

**City of Rochester  
Planning Board**

Monday December 5, 2011 at 7 p.m. Regular Meeting  
City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on December 19, 2011)*

Members Present

Nel Sylvain, *Chair*  
Derek Peters, *Secretary*  
Rick Healey  
Gloria Larochelle  
Stephen Martineau  
John Meader  
Mark Sullivan  
Dave Walker, Councilor

Members Absent

Tim Fontneau, *Vice Chair* (excused)

Alternate Members Present

James Gray

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

(These are the legal minutes of the meeting and are in the format of an overview 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)

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

Mr. Gray to vote for Mr. Fontneau

Mr. Martineau arrived at 7:02 p.m.

**Communications from the Chair**

Mr. Sylvain announced that item VIII, Discussion of Surety procedures would be postponed due to the absence of Mr. Fontneau and Mr. Ortmann's vacation. The discussion will be moved to the December 19, 2011 meeting.

Mr. Sylvain thanked Mr. Peters for setting up the retreat and for the board members taking the time to participate.

## Approval of the minutes for November 21, 2011

*A motion was made by Mr. Walker and seconded by Mr. Peters to approve the November 21, 2011 Workshop meeting Minutes. The motion carried unanimously.*

**Amendment: Fownes Mill Development, Gagne Street.** Amendment to approved project to allow for 80 elderly housing units in lieu of the 51 standard units in the mill style building. Case # 121-32, 32-1, & 37-B1-05

Richard Lundborn of Norway Plains Associates represented the applicant. Mr. Lundborn explained that there would be no physical changes to the large building. The site would include 51 interior and 51 exterior spaces for a total of 102. This would exceed the required 80 spaces required under elderly housing. The application is on the Zoning Board of Adjustment Agenda for a special exception under Article 42.23 (c)(26) of the City's Zoning Ordinance to allow elderly housing in the B-1 Zone and a variance under Article 42.23 (c)(26)(A) of the City's Zoning Ordinance from the criteria of the special exception to allow greater density.

Mr. Behrendt explained that the item was on the agenda for discussion purposes, where the applicant still needed to appear before the Zoning Board of Adjustment. Elderly housing is allowed in the Business 1 Zone by Special Exception but the density only allowed for 14 units per acre.

Mr. Behrendt also suggested a condition be added to the approval that the side and rear elevation be added to the plans.

Mr. Sylvain opened the public hearing.

No one spoke.

Mr. Sylvain stated the public hearing would remain open and brought the discussion back to the board.

Mr. Walker asked if all other conditions of approval would remain the same.

Mr. Lundborn explained that the drainage had been improved; cleanup and vegetation had been done.

Mr. Behrendt stated that the amendment would also need a waiver to allow for more units than had previously been approved.

Mr. Healey asked if there would be a problem with the stairways.

Mr. Lundborn explained there were elevators planned originally and this plan would also include elevator access.

Mr. Walker asked if there would be bridge access and walking paths.

Mr. Lundborn stated yes.

Mr. Sullivan asked about the original Fire Department concerns.

Mr. Walker explained that the plan had been to connect with the river walk.

The application was continued to December 19, 2011

## **New Applications:**

**Rochesterdom, LLC, 300 North Main Street** (by Norway Plains Associates) Site plan for renovation of Tri-City Transmission into a 3 tenant commercial building uses: pizza shop, frozen yogurt, to be determined. Case # 115-39-B2-11

Richard Lundborn of Norway Plains Associates explained that the site is the location of the former Rochester Transmission. He showed the existing conditions of the site. The DOT provided a state curb cut and Ten Rod Road access. The impervious surface area will remain virtually the same. Currently a pizza shop and yogurt shop are planned, with the last shop to be determined.

Mr. Lundborn explained the lights would only be 14' in height and the proposed construction would be an improvement to the site and blend in nicely with the area.

Mr. Behrendt stated the site would be changing minimally and the City engineer is reviewing the engineering of the site.

Mr. Behrent explained there are two letters from abutters regarding the application. There is one from the owners of Brocks concerning their access. This was a letter which was not specific to the application before the board.

