

**CITY OF ROCHESTER
Planning Board**

Monday, May 19, 2008 at 7:00 p.m. (workshop)

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

(These minutes were approved June 2, 2008)

Members Present

A. Terese Desjardins, *Chair*

Lance Powers, *Vice Chair*

Tim Fontneau, *Secretary*

Tom Abbott

Alan Dews

Thomas McCallion

John David Meader

Members Absent

Richard Groat (Excused)

Rick Healey (Excused)

Alternates Present

Lawrence Spector

Ray Varney

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.

Ms. Desjardins appointed Mr. Spector as voting member for Mr. Groat, and Mr. Varney as voting member for Mr. Healey.

Communications from the Chair

Ms. Desjardins stated the next retreat would be held on June 23, 2008 from 6 to 8 pm. The location will be announced at a later date. The public is welcome to come and listen to what the Board members discuss.

Recognition of former Planning Board members James Graham and Lynn Williams

Ms. Desjardins presented a certificate of appreciation to Lynn Williams for her outstanding contribution to the community as an alternate and regular member of the Rochester Planning Board from June 7, 2005 to January 2, 2008. She thanked Ms. Williams for her dedication and stated the Board has missed not having her here anymore.

Ms. Desjardins presented a plaque to James Graham with the inscription that stated "The Planning Board expresses its deep appreciation to James Graham for his outstanding service to the City of Rochester as Board member and Chair from January 12, 2001 to February 11, 2008". She thanked Mr. Graham for his service.

Mr. Graham thanked everyone and stated he appreciated it very much.

Opening Discussion/Comments (up to 30 minutes)

A. Public Comment

No comments.

B. Discussion of general planning issues

No discussion.

Approval of minutes

A. May 5, 2008 Retreat

Mr. Dews stated in the retreat minutes, in the call to order, Mr. McCallion is a regular member that was absent, not an alternate member.

A motion was made by Mr. Dews and seconded by Mr. McCallion to approve the retreat minutes of May 5, 2008 with the change as stated. Motion carried unanimously.

B. May 5, 2008 Regular meeting

A motion was made by Mr. Powers and seconded by Mr. Meader to approve the minutes of May 5, 2008. Motion carried unanimously.

Consent Agenda:

Ms. Desjardins stated item "B" Mary M. Witherell Rev. Trust, 235 Chesley Hill Road. (by Norway Plains Associates) 2-lot subdivision. Case # 137-4-R1-08 (PH) has been taken off the Consent Agenda. The applicant has requested a postponement to the June 2, 2008 regular meeting.

A. A. Salvelinus, Inc., c/o J. Grossman, 249 Blackwater Road (by Norway Plains Associates). Extension to meet precedent condition for 6-lot subdivision. Case # 263-25-A-07

A motion was made by Mr. Varney and seconded by Mr. Meader to approve this extension to November 19, 2008. Motion carried unanimously.

CONTINUED APPLICATIONS:

A. Casaccio RE Holdings, LLC, Rochester Toyota / Dodge, 56 Farmington Road (by Civil Take Off LLC). Site plan for 5,125 square foot addition and renovations to current automobile sales and service facility. Case # 216-6 & 7-B2-08 (PH)

Kevin Hayes, Civil Takeoffs, LLC, stated they are not in favor of installing a fence. He briefly discussed the pavement. He discussed the plans that were being viewed on the screen that included but were not limited to placement of the fire hydrant.

Mr. Behrendt discussed deleting the words "if fire department specifies" in precedent condition 2b, the Fire Department does want the fire hydrant within 100 feet. He briefly discussed the placement of the vehicles in the front row, and maintaining the area.

Board members discussed whether or not to have a fence, maintaining the area with bulk mulch or grass, and other issues.

Mr. Hayes discussed installing some type of green parking bumper along the edge of the grass turf that would keep the cars from going forward or they could extend the grass pave into the State right-of-way.

Board members briefly discussed not having any say as to the States right-of-way.

Mr. Hayes discussed installing a plastic, recyclable bumper that looks like concrete that pins into the grass pave that keeps the cars from going forward and would be easily removed in the wintertime.

Board members and Mr. Behrendt discussed adding that into the conditions.

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

A motion was made by Mr. Varney and seconded by Mr. McCallion to close the public hearing. Motion carried unanimously.

Board members and Mr. Hayes discussed enclosing the dumpster, said no to a bicycle rack, and removing general and subsequent condition number 1.

