

**CITY OF ROCHESTER  
Planning Board**

Monday, January 7, 2008 at 7:00 p.m. (regular meeting)

**City Council Chambers**

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved January 28, 2008)*

Members Present

A. Terese Desjardins, *Chair*

Tim Fontneau, *Secretary*

Lance Powers, *Vice Chair*

Tom Abbott

Jim Graham

John David Meader

Alternates Present

Thomas McCallion

James Murray

Alternates Absent

Eugene McCarthy (Excused)

Staff: Michael Behrendt, Chief Planner

Madeleine Carter, Secretary

(These minutes are the legal record of the meeting and are in the format of an overview of the meeting. It is neither represented nor intended to be a true transcription of the meeting. A recording of the meeting will be on file in the City Clerk's office for reference purposes. It may be copied for a fee).

Ms. Desjardins called the meeting to order at 7:00 p.m. The secretary conducted roll call.

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**Communications from the Chair**

Ms. Desjardins stated tonight there is not a full complement of Board members. She stated two City Councilors would be reappointed at the next City Council meeting, which would be January 15<sup>th</sup>. They are still waiting for the appointments committee to make recommendations for people to be appointed to the City Planning Board. She appointed Mr. McCallion to sit in for Lynn Williams' vacant position, and Mr. Murray to sit in for Alan Dews.

Ms. Desjardins stated item B, Terry Bennett / Pluto Realty Trust, 75-77 North Main Street. Sales of antique motor vehicles and other "collectible mechanical devices". Referred from Special Downtown. Case # 121-369-B1-08 has been postponed.

A motion was made by Ms. Desjardins and seconded by Mr. Meader to postpone this application to the January 28<sup>th</sup> meeting. Motion carried unanimously.

## Approval of minutes for December 17, 2007

*A motion was made by the Mr. Graham and seconded by Mr. McCallion to approve the above minutes of December 17, 2007. Motion carried unanimously.*

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### Continued Applications:

- A. The Flatley Company, Washington Street** (by Norway Plains Associates) Site plan for 20, 070 square foot Staples store and a 3,000 square foot building for unspecified commercial use. Case # 123-78-B1-07

Attorney Malcolm McNeil discussed the plans that were being viewed on the screen which included the designated turning lanes, abutters concerns at a previous meeting, the architectural components, the cemetery, The Flatley Company paying for the improvements to the cemetery, and a turn around for the snow plow. He also stated all of the Department Heads have signed off on the application, and no waivers or variances have been requested.

Mr. Behrendt stated staff has recommended approval as stated in the recommendations. He stated precedent condition 1b; eliminate everything after the first sentence. He stated precedent condition 1l to state all off site eliminates must be completed by December 1, 2008. He suggested adding an item that Mr. McNeil referred to concerning land or an easement for the hammerhead turn around on Woodlawn Street shall be conveyed to the City of Rochester prior to the certificate of occupancy. He also discussed precedent condition 1h.

Mr. McNeil discussed the plans that were being viewed on the screen that included improvements to the cemetery, and the 25-foot buffer. He stated the improvements would be appropriate for a war hero. He also briefly discussed the Historical Society.

Ms. Desjardins stated The Flatley Company has worked very well with the City itself and in memory of the people at the cemetery. They have gone way beyond what needed to be done to give respectful recognition to the people buried at that site.

Ms. Desjardins opened the public hearing. No one came forward.

*A motion was made by Mr. Graham and seconded by Mr. Meader to close the public hearing. Motion carried unanimously.*

*A motion was made by Mr. Graham and seconded by Mr. Meader to approve this application as stated. Motion carried unanimously.*

Dick Kane, The Flatley Company, thanked the City, this Board, and the Department Heads who have worked so well with them.

**B. Raven Realty, LLC. 127A Farmington Road** (by Norway Plains Associates). 4-lot subdivision. Case # 208-18-A-07

Rick Lundborn, Norway Plains Associates, gave a quick update, which included the rails to trails, and the use of a right-of-way variance, which would be heard at the Zoning Board of Adjustment on January 16<sup>th</sup>.

Mr. Behrendt stated staff has no comments at this time.

Ms. Desjardins opened the public hearing. No one came forward.

