,

“Nurturing Helinn Love”. After hours of research and consultation with numerous experts, these words became our call to action and formula for uplifting lives.

Scarlett came to realize that if the shooter had received more nurturing in his life, the tragedy might never have happened and the Movement was launched”.

RECOMMENDED ACTION

Council Approval Recommended

Bayonne Construction Co., Inc.
P.O. Box 1018
Rochester, NH 03866-1018
Phone: 603-231-3548
Email: jim@jimshannonlaw.com

02/01/2024

December 15, 2023

Kathryn Ambrose, City Manager
Rochester City Council
City of Rochester
31 Wakefield Street
Rochester, NH 03867

**Re: 60 Shaw Drive / Bayonne Construction Co., Inc.
Petition for Class VI Road Waiver**

Dear Ms. Ambrose and Council:


I am writing to request that the City Council hear and consider our petition to grant certain waivers for the above property that is located on a Class VI road.

In the past the Council approved a waiver for the construction of a solar project upon the property by GNM Solar 17, LLC, a company of which the undersigned is an investor and member. A copy of that waiver is attached for reference. This waiver request is for a new proposed subdivision of the property by Bayonne Construction Co., Inc., the present landowner of which the undersigned is the sole shareholder, officer and director, and the proposed uses upon the new lot. The following are the proposed uses of the property:

1. A single family house, likely to be a manufactured housing unit, with an attached accessory dwelling unit, on a newly subdivided parcel as shown on the attached draft plan;
2. Use of the property as a contractor storage yard for our company in order to maintain equipment and materials to service the solar project located on the main parcel, to include snow plowing during winter months to maintain access to the solar project; and
3. To install accessory commercial solar of up to 100 MW AC upon the newly subdivided lot.

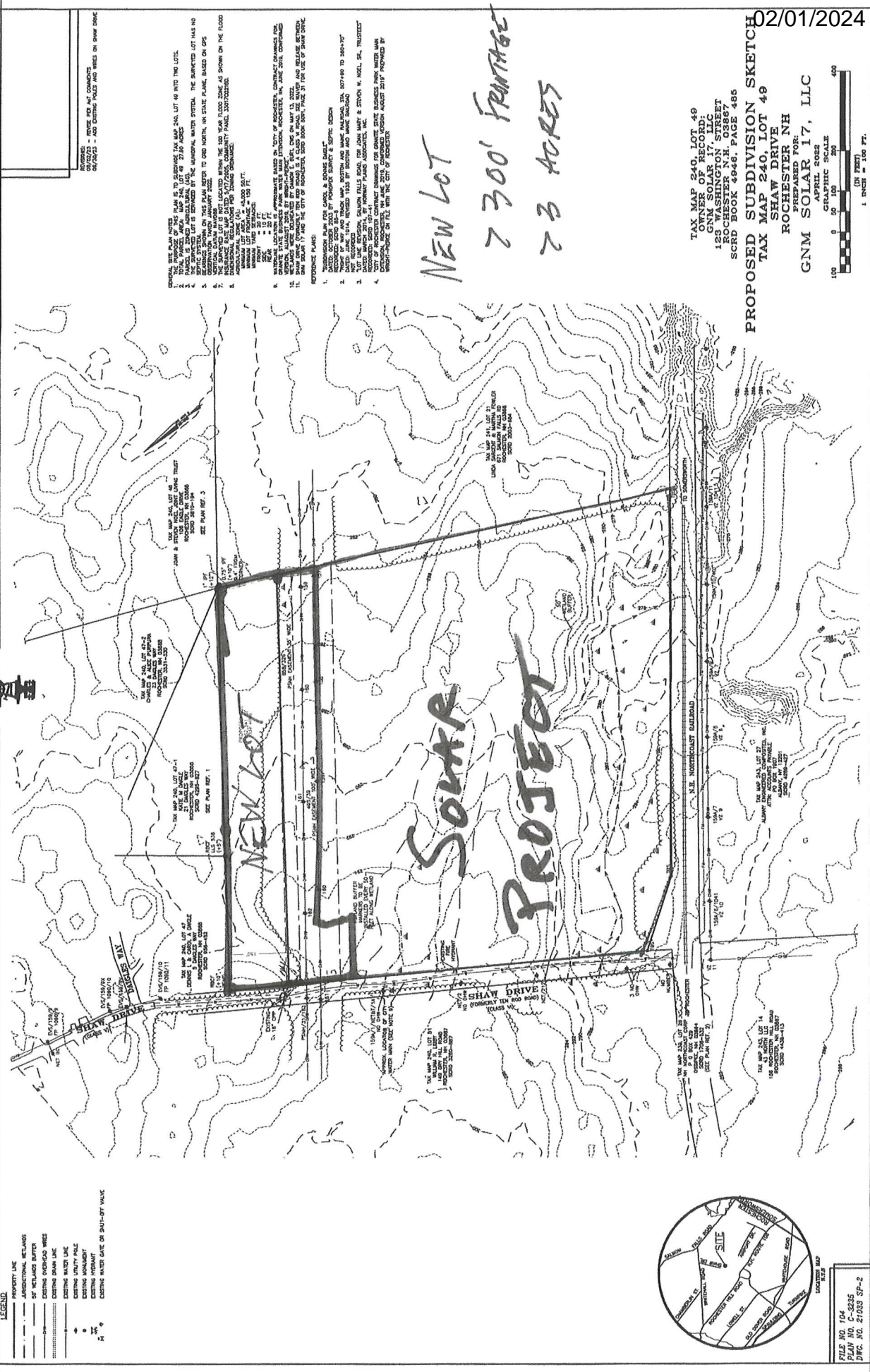
In submitting this request, I am mindful that certain of these uses require further approvals under the land use ordinance and subdivision regulations of the city. Based upon my meeting with Dir. of Planning and Development Shanna Saunders on this date, it is agreed that such applications would be filed only after the council approves the waiver requested herein. I appreciate in advance your anticipated cooperation in this matter, and I am,