Mr. Behrendt discussed and suggested keeping general and subsequent condition #1.

Mr. Hayes stated the owner would rather not do cross easements.

Board members discussed the item on page 1 (the dumpster), and fixing the fence.

Mr. Hayes stated they would fix the fence around the dumpster if it is not in the best condition.

Board members stated there would be no bicycle rack.

A motion was made by Mr. Varney and seconded by Mr. McCallion to accept the application as complete and approve with the conditions as discussed. Motion carried unanimously.

B. G & L Investments, LLC, Donald Gagnon / Rochester Truck, Undeveloped lot on easterly side of Rte. 125/Calef Highway (by Norway Plains Associates) Site plan for storage and display area. Case # 262-28-B2/13-08 (PH-closed)

Art Nickless, Norway Plains Associates, stated all the sign offs have been completed.

Mr. Behrendt stated Staff recommended approval as stated in the recommendations. He stated it was recommended by one of the Board members to install sloped granite curbing at the entrances.

Board members and Mr. Nickless discussed the sign detail on one of the drawings, which stated it would be internally lit with a black background and white letters.

Board members, Mr. Behrendt, Mr. Nickless, and the applicant Donald Gagnon, discussed how far back the buffer would be from Rte. 125, the wetlands, protecting the aesthetic view, the emergency gate and the Knox Box (Rapid Entry System), keeping the integrity of the area concerning the curbing, landscaping, and other items.

Board members agreed to have sloped granite curbing on the Rte. 125 entrance along the curb radius.

A motion was made by Mr. Powers and seconded by Mr. Meader to approve this application. Motion carried unanimously.

C. Steve Miller (Copp Trust), 597 Salmon Falls Road. (by Norway Plains Associates). 46-lot subdivision. Case # 224-321, 324, 328-A-07 (PH)

Art Nickless, Norway Plains Associates, stated the abutters were re-notified. He discussed the plans that were being viewed on the screen that included drainage, whether or not there

is increase with runoff, rate of runoff as well as volume. He briefly discussed NH-DES concern with one issue that needed to be clarified. He discussed the volume and additional flow of water, the detention ponds, and downstream analyst of the wetlands, the open space, and the subdivision regulations. He stated the applicant would be doing off site improvements before starting the on site work.

Mr. Behrendt stated Staff recommended approval as stated in the recommendations with a few additional items that were omitted in the recommendations. He added; analysis of volume increase of drainage to be approved by the City Engineer.

Mr. Nickless stated the City Engineer has already signed off on the project. He stated he is not sure why this would be added as a precedent condition.

Board members discussed drainage, which in the Cities subdivision regulations states there would be zero percent increase in drainage, comments from CLD, peak and volume being the definition of increase, City Engineers concerns, adverse impact, accepting as complete, but not approving this until there is more information concerning the drainage.

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

Board members discussed getting all the other items out of the way and having only the drainage issue to deal with when the applicant comes back to the Board.

Mr. Behrendt stated other items consist of submission of final plans for the sewer station, obtaining final approval from the City Engineer for the design of drainage improvements on Salmon Falls Road, including language about current use, deleting precedent condition #6, the timeframe for the off site improvements (prior to the 3rd Certificate of Occupancy, adding a subsequent condition, and approval of the 2 waivers.

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

Board members discussed the conditions on page 12, item 2g, page 13, item 2i, page 15, item 15 rewording that language to include phasing, also include phasing of surety, the cul-de-sac, and widening the pavement to 22 feet.

A motion was made by Mr. Varney and seconded by Mr. Meader to accept the application as complete. Motion carried unanimously.

This application was continued to the June 2, 2008 regular meeting.

New Applications, Amendments, and Conditional Uses:

A. Cleary Cleaning Inc., 185 Charles Street. Drop off and pick up center (referred to Planning Board by Minor Site Committee). Case # 132-47-B2-08 (PH)

Julie Cleary, applicant, briefly discussed the comments made at the TRC meeting. She stated someone was to get back to her as to where the handicap ramp and parking should

be located in front of the building, and what to do with the Japanese invasive species on the property.

Board members discussed addressing the Police and Public Works Departments concerns with the traffic flow, parking on Wilson Street, and specifically striping the parking spaces.

Ms. Cleary stated they are planning on re-striping and repaving.

Board members discussed not having seen any site plans or recommendations from Public Works as far as traffic flow, or the entrance.

Board members, Mr. Behrendt, and Ms. Cleary discussed the plans that were being viewed on the screen that included the handicap space, the circulation pattern, 3 parking spaces on Wilson Street and one handicap space in the front of the building, traffic flow, utilizing the lights at the intersection, signage for delivery trucks only, moving the employee parking to the lower level, a one-way access, the Cleary sign, and a one-way loop out onto Rte. 125.

Ms. Desjardins stated the employees would park in the lower level where the delivery trucks would go, the loop in the front of the building would be one-way with a southerly direction (entrance on Wilson Street), right turn only sign, the applicant would re-stripe the parking spaces parallel to the building on Wilson Street.

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

A motion was made by Mr. Powers and seconded by Mr. McCallion to close the public hearing. Motion carried unanimously.

Board members agreed the Japanese Knotweed should be removed.

A motion was made by Mr. Fontneau and seconded by Mr. Powers to approve this application with conditions as stated. Motion carried unanimously.

B. Raven Realty, LLC. 127A Farmington Road (by Norway Plains Associates).

Clarification on condition of approved 4-lot subdivision. Case # 208-18-A-07

Art Nickless, Norway Plains Associates, discussed surety on the road, issues with the crossing, letters from DOT and DRED, allowing SUR to start building the road, obtaining a building permit, and other items.

Mr. Behrendt stated Staff recommended approval of the modification to the plan for the small section from Rte. 11 going back to where the crossing is going to be over the path in between the Shoe Department and Black Dog Car Wash, to approve a modification for this as an easement across the two properties vs. a fee simple right-of-way, the rights of the easements, approval for the crossing, vague letters from the State, resolving the surety issues, and other items and issues.

Mr. Nickless briefly discussed the easement from the Shoe Department.

Board members briefly discussed the site work, the crossing, and other issues.

Mr. Behrendt stated one thing that should be asked for the crossing would be a signed statement from both the sub-divider and the developer of that lot indemnifying the City if for some reason the crossing should not be fully executed.

Board members, Mr. Behrendt and Mr. Nickless briefly discussed the easement, the right-of-way, and other issues.

A motion was made by Mr. Fontneau and seconded by Mr. Powers to approve the modification. Motion carried unanimously.

Board members asked to have the modification sent to them.

Proposed Amendments to Impact Fee Ordinance, Section 42.31 of the City of Rochester Zoning Ordinance **INITIATION OF AMENDMENT**

A motion was made by Mr. Abbott and seconded by Mr. Dews to approve the proposed amendments. Motion carried unanimously.

Proposed Capital Improvements Program

No discussion or comments.

Other Business

Dunkin Donuts – 303 North Main Street, Case # 114-8-B2-05. Extension to (August 30, 08) obtain building permit.

Will Haskell, Gorrill- Palmer Consulting Engineers, briefly discussed the original approval, certification, and the deadline to acquire a building permit. He stated they are planning on starting construction the beginning of June. He stated part of the requirement for the foundation is to put in a product called a “liquid boot” which basically seals the foundation and prevents methane from coming up from the landfill into the building. He reviewed items for the delay that included, but were not limited to, the engineering foundation design, finalized plans that came in late, and winter conditions. He stated he believed there is only one condition left which is the issue of the colors and details of the architectural design. Mr. Behrendt stated the only item is the awning, which should be plum. Mr. Haskell stated the color of the awning is going to be plum.

Mr. Behrendt explained the certification date, which was Dec. 12, 2006; therefore the deadline date to obtain a building permit was Dec. 12, 2007. The applicant did not obtain a building permit before the deadline that is why they are asking for an extension. He stated Staff does not see any issues and Staff approves of the request.

Board members briefly discussed the application being null and void because it has been more than 6 months.

Board members, Mr. Behrendt, and Mr. Haskell discussed paving, the landscaping, capping the methane gasses, surety, venting the methane gas, and other issues and items.

A motion was made Mr. Varney and seconded by Mr. Spector to approve the extension to August 30, 2008. Motion carried. One opposed. Mr. Dews.

Board members and Mr. Behrendt discussed when the new Subdivision and Site Plan regulations would be on line, lack of curbing on Norway Plains Road in the Notice of Decision's, 15 foot easements, and planting of trees which would be discussed at another retreat. Also discussed was the City Managers protocol when there is a problem after something is approved, as to who takes care of what.

Adjournment

A motion was made Mr. Powers and seconded by Mr. Spector to adjourn at 9:00 p.m. Motion carried unanimously.

Respectfully submitted,

Madeleine Carter, Secretary

(These minutes were transcribed from notes)