

**CITY OF ROCHESTER
Planning Board**

Monday, May 17, 2010 at 7:00 p.m. (workshop)
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(Approved June 7, 2010)

Members Present

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

Member Excused

Tim Fontneau, *Vice Chair*

Alternates Present

Rick Healey
Stephen Martineau
James Gray
David Walker

Alternate Excused

Gloria Larochelle

Staff: Michael Behrendt, Chief Planner
Caroline Lewis, 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

The Chair welcomed James Gray, new alternate member, and David Walker, new alternate City Council appointee. She advised the members the Retreat will be on Thursday, May 27th 6:30 to 8:30 p.m. at the Rochester Community Center, in Board Room #2. This is the same location the last retreat was held at.

Opening Discussion/Comments (up to 30 minutes)

Mr. Richard Kalisz, Rochester School Department, addressed the Board. He advised the Board members he was there to talk about the Athletic field site at Hillsdale, on Chestnut Hill Road. He wanted to come to the workshop to explain modifications that had been made regarding access, irrigation and other issues.

Mr. Kalisz and the Board members discussed permitting, timber harvesting, storm water management, the River Walk, the wells on the property, city water, no building or parking on site, and other issues.

Ms. Desjardins thanked Mr. Kalisz for keeping the Board informed. He will come back on June 7th with detailed mapping and construction plans.

B. Discussion of general planning issues

Mr. Sylvain asked Mr. Behrendt if they were still waiting for Public Works information on the Chesley Hill project? Mr. Behrendt stated it is his understanding that this is tabled until all parties and the engineers come to an agreement, however, he will check the status.

Approval of minutes for May 3, 2010

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the minutes of May 3, 2010. Motion carried unanimously.

Modification: Mark Phillips, England Road (by Norway Plains Associates). Modification to approved 17-lot subdivision to allow for lots 263-10-3 and 263-10-16 to take access from the future road right of way via private driveways. Case # 263-10-A-07

Mr. Abbott recused himself from this case.

Mr. Rick Lundborn, Civil Engineer, Norway Plains Associates, addressed the Board. He explained when this case was approved in 2009, the approval was for 3 lots to be sold without having to build the road, as they had frontage on England Road.

Mr. Lundborn and the Board discussed the plans shown on the screen including utilities, surface of shared driveway, width of driveway, curb cuts, drainage, moving the driveway, and other issues. Mr. Lundborn stated he would make changes based on this discussion and return on June 7th.

Mr. Abbott rejoined the Planning Board.

New Application: Michael Annis, 88 Hancock Street. Site plan for food concession trailer. Case # 132-15-B2-10.

Mr. Michael Annis gave the Board a brief history of his experience with bar-b-q techniques and explained how he was going to slow cook meats at his trailer.

Mr. Behrendt advised the Board there were a number of issues with this site, but after two TRC meetings and one on site review, they have all been resolved.

The Board, Mr. Annis, and Mr. Behrendt discussed the business hours, the access points traffic patterns, location of porti-potty, electric conduit, plant pot barrier, draining of gray water storage tank, signage, items #14 and #15 in the recommendations, and other issues

The consensus of the Board was to leave the traffic pattern as it has been, and have the Code Enforcement office make the final decision on signage.

Mr. Peters made a motion to approve this application with the changes discussed. Mr. Healey seconded the motion. The motion passed unanimously

Zoning amendment: Proposal to create new Granite Ridge Development (GRD) Zoning District

John David Meader recused himself. Ms. Desjardins appointed Steve Martineau to vote for Mr. Meader.

Mr. Rick Lundborn, Chair of the Rochester Economic Development Commission (REDC) showed the Board a plan with the area slated for the Granite Ridge Development Zoning District. He explained the idea is to decrease the number of driveways and business accesses on Rte 11, but using a loop road and attracting other businesses to this area. He stated this idea has been around since 1988, addressed again in 1997 and now is in the forefront due to infrastructure, traffic, and water and sewer concerns.

Mr. Lundborn and the Board members discussed several residential lots included in the zone, grandfathered uses, city wells north of the zone, and other issues. They discussed several uses allowed, such as funeral homes, amusement enterprises, temporary structures, and drive-in-theaters. They questioned not allowing monument sales. Ms. Karen Pollard, Economic Development Director, noted the reason was not to give the appearance of a cemetery. She advised the Board they trying to encourage a flexible mixed use of the area. She stated they used exceptions and conditional uses sparingly to direct more things to come to the Planning Board for review.

The Board asked Mr. Behrendt about the time frame for making a decision. Mr. Behrendt advised the members they have 45 days, which is after the date of the next meeting on June 7th. If they are not able to make a decision that at that date, they can make a motion to ask for a 30 day extension.

Mr. Lundborn stated he has marked down the changes the Board has requested, such as changing #12 under residential uses from a Y to an N. The public hearing will be held before June 7th, and the Board will be supplied with all the comments made at the public hearing.

Proposed Memorandum of Understanding with NHDOT for Route 11

Mr. Lundborn explained a memorandum of understanding as a formal agreement between DOT and the City of Rochester requiring each side to notify the other of any activity in this new zone. It prevents either party from not knowing when someone wants to develop in this area. It makes things transparent, and keeps everyone honest.

Mr. Behrendt stated this MOU is pretty straight forward, there are a couple of typos that need to be corrected and clarification of who gets notified at the City; Public Works or the Planning Department. Mr. Varney stated the City Manager should also be notified.

Mr. Lundborn stated he could have both Public Works and the Planning Department listed as being notified in the City. Mr. Lundborn will make the corrections and return for endorsement at the next Planning Board meeting on June 7th.

Review of draft Comprehensive Rezoning Ordinance:

Article III - Administration

Article IV - Zoning Board of Adjustment and Building Code Board of Appeals

Article V - Residential Zoning Districts

The Chair announced that Article III, IV, V and VI would be reviewed at the next meeting.

Other Business

Mr. Peters advised the Board the Recreation Master Plan was going to be presented on June 10th in the Community Room.

Mr. Varney questioned why Trinity was asking for a lot line adjustment, instead of an equitable waiver? Mr. Abbott stated they do not qualify for an equitable waiver. There was discussion about any other way to deal with this issue, including fees, having the foundation backed filled and starting again. Ms. Desjardins questioned if the City can say stop, and make them correct what was done wrong.

Mr. Behrendt stated they have a right to ask for the lot line revision, then it is up to the Board if they chose to grant it or not.

The Board and Mr. Behrendt discussed notifying the City Manager of this violation, enforcement of violations, contacting the attorney, backing up the Code Enforcement Office and other issues. The Board requested a list of all violations connected with this project before the next meeting.

Adjournment

A motion was made Mr. Healey and seconded by Mr. Peters to adjourn at 8:50 p.m. Motion carried unanimously.

Respectfully submitted,

Caroline Lewis, Secretary

(These minutes were transcribed from notes)