

**CITY OF ROCHESTER
Planning Board**

Monday, March 1, 2010 at 7:00 p.m. (regular meeting)
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(Approved March 15, 2010)

Members Present

A. Terese Desjardins, *Chair*
Tom Abbott
Richard Groat
John David Meader
Nel Sylvain
Ray Varney

Alternates Present

Rick Healey
Gloria Larochele
Stephen Martineau

Members Excused

Tim Fontneau, *Vice Chair*
Derek Peters, *Secretary*

*Staff: Michael Behrendt, Chief Planner
Kelly Walters, Deputy City Clerk*

(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 Deputy City Clerk conducted roll call.

Communications from the Chair

Ms. Desjardins reviewed the minutes from the last meeting. She advised the Committee that the topic under Other Business [*Discussion of new applications*] should be discussed on March 15, 2010, as the minutes indicated. A brief discussion took place regarding discussing the topic at this meeting. Ms. Desjardins agreed to allow a brief discussion

A motion was made by Mr. Varney and seconded by Mr. Sylvain to amend the agenda to allow a brief discussion regarding whether new applications should be reviewed at Planning Board Workshops. The motion carried unanimously.

Approval of minutes for February 22, 2010

Ms. Desjardins directed Ms. Walters to review the minutes relative to the discussion of new applications and to make an adjustment if necessary. *A motion was made by Mr. Abbott and seconded by Mr. Meader to approve the minutes of February 22, 2010. The motion carried unanimously.*

New Applications:

A. Brian V. and Mary Ellen Riley, 14-18 Snow Street (by Norway Plains Associates). 2-lot subdivision and lot line adjustment. Case # 122-26- R1-10. Public Hearing

Mr. Richard Lundborn, Norway Plains Associates, presented the request regarding a 2-lot subdivision for the Rileys. He said the purpose of the request is to create a lot to build a smaller home for his [Brian Riley] elderly parents. He stated that the lot design is irregular; this design gives the couple the ability to walk pets near the pond.

Mr. Behrendt recommended discussion and continuance to March 15, 2010. It is not ready to be accepted until a checklist is provided. He suggested the new lot lines could be redrawn, however, the City has no issue approving the request as it has been drawn. He mentioned the City did not approve a 3-lot design for this project about five years ago. He explained the reasons relative to the setbacks.

Mr. Behrendt mentioned that the adjoining house is raised significantly. He suggested posing a condition relative to the limitations on the amount of fill or height that could be allowed for this new structure.

Mr. Behrendt stated that a request has been made by Norway Plains regarding a consideration to reduce the fees.

The Board members questioned the plans for the drainage issue. Mr. Behrendt stated that the City Engineer is seeking to obtain a drainage easement. One member felt it was inappropriate to allow the drainage to travel off from Washington Street. One member mentioned other abutters would be affected. The Board, Mr. Lundborn, and Mr. Behrendt discussed the drainage issues.

Ms. Desjardins invited the public to come forward to address the Board. Mr. David Winson, Stewart Court, addressed the Board. He did not have an issue with the subdivision. However, he is concerned about the drainage. He does not want the back of his property to be affected by this drainage issue. He thanked the Board for its time.

The Board discussed the drainage issue with Mr. Lundborn again. Ms. Desjardins stated that more information would be needed in order to make an informed decision.

The Board briefly discussed the amount of fill or height for the new structure. Mr. Lundborn agreed that it would have to meet City standards.

The Sense of the Board is that the size and shape of the new lot is fine; the fees can be adjusted according to the letter submitted, which would be a total of \$350; a checklist is

anticipated for the March 15, 2010, meeting; and a discussion should take place between the applicant and the City Engineer relating to the drainage issues.

Ms. Desjardins stated that the Public Hearing would remain open until after the March 15, 2010, meeting.

Ms. Desjardins questioned if the Board objected to amending the agenda in order to give Mr. Lundborn a few moments with his client. The Board did not object.

B. A Tree Health Co. Inc., 119A Walnut Street (by Norway Plains Associates).
Site plan for new office and storage building. Case # 122-92-A/I2-10
Public hearing

Mr. Richard Lundborn, Norway Plains Associates, gave details about the addition to the garage requested by his client. This addition would create office space and more storage. A couple of zoning issues have arisen since the purchase in 1990. The plan is to meet with the Conservation Commission and the Zoning Board of Adjustment.

Mr. Behrendt recommended discussion and continuance to April 5, 2010. He stated that the project could be ready for action. If the Board felt more issues needed attention, it could be discussed again at the March 15, 2010, meeting. The Board discussed the split in the lot lines.

Mr. Behrendt made a couple of suggestions relative to the architecture. These suggestions are not contingent upon approval.

Ms. Desjardins opened the Public Hearing. No member of the public came forward.

The Sense of the Board is to meet on April 5, 2010. This gives the applicant the time to meet with the Conservation Commission and the Zoning Board of Adjustments. A checklist should be prepared for this meeting.

Discussion of Subdivision Regulations requirement for sidewalks (request for review by the City Council)

Ms. Desjardins informed the Board that Council has requested the Planning Board to review the subdivision regulations for sidewalks.

Mr. Varney stated that the request made by the Committee did **not** include the following condition: "one mile from the business district."

The Board discussed changing the term "reasonable." Mr. Behrendt mentioned that a change was made last year relating to the regulations, which leaves the requirement of sidewalks up to the discretion of the Planning Board.

The Board debated the issue and discussed impact fees and other types of funding for sidewalks.

Some members agreed to keep the criteria that regulates sidewalks be constructed if the development is one mile from a school. One member suggested that the requirement should be dependent on the size of the subdivision or sidewalks should only be required for subdivisions over a certain size, such as 10-lot subdivisions. Mr. Behrendt agreed to draft a proposal for the next Planning Board meeting on March 15, 2010.

Amendments to Planning Board Bylaws: ALL AMENDMENTS

Article II, Section 6. Removal of Members – Unexcused Absences

Article-IV, Section 7. Order of Business

Article IV, Section 9. Minutes

A motion was made by Mr. Martineau and seconded by Ms. Larochelle to accept all three amendments at once. Mr. Behrendt made some minor recommendations. The motion carried. The Board briefly discussed the RSA relating to the availability of minutes. Mr. Behrendt stated the Planning Department has five business days to complete a draft copy of the minutes.

Discussion of whether new applications should be reviewed at Planning Board workshops

Ms. Desjardins informed the Board that the Regulations Subcommittee has been conducting meetings and inviting guest to speak about the topic. More information should be ready for the Planning Board Workshop on March 15, 2010.

The Board members made suggestions such as looking into all aspects of why the process is sometimes delayed. The Board requested input from the applicants, TRC, neighboring communities, business owners, developers, and the REDC.

Ms. Desjardins requested the Subcommittee present more information at the next meeting [March 15, 2010.] She gave the dates of the upcoming meetings of the Subcommittee.

Adjournment:

A motion was made by Mr. Sylvain and seconded by Mr. Meader to adjourn at 8:23 p.m. Motion carried unanimously.

Respectfully submitted,

Kelly Walters, Deputy City Clerk

(These minutes were transcribed from notes)