**City of Rochester Planning Board**

Monday July 7, 2014

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on August 4, 2014)*

*Members Present*

Nel Sylvain, *Chair*

Rick Healey, *Vice Chair*

Gregory Jeanson, *Secretary*

Tim Fontneau

 Robert Jaffin

Matthew Kozinski

Mark Sullivan

Dave Walker

Thomas Willis

*Members Absent*

Fred Leonard, Absent

*Alternate Members Present*

Charles Grassie (arrived at 7:02pm)

James Gray

Staff: Michelle Mears, Staff Planner

 Crystal DeButts, 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.)

Mr. Sylvain called the meeting to order at 7:00 p.m.

The Secretary conducted the roll call.

**III. Seating of Alternates**

No alternates were needed.

**IV. Communications from the Chair**

Mr. Sylvain asked the Board if they would object to canceling the workshop meeting on July 21st. No one from the Board objected.

Mr. Sylvain stated they received a request to recommend Sandra Keans for reappointment to Strafford Regional Planning Executive Commission.

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to recommend Sandra Keans for reappointment. The motion carried unanimously.*

**V. Review and discussion of the DRAFT Sign Ordinance**

Ms. Mears informed the Board she has looked at the Sign Ordinances from different communities within the State as well as the International Code Council. She noted that the material is just a draft and she is seeking the Boards input.

The Board went on to discuss light colors for electronic signs.

Ms. Mears stated the Historic District Commission will be review the draft ordinance at their meeting on Wednesday July 9th. Mr. Sylvain said there may have to be a section strictly for HDC signs and height, as it has been an issue in the past.

**VI. Approval of Minutes**

*A motion was made by Mr. Walker and seconded by Mr. Healey to approve the June 16, 2014 meeting minutes. The motion carried unanimously.*

**VII. Extension/Continued Applications**

 **A. Tim and Sally Fontneau, 1062 Salmon Falls Road**

Mr. Fontneau recused himself.

Timothy Fontneau presented his application for an extension to the Board. He asked the Board for a one year extension in order to figure out what to do with the barn that is located on the subdivided parcel.

*A motion was made by Mr. Jeanson and seconded by Mr. Walker to approve the one year extension request. The motion carried unanimously.*

Mr. Fontneau rejoined the Board.

**VII. New Applications**

 **A. Paradis Subdivision, 146 Flagg Road**

Christopher Berry of Berry Surveying and Engineering stated he was representing the Paradis family. He went on to explain the plans for the subdivision. Mr. Berry explained the parents started building a house for their daughter a few years ago, and now the son has started building a home on the lower part of the lot. Mr. Berry went on to say the parents are trying to straighten up the lot lines for Lot 51 which contains an existing barn. Mr. Berry stated currently the sister’s lot driveway and the parent’s lot driveway will remain, however they are proposing a driveway easement for the brother lot.

Mr. Sylvain opened the public hearing. No one came forward.

Mr. Willis asked where the septic tank is located on the parents lot. Mr. Berry explained it is not shown on the current set of plans; however he pointed out the location and stated it will be shown on the final plan.

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

 **B. First City Motors, 16 Milton Road**

Christopher Berry of Berry Surveying and Engineering stated he was there representing the applicant Ervine Fazekas for the preliminary site plan. Mr. Berry explained the plan is to keep the existing structure to use as office and storage space and add a small parking area.

Mr. Berry went on to say they will be eliminating the two existing curb cuts from Milton Road and plan on putting in a rain garden in the front of the lot to help with drainage. They also plan on installing low trees along the road to provide screening as well as lighting for the lot.

Mr. Sylvain asked how far from the road the cars would be parked. Mr. Berry responded approximately 30 feet. Mr. Sylvain warned the first time a car is parked in the City Right of Way they will be shut down, as this is an ongoing issues within the City. Mr. Berry said he understood.

 **C. Salmon Falls Disc Golf, 40 Bernard Road**

Doug Lachance of Unified Industries stated he was there with Dennis Grzywacz of Acme Disc Golf, LLC to present the site plan for a Disc Golf Course. Mr. Lachance stated the course will be located on the Gauthier Farm beyond the sand pit.

Mr. Sylvain opened the public hearing.

John and Cheryl Buffum of 7 Jan Court stated they had a few concerns with having the course located behind their house. One concern is the hours of operation being from listed as from dawn to dusk and the course being open year round, the second concern is the course will be a sign in honor system, the Buffum’s stated they are concerned no one will be there to supervise the course, and their third concern is people wondering onto their property at night.

Councilor Ray Varney reminded the applicant that Bernard Road is not on the list to be rebuilt, and stressed to the Board that having more traffic may be an issue for the road.

Mark Salinger of 5 Jan Court stated he is also the Community Manager and is very concerned with there being a possible fire on the course if there isn’t going to be any supervision.

Julia Griewank of 39 Bernard Road reminded the Board the road beyond the houses is private.

