

**City of Rochester
Planning Board**

Monday March 7, 2011 at 7:00 p.m. (Regular Meeting)

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

(Approved on March 21, 2011)

Members Present

Nel Sylvain, *Chair*

Tim Fontneau, *Vice Chair*

Derek Peters, *Secretary*

Tom Abbott

Rick Healey

Gloria Larochelle

Stephen Martineau

David Meader

Dave Walker, City Councilor

Alternate Members Present

James Gray

Alternate Members Absent

Robert Badeau

Staff: Michael Behrendt, Chief Planner

Marcia J. Gasses, Planning 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.)

Mr. Sylvain called the meeting to order at 7:00 p.m. The planning secretary conducted the roll call.

Communications from the Chair

There were none.

Approval of the Minutes

A motion was made by Mr. Walker and seconded by Mr. Healey to approve the minutes of the February 28, 2011 Workshop Meeting. The motion carried unanimously.

Consent Agenda

- A. Brian & Mary Ellen Riley, 18 Snow Street.** Extension to meet precedent conditions for 2-lot subdivision (by Norway Plains Associates) Case # 122-26 & 30-R1-10
- B. Homemakers Health Services, 215 Rochester Hill Road.** Extension to meet precedent conditions for 2 lot subdivision (by Norway Plains Associates).

A motion was made by Mr. Walker and seconded by Mr. Meader to approve the Consent Agenda. The motion carried unanimously.

New Applications

- A. William J. Lashua and Daniel L. Ricker & Alison K. Hagar, 7 & 11 Old Wakefield Road** (by Berry Surveying). Lot line revision. Case # 202-14&15-A-11

Christopher Berry of Berry Surveying represented the applicants. Mr. Berry explained that Mr. Ricker is looking to revise the lot line with Mr. Lashua in order to provide the Ricker's with a 20,000 s.f. lot and the Lashua's with a 40,000 s.f. lot.

Mr. Behrendt had recommended a condition that the 50' buffer around the stream be added.

Mr. Berry explained that the applicant would like the ability to leave the shed in the Northcoast right of way until the time Northcoast requires the applicant remove it.

Mr. Sylvain opened the public hearing.

No one spoke.

The public hearing was closed.

Mr. Peters stated that the applicant could not create a third lot, that the applicants are just adjusting the lot line.

Mr. Fontneau saw this as a win / win situation. The applicants are increasing the size of the nonconforming lot and recommends the waiver be granted for relief from the wetlands delineation.

Mr. Sylvain questioned Mr. Berry in regards to the shed.

Mr. Berry stated that the applicant would move the shed if they are required to do so, he has not spoken with them.

Ms. Larochelle questioned whether it might not be their shed.

Mr. Behrendt explained that there is also a swing set in close proximity to the shed.

Mr. Fontneau explained that this is an active railroad line and if Northcoast was concerned they would bring it up.

Mr. Gray asked if there would be adverse possession.

Mr. Behrendt explained that adverse possession does not apply to railroads.

A motion was made by Mr. Fontneau and seconded by Ms. Larochelle to approve the waiver to not require delineation of the wet land as no new lot is being created, accept and approve the application with the requirement the shed be removed from the Northcoast property. The motion carried unanimously.

B. The Housing Partnership, 56 Chestnut Street (by Ambit Engineering). 2 lot subdivision of lot containing one duplex and one single family home. Case # 124-163-R2-11

Mr. Fontneau recused himself from this application.

Mr. Gray to sit for Mr. Fontneau.

Jack Peduzzi of the Housing Partnership explained how the applicant had acquired federal funds for the purpose of neighborhood stabilization. The intent was to purchase foreclosed properties with the intent of renovation of the worst in the neighborhood and reselling to owner occupants. Having the two currently located on one lot makes it difficult for them to resell and for applicants to acquire financing.

The footprints of the building have not changed and the number of bedrooms has been reduced by one.

John Chagnon of Ambit Engineering explained that lot 1 contains a single family home while lot 2 will contain the duplex. The ZBA approved the necessary variances. The easements will be clearly defined on the plans for each lot.

A motion was made by Mr. Gray and seconded by Mr. Walker to accept the application as complete. The motion carried unanimously.

Mr. Sylvain opened the public hearing.

Mr. Bob Duffy addressed the board. It was his feeling that this project is an asset to the neighborhood.

Mr. Behrendt recommends approval.

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

Mr. Peters questioned whether all the setbacks were met.

Mr. Behrendt stated yes. There is an existing nonconformity on the side.

Mr. Sylvain asked if there are three homes using one driveway.

Mr. Chagnon stated that there is an agreement in place for shared maintenance. The properties will be sold with requirements and rights.

Mr. Peters only concern was the lack of any green space. The total area appears to be pavement.

Mr. Sylvain questioned whether the Lallas home has a driveway on the west side of the building.

Mr. Chagnon explained that the Lallas home is a multifamily and the occupants park on both sides of the building.

Mr. Peters stated that he wished they were not adding more pavement.

Mr. Behrendt explained that the applicant is adding very little pavement, that the site is basically remaining the same. The additional pavement being added is necessary to help with turning.

A motion was made by Mr. Martineau and seconded by Mr. Healey to approve the application.

Mr. Sylvain called for a roll call vote.

Mr. Abbott	yes
Mr. Healey	yes
Ms. Larochelle	yes
Mr. Martineau	yes
Mr. Meader	yes
Mr. Walker	no
Mr. Gray	yes
Mr. Peters	no
Mr. Sylvain	no

The motion carried 6-3

The board took a five minute recess.

Review of draft Comprehensive Rezoning Ordinance

Mr. Behrendt suggested the board hold a public hearing on April 18, 2011. There are approximately a dozen letters from citizens requesting zoning for certain parcels of land.

Mr. Walker explained the parcels identified in the letters have either been incorporated into the map or denied.

Mr. Walker stated that Highway Commercial 3 needs to be added to the map.

The committees in the past have had at least two public hearings and there will be two more to come. A public hearing will be held at the Planning Board level and another at the Council level.

Mr. Behrendt stated that the people supplying the letters have requested to be notified as well.

Mr. Walker stated that the committee tried to minimize the occurrence of dual purpose lots.

Mr. Behrendt explained that the Historic District was not changing or any of the overlay districts.

Mr. Walker suggested that there be a blown up insert of the Special Downtown and Historic Districts.

Mr. Peters questioned an area of the map which showed light industrial surrounded by residential.

Mr. Behrendt explained that is the area where Lydall is located. Access for Lydall is from Chestnut Hill Road.

Mr. Fontneau stated that the board needed maps that are large enough to read.

Mr. Behrendt will have those provided for the next meeting.

Other Business

Mr. Behrendt explained a letter had been mailed out in regard to the State Transportation Plan. Councilor Varney had asked the Planning Board for input.

Ms. Larochelle stated she had looked at the plan; it is a ten year plan.

Mr. Behrendt stated that if the board wanted to get involved it would be fairly time consuming.

Mr. Walker expressed that the conversation regarding the plan should have taken place back in January.

Mr. Peters stated the board has taken a stand on Granite Ridge and Salmon Falls Road.

Adjournment

A motion was made by Mr. Peters and seconded by Mr. Walker to adjourn at 8:05 p.m. The motion carried unanimously.

Respectfully Submitted

Marcia J. Gasses
Planning Secretary