

CITY OF ROCHESTER

Planning Board

Monday, August 2, 2010

7:00 p.m.

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

(these minutes were accepted on 8/16/10)

Members Present

Tim Fontneau, Chair
Nel Sylvain, Vice Chair
Derek Peters, Secretary
Tom Abbott
Richard Groat
Rick Healey
Gloria Larochele
John David Meader
Ray Varney (arrived at 9:05 p.m.)

Alternates Present

James Gray
Stephen Martineau
Dave Walker

Staff: Michael Behrendt, Chief Planner
Marcia J. Gasses, 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.

Mr. Fontneau called the meeting to order at 7:00 p.m. Marcia Gasses, Secretary conducted the roll call.

Dave Walker, Councilor to vote for Ray Varney, Councilor

Communications from Chair

There were none

Approval of minutes for July 19, 2010

A motion was made by Mr. Walker and seconded by Mr. Peters to approve the minutes of July 12, 2010. Motion carried unanimously.

Mr. Fontneau informed the board that there were four items on the agenda this evening that would not be heard.

VI. New Applications:

- B. **183 Washington Street, LLC., Washington Street and Hussey Hill Road** (by Joseph Wichert, surveyor). Minor subdivision to place Phase I subdivision and Phase III subdivision on their own lots. Case # 237-3-PUD-10 *Postponed until August 16, 2010*

VII.

- C. **DGH Builders, Homemakers Health Services, Rochester Hill Road** (by Norway Plains Associates). Preliminary (design review) Site Plan to construct a 40-bed Assisted Living Facility in keeping with the previously approved Homemakers Planned Unit Development (PUD). Case # 243-39-A-PUD-10 *Postponed until August 16, 2010*
- E. **D.S. & B.R. Winson Trustt, 7 Stewert Court and Chasse Street** (by Norway Plains Associates). Lot line revision. Case # 122-2-10-R1-10 *Postponed until September 13, 2010*
- F. **119 Flagg Road Development, LLC, 91 Trinity Circle** (by Norway Plains Associates). Lot line revision to correct for a foundation being placed to close to the front property line. Case #259-36-32-A-10 *Postponed until September 13, 2010*

Mr. Fontneau informed the board that item VII. B would be moved to the end of the Agenda. The representatives for Highfields Commons Planned Unit Development would be making a presentation on Geo-thermal Technology.

New Applications:

- A. **Liu's Garden, 84 Hancock Street** (by Berry Surveying). Site plan application to Establish a Chinese Restaurant. Case # 128-219-B2-10

Christopher Berry represented the applicant. Mr. Berry explained that the applicant had received a variance to establish a fast food restaurant. The applicant is asking for a waiver for a reduction in parking spaces by one from the required number. In an effort to improve access to this site and the adjoining site a shared access agreement is currently being written.

The proposal for the site includes removing the existing wood frame structure and replacing it with a new 36' x 40' building. The second floor of the building would house office space, along with storage in the basement. The existing steel structure would

remain. There is no residential component to this plan.

In an effort to manage traffic flow on the site a painted island in the center of the lot will be marked and spaces will be striped. Exiting traffic from the site will be limited to right turn only. The access as designed would allow for two lanes out if in the future the access became signalized.

Landscaping on the site will include revegetation of the rear of the lot where a prior tenant had removed the tree buffer along a trail. The applicant is proposing planting seven trees along with seeding the disturbed area. The applicant is looking for the boards input.

Grading on the site will involve complete regrading and installation of a closed drainage system with onsite infiltration. The applicant will continue to work with the DPW. The site will require a Chapter 50 permit and driveway permit, where the access is being modified from its current configuration.

Mr. Peters had a number of questions including; if the windows were fixed, the number of exits from the building, snow storage, and whether the roof was metal.

Mr. Berry was not sure if the windows were fixed or if the roof was metal. Mr. Berry explained the exit locations.

A discussion ensued in regard to this sites location and access to the adjoining site containing the BBQ business, both sites are completely paved.

Mr. Healey suggested a brick slab facing for the exterior.

Mr. Peters questioned where the employees would be parking.

Mr. Berry explained that there would be four cooks and the manager would be transporting them, they would not require vehicles.

Mr Behrendt gave staff comments. The site has full access except for left turn out. No changes are recommended to Smokin Cookout which is already approved. There is a nice path to the rear of the site but a prior tenant cleared to the City's right-of-way. More detail is needed on what the applicant proposes to plant to mitigate the situation.