Helen Ross spoke for her mother Thea Cohen of 50 Temple Drive stating she sent an email to the James Campbell which listed all of their concerns with the course.

Mr. Sylvain informed Ms. Ross the Board did have a copy of the email.

Mr. Lachance stated there is a gate on the road which will be closed and chained at night. He also stated that when Tara Estates was approved there was suppose to be a fence installed along the property line and it never was. Mr. Sylvain asked the Planning Department to look into the issue with the fence.

Mr. Lachance went on to say there will be a port-o-potty on site for people to use, and he fully recognizes the City will not rebuild the road.

Dennis Grzywacz informed the Board that he or one of his associates will be at the course 7 days a week to check the course, kiosk, and police the property. He went on to say he acknowledges there will be a few “bad apples”, but there will be someone there to patrol the course and clean up the area.

Mr. Fontneau asked if there would be any construction for the course. Mr. Grzywacz responded no, only pruning for the paths. Mr. Fontneau asked about noise from the game. Mr. Grzywacz said there may be some cheering from scoring a basket, but it’s usually fairly quiet. Mr. Fontneau then asked how close the nearest basket would be to Tara Estates. Mr. Grzywacz responded approximately 200 – 300 feet, and he believes it would be impossible for a disc to land in anyone’s yard at Tara Estates.

Mr. Sullivan asked if there would be a membership. Mr. Grzywacz said it will be a private course so yes, a membership or day pass would be required.

Mr. Fontneau asked if there have been any issues at the Disc Golf Courses with kids. Mr. Grzywacz stated kids under the age of 20 really haven’t gotten into the game.

The Board discussed with applicants what would be acceptable hours of operation.

*A motion was made by Mr. Healey and seconded by Mr. Fontneau to approve the application with the conditions the hours of operation be 7:00 am to 8:00 pm during the summer, 7:00 am to 5:00 pm during the winter, there must be a port-o-potty, and trash receptacles on site. The motion carried. Mr. Walker opposed.*

 **D. Rides of Rochester, 99 Milton Road**

The applicant was not in attendance to present the project.

 **E. The Townhomes at Highfield Commons, Fillmore Boulevard**

Matt Peterson of Hillside Design Group stated he was representing 183 Washington Street, LLC. Mr. Peterson went on to explain the site plan for phase 2B stating it’s a continuation of the PUD from 2005. Mr. Peterson said the architectural have change from garden style apartments to townhome style and the rent is $1795 per month. Mr. Peterson went through the 18 pages of the site plan with the Board and stated phase 2B consist of four more buildings which will not have gutters due to the design so there will be a drainage pipe in the back of the lot to help with drainage.

Mr. Sylvain opened the public hearing.

Ed Pottberg of 72 Fillmore Boulevard stated he’s had issues with the developer since moving in. Mr. Pottberg said his main concerns are road maintenance, dust, the drainage hole in his front yard, the hardwood floors in his home are coming apart, and there are cracks in his walls and foundation, and he’s unable to use his property because it’s always wet due to poor drainage. Mr. Pottberg said he’s been in contact with the Attorney General’s office as well as the Better Business Bureau and after several attempts neither office is able to get in contact with the developer.

Eric Sirles of 10 Pierce Drive read a letter from James and Ellen Lynch of 6 Pierce Drive which stated they are opposed to any further construction in Highfield Commons. They are concerned that the rental units will be section 8 and will decrease the value of their property.

Mr. Sirles stated he never would have purchased his home if he knew there was going to rental units. He said he and the other residents asked about having a keyed gate to separate them from the rental units but they were told no. Mr. Sirles said another issues is the Park and Ride at the end of Fillmore Boulevard, stating its already dangerous pulling out on Washington Street and now with an added 96 units it will only get worse.

Mr. Peterson said he understands the resident’s concerns and there have been many changes made to the site plan since the original approval in 2005 like the commercial development located behind the abutter’s homes that are at this meeting. He went on to say they are not looking to rent to section 8, things just aren’t moving as quickly as they’d like due to the worst recession since 1929.

Mr. Peterson said they are trying to get the road accepted by the City because Waste Management won’t collect until the road has been accepted.

Mr. Fontneau said the current plans for the PUD are much better than what was originally approved.

Mr.Sylvain suggested speaking with Building, Zoning, and Licensing Services regarding the issues with construction.

There was a discussion between the Board and Mr. Peterson regarding what may be able to be done in order to get the road accepted so the resident’s can get the services.

*A motion was made by Mr. Sylvain and seconded by Mr. Healey to table the application to the August 4, 2014 meeting. The motion carried unanimously.*

**IX. Other Business**

 **A. Strafford Metropolitan Planning Organization**

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to nominate Gretchen Young to Technical Advisory Committee. The motion carried unanimously.*

**X. Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Jeanson to adjourn at 9:40 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary