

CITY OF ROCHESTER

Planning Board

Monday, January 26, 2009 at 7:00 p.m. (workshop)

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

(These minutes were approved February 2, 2009)

Members Present

A. Terese Desjardins, *Chair*

Tim Fontneau, *Vice Chair*

Nel Sylvain, *Secretary*

Tom Abbott

Richard Groat

Rick Healey

Eugene McCarthy

John David Meader

Alternates Present

Ray Varney

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.

Communications from the Chair

Ms. Desjardins stated the subcommittee would be discussing the electronic sign ordinance at their next meeting, which is on Tuesday, January 27, 2009 in the council chambers at 4 pm; the public is welcome to come and listen. She stated at the last City Council meeting the Council postponed discussions on this to their March workshop.

Opening Discussion/Comments (up to 30 minutes)

Public comment and discussion of general planning issues

No comments or discussions.

Approval of minutes for January 5, 2009

A motion was made by Mr. McCarthy and seconded by Mr. Sylvain to approve the minutes of January 5, 2009. Motion carried unanimously.

Election of 2009 Officers

Ms. Desjardins opened the voting of officers to the Board.

A motion was made by Mr. McCarthy and seconded by Mr. Fontneau to nominate Ms. Desjardins as Chairperson.

A motion was made by Mr. Healey and seconded by Mr. Sylvain that nominations cease and the secretary cast one ballot for Ms. Desjardins. Motion carried unanimously.

A motion was made by Mr. Sylvain and seconded by Mr. Healey to nominate Mr. Fontneau as Vice Chairperson.

A motion was made by Mr. Healey and seconded by Mr. Sylvain that nominations cease and the secretary cast one ballot for Mr. Fontneau. Motion carried unanimously.

A motion was made by Mr. Abbott and seconded by Mr. Healey to nominate Mr. Sylvain as Secretary.

A motion was made by Mr. Healey and seconded by Mr. Fontneau that nominations cease and the secretary cast one ballot for Mr. Sylvain. Motion carried unanimously.

Election results were as follows:

Ms. Desjardins as Chair, Mr. Fontneau as Vice Chair, and Mr. Sylvain as Secretary.

Presentation on Draft Granite Ridge Development District Study

(by CLD Consulting Engineers and Karen Pollard, Economic Development Manager)

Ms. Desjardins stated this is a draft presentation on the Granite Ridge Development District Study off Route 11. This is a presentation to the Planning Board, the Board may have questions or give input but is all nonbinding on the Board's part.

Paul Konieczka, Senior Vice President of CLD Consulting Engineers, Inc. (Manchester, NH) gave a PowerPoint presentation on topics that included the following:

Purpose of the Study, Summary of Key Findings, Study Area Limits, Development Assumptions, Development Potential (2008 to 2028 "20 years"), Traffic Volume Network Development, Traffic Distribution Assumptions, Summary of Roadway Improvements, Other Infrastructure Improvements "water system and sewer service", Estimated Infrastructure Costs, Estimated Wetlands Impacts, Roadway Improvement Thresholds, and Construction Performance Standards.

Board members and Mr. Konieczka discussed the plans that were being viewed on the screen that included the pump station in the Wal-Mart area, wetland disturbances, the design work and permeated of road.

Heidi Marshal, CLD representative, answered questions concerning the design work and permeated of road.

Board members discussed the study of the reservoir.

Ms. Marshal explained and answered questions about the reservoir.

Ms. Desjardins thanked the CLD members for their informative presentation.

Mr. Konieczka stated this area has a lot of potential.

Ms. Desjardins called a short break at 7:45 meeting resumed at 7:48 pm.

Public Hearing: (and prospective adoption):

Proposed amendments to Site Plan Regulations and Subdivision Regulations regarding fees for amendments and modifications to approved plans

Mr. Behrendt stated this is an amendment to both the Site Plan and Subdivision Regulations to charge fees for any modifications to approved plans that need to come to the Planning Board. He discussed the fees for amendments prior to certification, adding definitions to Site Plans and Subdivisions, and specifying the differences between an amendment and a modification.