Very truly yours,


James P. Shannon, President

CIVIL ENGINEERS

LAND SURVEYORS



- LEGEND**
- PROPERTY LINE
 - ADDITIONAL BOUNDARY
 - WETLAND BUFFER
 - EXISTING OVERHEAD WIRE
 - EXISTING DRAIN LINE
 - EXISTING UTILITY POLE
 - EXISTING BOUNDARY
 - EXISTING WATER GATE OR SHUT-OFF VALVE

- CONTRACT NOTES**
1. THIS PLAN SHOWS THE PROPOSED SUBDIVISION OF THE NEW LOT INTO TWO LOTS.
 2. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 3. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 4. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 5. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 6. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 7. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 8. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 9. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 10. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 11. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 12. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 13. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 14. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 15. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 16. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 17. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 18. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 19. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.
 20. THE NEW LOT IS BEING SUBDIVIDED INTO TWO LOTS, ONE OF WHICH IS BEING SET ASIDE FOR THE WETLAND BUFFER.

NEW LOT
2 300' FRINGE
2.3 ACRES

TAX MAP 240, LOT 49
OWNER OF RECORD
GNM SOLAR 17, LLC
123 WASHINGTON STREET
ROCHESTER, N.H. 03060
SCRD BOOK 4949, PAGE 485

PROPOSED SUBDIVISION SKETCH
TAX MAP 240, LOT 49
SHAW DRIVE
ROCHESTER, NH

PREPARED FOR:
GNM SOLAR 17, LLC
ATTENTION: GNM
123 WASHINGTON STREET
ROCHESTER, N.H. 03060

DATE: 02/01/2024

1 inch = 100 feet

NORWAY PLAINS ASSOCIATES, INC.

31 Moneys Street, Attn. N.E. 003-875-3948

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:41

674:41 Erection of Buildings on Streets; Appeals. –

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or

(b) Corresponds in its location and lines with:

(1) A street shown on the official map; or

(2) A street on a subdivision plat approved by the planning board; or

(3) A street on a street plat made by and adopted by the planning board; or

(4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40; or

(c) Is a class VI highway, provided that:

(1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds; or

(d) Is a private road, provided that:

(1) The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought; or

(e) Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or zoning board of adjustment before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in

accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application, the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

II-a. Municipalities may except any lot, including island lots for islands served exclusively by boats, from the requirements of paragraphs I and II by an affirmative vote of the local legislative body pursuant to RSA 675, first submitted to the planning board for its approval and:

(a) If approved by the board, approved by a majority of those present and voting at a regular or special meeting of the local legislative body; or

(b) If disapproved by the planning board, approved by not less than 2/3 of those present and voting at a regular or special meeting of the local legislative body.

III. This section shall supersede any less stringent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph.

Source. 1983, 447:1. 1988, 131:2, 3. 1989, 266:20. 1995, 291:10. 1998, 344:6. 2002, 270:1, 5. 2004, 154:1, 2. 2005, 226:1, 2, eff. Sept. 3, 2005.

§ 275-26.6. Class VI roads.

Development on Class VI roads is regulated as follows:

A. General terms.

- (1) State law. This section is adopted pursuant to RSA 674:41. In case of conflict between this section and RSA 674:41, RSA 674:41 shall be determining.
- (2) Uses. Single-family use, farming, and forestry are the only permitted uses on lots accessed from Class VI roads.
- (3) Accessory uses. Any uses customarily accessory to a single-family residence may be established on the property. However, only home occupations-1 and -2 (for which there is only one employee other than household members) are permitted.
- (4) Subdivision. Any new lots to be subdivided out of existing lots on Class VI roads shall have a minimum frontage on the Class VI road of 300 feet and a minimum lot size of three acres.

B. Approval process. Shall be subject to the provisions of RSA 674:41.

C. Other provisions.

- (1) The applicant is not specifically required to maintain the road as part of any authorization for a building permit but he/she is urged to do so, on his/her own or in coordination with other property owners.
- (2) It is recognized that any applicant who chooses to build on a Class VI road does so at his/her own risk. If in the future abutting landowners seek to upgrade a Class VI road to a Class V road then the landowners, rather than the City of Rochester, shall be entirely responsible for the costs of upgrading that road (i.e., to be paid for by an individual developer, abutting landowners jointly through a private agreement, or through a betterment tax on abutting landowners if approved by City Council).
- (3) Any modifications to the road in the future must be approved by the City of Rochester Public Works Department.
- (4) If any Class VI road is brought up to City standards the reclassification to a Class V road must be approved by the Rochester City Council.
- (5) The Planning and Development Department shall maintain a record of Class VI roads or portions of Class VI roads upon which the City Council has authorized issuance of building permits.
- (6) See the Transportation Master Plan for a partial list of Class VI roads in the City.