There was a second letter from the owners of the Globe Plaza regarding access.

Mr. Behrendt recommended acceptance.

Mr. Sylvain opened the public hearing.

Mr. Gilbert of the Globe Shopping Plaza expressed his desire to find the most effective way to circulate traffic. He had contacted Mr. Jenks to work with him to address parking and improve access and egress. They were not objecting to the project but expressed a desire to work with them.

Attorney James Shulte representing Melody Viel, stated that in the spring of 2009 they had spoken with Mr. Gilbert about share access and even proposed consolidated lots. The plan presented is a good plan and if approved the new owner may be able to work with the Globe owners. If that was to happen they could come back with a revised plan.

Mr. Sylvain stated the public hearing would remain open.

Mr. Walker asked if Route 11 would be an exit or entrance.

Mr. Lundborn stated both.

Mr. Walker asked what the distance to the intersection was.

Mr. Lundborn stated 120' and DOT would make the decision to restrict left turning.

Mr. Peters asked if there were monitoring wells on site.

Mr. Lundborn explained that testing had been done and the wells were just being left in place.

Mr. Peters asked if the City was okay with the access plan for Ten Rod Road.

Discussion ensued regarding the location of traffic lights.

Mr. Gray would like to see an agreement with the Globe happen.

Mr. Sullivan expressed confusion over what the objection was.

Mr. Sylvain asked Mr. Gilbert to address the concerns.

Mr. Gilbert explained that the prior discussion was for a different site plan and that buyer went away. There had been a significant amount of money invested in the traffic light by the Globe Company.

Mr. Sylvain asked if it was possible for the three parties to get together.

Mr. Shulte clarified it was possible but it was also possible that they could talk and not come to an agreement.

Mr. Gray questioned where the pizza delivery drivers were going to park.

Mr. Jenks explained there would be a side entrance and there would be no need to park in the fire lane.

Mr. Peters stated that it was not for the board to hold up the application but he did think the parties should get together.

Mr. Sylvain questioned Mr. Lundborn on the required number of handi-cap spaces.

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

Mr. Behrendt suggested continuing the application to December 19, 2011.

Mr. Sylvain asked the item be placed on the December 19, 2011 Agenda

**B. The Frisbie Foundation, 245 Rochester Hill Road. 245 Rochester Hill Road.** Site Plan to construct an approximately 8,000 square foot medical office building at the existing Rochester Hill Family Practice site. The proposed medical office will become the new location for Rochester Pediatrics. Case # 243-38-1-A-11

Richard Lundborn from Norway Plains Associates described the current 3.95 acre parcel. The applicant had received variances and special exceptions to be in the Agriculture Zone. The building would be 8,000 square feet.

DOT had spoken with Scott Lawler and was willing and agreeable to allow a curb cut out for the Society for NH Forests.

The practice will be utilizing the current sign on site.

Mr. Behrendt explained he did not see any significant issues. He recommended holding the public hearing and closing the Preliminary Application.

Mr. Sylvain opened the public hearing Application. The public hearing will remain open.

Mr. Peters asked if they would be relocating the dumpster to the rear and the purpose of the gravel drive.

Mr. Behrendt stated that the gravel drive was for fire trucks.

Mr. Peters was concerned with the steep drop off.

*A motion was made by Mr. Walker and seconded by Mr. Peters to close the Preliminary Application and move to a formal application. The motion carried unanimously.*

The application will be heard on January 9, 2012

**Discussion of Surety Issues:**

Moved to December 19, 2011

**Snow Street Extension**

**Brian & Mary Ellen Riley 14-18 Snow Street.** Subdivision and Lot Line Revision  
Case # 122-26-R1-10 **Extension**

*A motion was made by Mr. Gray and seconded by Mr. Peters to grant an extension to meet precedent conditions to December 6, 2011. The motion carried unanimously.*

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**Adjournment**

A motion was made by Mr. Walker and seconded by Mr. Gray to adjourn at 7:55 p.m.

Respectfully submitted,

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