*A motion was made by Mr. Graham and seconded by Mr. McCallion to continue this application to the February 11 2008 meeting. Motion carried unanimously.*

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**C. Summit Land Developers, Farmington Road / Route 11** (by Trittech Engineering Corp.) Site plan to construct a one-story medical office building. Case # 208-18-A-07

Bob Stowell, Trittech Engineering, briefly discussed the site plan. He stated the Zoning Board of Adjustment has granted a variance for the number of parking spaces. He stated they have resubmitted a review to CLD.

Mr. Behrendt stated there is a letter from Trittech addressing the drainage issue. He stated staff has recommended accepting as complete and continuing to the February 11 meeting.

Ms. Desjardins opened the public hearing.

Rick Healey, Rochester citizen, questioned the increase of 2,000 percent runoff in the CLD report and that there is no impact of run off to the Cocheco River.

Mr. Stowell explained the comments from CLD concerning the runoff. He also discussed the watershed, the catch basin, the Cocheco River, New Hampshire standards, and site regulations.

Board members and Mr. Stowell discussed heavy flooding, runoffs, 200-year floods, the flood plain, the watershed, impact of the runoff, and other issues.

Ms. Desjardins stated she would like to have a simplistic explanation concerning the runoff, and some type of assurance in writing stating this is not going to have any adverse affect on that area of the river, specifically with the runoff.

Mr. Stowell stated they could come back with a detention system, which would show, on the report there is no net increase on the property. He stated he is not sure it would be any guarantee whether it would, or would not, contribute to flooding.

Rick Lundborn, Norway Plains Associates, explained on a drawing board the process of the runoff, the watershed, bank erosion, and other items.

Mr. Stowell briefly discussed the setbacks from the river.

*A motion was made by Mr. Graham and seconded by Mr. Murray to continue this application to the February 11 2008 meeting. Motion carried unanimously.*

*A motion was made by Mr. Graham and seconded by Mr. Powers to accept this application as complete. Motion carried unanimously.*

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**D. Mark Phillips, England Road.** (by Norway Plains Associates). 17-lot subdivision. Case # 263-10-A-07

Rick Lundborn, Norway Plains Associates, discussed the items that have been endorsed, the drainage report analysis, which has been completed, and other items.

He stated staff has recommended acceptance as complete, approval of the waivers as discussed in the recommendations, and the recommendations from the Conservation Commission.

Mr. Powers briefly discussed the #3 in the Conservation Commission recommendations.

Mr. Behrendt briefly discussed the excavation work.

Mr. Lundborn explained the excavation work.

Ms. Desjardins opened the public hearing. No one came forward.

*A motion was made by Mr. Fontneau and seconded by Mr. Meader to accept as complete and approve the conditional use as recommended by the Conservation Commission. Motion carried unanimously.*

This application was continued to the February 11, 2008 meeting.

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**New Applications:**

**A. Rochester Pinewood Real Estate Development, LLC, Ten Rod Road, (15 Ebony Drive)** (by Norway Plains Associates). Conditional use for construction of a paved driveway to a single-family residential lot within the wetland buffer. Case # 221-48-A-05

Rick Lundborn, Norway Plains Associates, discussed the plans that were being viewed on the screen, which included the wetland, the 25-foot buffer, and encroachment of the driveway, drainage, runoff, and other issues.

Mr. Behrendt stated staff has recommended approval with the 2 Conservation Commission conditions.

Ms. Desjardins opened the public hearing. No one came forward.

*A motion was made by Mr. Powers and seconded by Mr. Graham to approve the conditional use. Motion carried unanimously.*

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**Other Business:**

Ms. Desjardins stated she would like the Board members to look at their calendars, and at the January 28 meeting, set up a date for the next retreat to discuss the impact fees. She stated she has spoken with the Mayor to set up a joint meeting with the Conservation Commission, the City Council, and the Planning Board members to have discussions on their roles, and other items concerning the future of the City.

Ms. Desjardins stated she would like to commend the Public Works Department on removing the snow in the City. They have done an outstanding job.

Mr. Graham suggested including the Zoning Board of Adjustment in the joint meeting.

Ms. Desjardins replied that sounds fine to her. She stated she is looking for some Board members to step up to help coordinate this joint meeting. Mr. Murray, and Mr. Graham volunteered to help.

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**Adjournment:**

*A motion was made Mr. Graham and seconded by Mr. McCallion to adjourn at 7:55 p.m. Motion carried unanimously.*

Respectfully submitted,

Madeleine Carter, Secretary

(These minutes were transcribed from notes)

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