This application is ready to accept as complete and recommends the board accept and continue the application until September 13, 2010.

Mr Fontneau feels this is a great looking plan. It addresses circulation issues on the site and it is great the abutters are working together.

Mr. Sylvain questioned when the trees had been removed.

Mr. Fontneau explained before the prior applicant's approval.
Mr. Behrendt explained it became a condition on the last approval.

Mr. Fontneau felt it is the current owners' responsibility and that maybe the applicant can work with the current owner as part of their negotiations.

Mr. Peters expressed concern that vegetation would be blocking the view of exiting traffic on the site. He is happy with what is proposed for the rear but would like to see the plantings cut back in the front.

Mr. Berry told the board that they would make sure the sight triangle is good.

Mr. Healey felt that seven trees were more than enough in the rear.

Mr. Berry stated they would be ok for September 13th.

Mr. Fontneau opened the public hearing. No one addressed the board.

A motion was made by Mr. Sylvain and seconded by Mr. Peters to accept the application and close the public hearing. The motion carried unanimously.

Continued Applications:

A. Rye Trust, c/o Bob McGuire III, 68 South Main Street (intersection with Dreyer Way) (by Steve McHenry, Architect). Site plan for new three-story residential and commercial building with parking. Case # 120-324-B1-10

Mr. John Chagnon represented the applicant. As part of this application the applicant is seeking a waiver to allow parking within 15 feet from front lot line.

Mr. Chagnon reviewed the landscaping and grading. The applicant is trying to minimize excavation in the area of a Verizon ductway. The grading will direct flow to a catch basin in the corner of the parking lot.

The packet the board received included architectural of the project.

Mr. Sylvain raised concerns over the trees proposed for the front of the building. Board members did not want the trees to overshadow the building. Discussion ensued.

Mr. Behrendt explained to the board that this is a great project with a great plan and he recommends approval. The applicant has a few details to work out with the Public Works Director and they are part of the conditions of approval.

Mr. Chagnon added, that if snow becomes an issue there can be a note to make sure that it is removed if the snow interferes with parking.

Mr. Fontneau feels the applicant should be commended. He opened the public hearing to any abutters that wished to speak.

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

Mr. Behrendt went over three changes to the conditions of approval: the elimination of the two trees on South Main Street, identifying the types of trees to be used, and removal of snow from the parking lot.

A motion was made by Mr. Walker and seconded by Mr. Healey to approve the application. The motion carried unanimously.

- B. Moved to the end of the agenda to accommodate presentation.
- C. Postponed until August 16, 2010
- D. Metrocast Cablevision of NH LLC, 21 Jarvis Avenue (by Norway Plains Associates). Site plan for proposed parking expansion. Case # 215-61-I-2-10

Art Nickless represented the applicant. He stated “they were just waiting for public works to sign off”.

There was a brief discussion regarding the number of handicap parking spaces.

Mr. Behrendt stated “all the sign-offs are complete”. They need one additional handicap space for a total of five. With adding the handicap space as a condition of approval he recommends approval of the application.

Discussion ensued on the location of the handicap parking space. There are a total of 33 parking spaces for Metrocast employees.

Mr. Fontneau opened the public hearing up to the public.

No one wished to speak.

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

A motion was made by Mr. Peters and seconded by Mr. Walker to approve the application. The motion carried unanimously.

- E. Postponed until September 13, 2010.
- F. Postponed until September 13, 2010.
- G. Hope Farm Real Estate Holdings LLC, 36 Peaslee Road (by Norway Plains Associates). Preliminary (design review) subdivision application for a clustered seven building (14 dwelling units) duplex development. Case # 253-49-A-10

Mr. Art Nickless represented the applicant. Mr. Nickless gave an overview of the application, which is trying to create an over 55 community on a private road.

There are a total of 9 lots. Seven lots will be on the cul-de-sac, one lot to contain the old farm house and another single lot. There is a “pitch and putt” planned as an amenity on a portion of the open space.

This evening they are looking for approval of the “cluster concept” so they can prepare an application for the Zoning Board of Adjustment.

Discussion ensued regarding the open space with Mr. Nickless explaining all lots would have an equal interest.

Mr. Nickless explained they would be looking to do a 22’ – 24’ road so that the fire truck back wheels do not go off the pavement.

Mr. Healey expressed his biggest concerns were flooding and run-off.

Mr. Nickless has not done the design yet. They will need to look at all the issues on Peasely Road. This plan contains the same amount of lots as the yield plan, yet is a much more environmentally friendly project and the applicant will be bringing out City water to the site.

Mr. Fontneau asked about the problem with financing condo’s.

Mr. Nickless explained that HUD had requirements for first time home buyers. HUD will only finance a certain portion of units in a development.

Mr. Abbott asked if all units would be required to sign an indemnification where it is a private Road.

Mr. Behrendt - yes and it may also need approval from the City Council.

Mr. Behrendt – the basic layout is the way to approach this parcel. There are quality farm soils located on the parcel. He would recommend as an optimal plan.

Mr. Walker does not endorse a waiver from City road standards.

Mr. Nickless it would not be a problem that the roads needed to be built to City standards.

Mr. Fontneau opened the public hearing.
No one spoke.

Mr. Nickless will try to get the application on the September Zoning Board of Adjustment Agenda.

A motion was made by Mr. Walker and seconded by Mr. Healey to endorse the cluster subdivision and close the preliminary application.

The motion carried unanimously.

B. Highfields Commons Planned Unit Development (PUD), Washington Street/Route 202. Amendment to PUD and approved Phase I subdivision to allow for use of private wells rather than City water. Case # 237-3,5,6,8-A-02.

Mr. Chris Strickler reviewed for the board highlights from the Groundwater Resource Impact Assessment prepared by StoneHill Environmental.

Mr. Strickler let the board know the “fire suppression system” is being reviewed. The developer is now looking at whether sprinkling would be an acceptable alternative to bringing in an 8” line.

Mr. Behrendt explained that there are questions about having the 8” main just for firefighting. The Fire Department feels sprinkling would be an acceptable alternative to the 8” main.

Mr. Carl Oreo of Water Energy Distributors, Inc., gave a presentation on Geo-thermal Technology. Highfields Commons is proposing to use Geo-thermal methods to provide heating and cooling of air and hot water for homes in the development.

Mr. Fontneau asked for an explanation of bleed.

Mr. Oreo explained it is the process of heat conducting away to a cooler environment.

Mr. Walker inquired to the refrigerant being used in the system and if there was a chance of it leaking into the water.

Mr. Oreo explained that UL requires safeties on the system and the refrigerant is not carcinogenic.

Mr. Martineau asked what the impact is on the water table.

Mr. Oreo explained the water is being returned.

Mr. Abbott asked what the bleed rate was.

Mr Oreo explained it would be 1.5 gallons per minute in January or 125 gallons over a thirty day period.

Mr. Walker asked what damage would be done by a power outage.

Mr. Oreo expressed it would be the same as if it were an oil system. He has never had any well pipes freeze.

Mr. Gray is concerned with abutters and the affect on their wells.

Mr. Strickler explained that they are very confident and are willing to indemnify.

Mr. Fontneau thanked the applicant for the presentation, it was very educational. Mr. Fontneau then opened the public hearing to the audience.

Mr. Mike Dubois thinks geo-thermal is a good idea but that they are calling for a large number of wells in a small area. He is concerned for his well.

Ms. Valerie Lebrun asked where the statistics on wells came from.

Mr. Fontneau explained that Stonehill Environmental used averages that were reported to the State when the wells were first installed.

Mr. Fontneau brought forward the request that the board put together a small subcommittee on this issue.

Mr. Varney is willing to participate but would like the topic to be discussed at the Planning Board.

Mr. Fontneau explained the idea was to set up and do it in one meeting and then bring back to the board for discussion.

The members will be Mr. Varney, Mr. Peters, Mr. Sylvain, Mr. Abbott, and Mr. Gray.

Mr. Behrendt will schedule the meeting for Thursday at noon in the conference room.

The amendment is to allow for private wells versus City water. There are two main issues, firefighting and quantity. If the Planning Board approves the concept, other than the quantity, Mr. Strickler will then proceed with a test well.

Mr. Varney questioned the missed abutter notification on the original Planned Unit Development.

Discussion ensued as to who is responsible for notifying abutters.

A motion was made by Mr. Walker and seconded by Mr. Peters to postpone the Comprehensive Rezoning discussion. The motion carried unanimously.

Other Business:

Mr. Peters informed the board that the draft Recreation Master Plan should be ready in September or October.

Mr. Varney commented on how he liked the use of the computer for visuals much better than the overhead projector.

A motion was made by Mr. Sylvain and seconded by Ms. Larochelle to adjourn at 10:30 p.m.

The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses, Secretary
(These minutes were transcribed from notes)