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

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

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

Continued Applications:

A. Waste Management, 90 Rochester Neck Road (by Sanborn, Head and Associates).
Site plan to develop facility to treat medical waste by autoclaving (steam heat) prior to disposal in the TLR-III Refuse Disposal Facility. Case # 267-3-14-08 (PH)

Steve Poggi, Waste Management, stated he has responded to questions that have come up. He stated most of the changes were minor. He briefly discussed the draft comments from the Staff's recommendations. He stated nothing new has been changed. One thing that had been requested was to provide them with additional time for the approval. He stated they

would be submitting 3 permits to DES that are needed by the State. He stated they are asking the Board to extend the Notice of Decision to 12 months instead of the 6 months. He briefly discussed the wastewater.

Mr. Behrendt stated Staff has recommended approval as modified by Mr. Poggi. He briefly discussed adding words to item 1g, on page 3, clarification to subsequent condition on page 5, item 4 "silt fence", and adding words to subsequent condition #6.

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

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

A motion was made by Mr. Fontneau and seconded by Mr. Healey to approve this application with changes as stated in the modified recommendations. Motion carried unanimously.

B. Douglas Vaughn and Nanette Fiorini, 26 Justin Lane and Thomas and Lisa Buchalski, 40 Justin Lane. Amendment to approved subdivision along Justin Lane (approved 1988) to remove easement along the side boundaries of lots 260-4 and 260-5, owned by the applicants. The easement was established to allow for a potential future city street linking Justin Lane to the rear lot 259-89 (PH)

Douglas Vaughn, applicant, stated he has received emails from Mr. Behrendt and stated he is confused.

Board members and Mr. Behrendt discussed the Notice of Decision concerning the easement, and the letter from the City Attorney.

Ms. Desjardins stated, we as a Board could look at the original Notice of Decision and move to change that.

Mr. Fontneau stated as a Planning Board we do not grant or extinguish easements. We may require a developer to place an easement on something and therefore the developer may grant an easement to someone else. He stated the City never owned that land. He discussed the letter from the City Attorney that states the Board could remove the requirement that there be an easement in the original Notice of Decision.

Mr. Vaughn gave a brief history of the property from 1978 to 1988, and Grondin Builders.

Mr. Varney suggested someone should do a County title search to find out who owns the property or who has the easement. He stated the City is not holding the easement.

A motion was made by Mr. Fontneau and seconded by Mr. Healey to remove any requirement that may or may not have been placed on this subdivision in 1988 when it was originally approved, if in fact it is found in the minutes that this was required.

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

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

Mr. Behrendt suggested putting other language in the motion that included “therefore the City of Rochester imposes no requirement upon these two lots regarding this reservation”.

A motion was made by Mr. Fontneau and seconded by Mr. Healey to amend the motion to include accepting Mr. Behrendt sentence. Motion carried unanimously.

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

Peter Stuart, Architecture for the project, stated he does not have a presentation for the Board. He briefly discussed making adjustments to the façade, the recessed area of the glass, esthetic concerns and other items for the modification.

Mr. Behrendt briefly discussed the main portal. He stated the lighting would not be illuminating and there would be no lighting behind the portal.

A motion was made by Mr. Healey and seconded by Mr. Fontneau to approve this modification with no lighting behind the portal. Motion carried unanimously.

Discussion of prior year and coming year

Items discussed:

- Last minute emails with no time to give proper and thoughtful attention
- Keeping email messages brief
- Coordinating discussions
- Notices of Decision
- Speeding up time for approvals
- Getting review process to Board members
- Recruiting new members

Ms. Desjardins stated if anyone is interested in becoming a member to go to the City Clerk's office and fill out an intent form.

Other Business:

Items discussed:

- Steve Miller, Great Falls subdivision modification
- Change workshop date for September 21 to September 28.

A motion was made by Mr. Fontneau and seconded by Mr. Healey to approve the modifications for Steve Miller, Great Falls subdivision. Motion carried unanimously.

Mr. Behrendt stated Staff has requested the Board change the September 28 meeting to September 21. September 28 is Yom Kippur, an important holiday. He stated he missed this in doing the original calendar. Note that the schedule now is September 14, September 28, and October 5. We would still have two meetings in a row.

Board members agreed to Mr. Behrendt request above.

Adjournment

A motion was made Mr. Healey and seconded by Mr. Sylvain to adjourn at 8:40 p.m. Motion carried unanimously.

Respectfully submitted,

Madeleine Carter, Secretary

(These minutes were transcribed from notes)