**City of Rochester Planning Board**

Monday August 18, 2014

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on September 8, 2014)*

*Members Present*

Nel Sylvain, *Chair*

Rick Healey, *Vice Chair*

Tim Fontneau

Robert Jaffin

Matthew Kozinski

Mark Sullivan

Dave Walker

Thomas Willis

*Members Absent*

Gregory Jeanson, absent

*Alternate Members Present*

Charles Grassie

James Gray

Lionel Lachapelle

Fred Leonard

Staff: Michelle Mears, Staff Planner

 Seth Creighton, 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 Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Leonard to vote for Mr. Jeanson.

**IV. Communications from the Chair**

There were no communications from the Chair.

**V. Opening Discussion/Comments** (up to 30 minutes)

## A. Public comment

There was no one from the public present to speak.

## B. Discussion of general planning issues

None of the Board members had any issues to discuss.

**VI. Approval of Minutes**

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to approve the August 4, 2014 meeting minutes. The motion carried unanimously.*

**VII. Green Infrastructure/Stormwater Regulation Rewrite**

Robert Roseen of Geosyntec Consultants, Inc. stated the intent was to keep the essential things of Chapter 50 and update the central body to make it easier for applicants to navigate. Mr. Roseen went on to highlight the major changes. Section 50.2 is a new section, which describes to the applicant what the application looks like and what the process is; Section 50.3 Provisions and standards lays out the general rules and critical standards. Mr. Roseen said there will also be annual reporting which would simplify things for Public Works.

Mr. Sylvain asked who would be doing the inspections. Mr. Roseen said the inspections would be done through the applicant. Ms. Young informed the Board for larger projects a third party Engineer would be selected by Public Works, and for smaller projects the applicant would hire an engineer for the inspections. Mr. Walker asked what type of qualifications the inspector needs to have. Ms. Young explained there are a couple different people that would be qualified, such as a Professional Engineer, a certified Erosion Control Specialist, or a professional in Stormwater Quality.

Mr. Roseen went on to explain the other updates to Chapter 50 such the standards for new development, the level of treatment under the water quality section and the stormwater management systems. He went on to say Section 50.10, the addition of maintenance requirement, the need for a pre-construction meeting, and discussion of post construction maintenance.

Mr. Sullivan asked where all data comes from. Mr. Roseen stated they have compiled data from the South East Watershed Alliance, as well as parts of Durham, Newington, and Nashua. He added they didn’t intend on writing a new Chapter 50 so they borrowed portions from other communities.

Mr. Walker asked that they clarify what “pollutants” are. Mr. Roseen suggested putting it in the definitions.

The Board and Mr. Roseen went on to discuss who will be responsible for maintenance once all the development is completed. Ms. Young said it would depend on what the notice of decision said. Mr. Willis stated if there is a Home Owners Association then the homeowners are responsible, however if and when the City accepts a street then the City would be responsible. Mr. Leonard suggested making it a condition in the notice of decision that there be a Home Owners Association in place.

Mr. Sylvain called a recess at 8:09pm

Mr. Sylvain called the meeting back to order at 8:16pm

**VIII. Rides of Rochester**

Mr. Fontneau recused himself from the Board for this project. Mr. Sylvain asked Mr. Grassie to vote for Mr. Fontneau.

Jason Gagnon presented the plan for the number and placement of cars the Board had requested at the previous meeting. Mr. Gagnon explained the layout of the plan saying he will put in a center line on the entrance with two defined enter and exit lanes. He went on to say he would like 14 vehicles along the side of the fence that abuts the residence, 16 vehicles in the center of the lot, 13 vehicles along the opposite fence, 6 spaces for customer and employee parking, and 12 vehicles along the rear fence line for vehicles that are waiting for service and titles.

Mr. Sylvain opened the public hearing.

Timothy Fontneau stated he owned the abutting residence and he still has the same concerns as at the last meeting. He went on to express his concerns about having vehicles parked in the rear of the building, saying he fears it may become a junk yard. He pointed out that Mr. Gagnon stated at the last meeting he intended on having picnic tables and an area that his children could play behind the building and that was why he cleaned out the trees, and now the plan shows he wants to have vehicles parked there. Mr. Fontneau requested that the vehicles that will be parked along the fence that abuts his property be parked only on the pavement and not on the grass area as he is concerned with exhaust fumes going into the residence as it is only 10 feet away.

Mr. Sullivan asked if there were any updated staff recommendation. Seth Creighton, Staff Planner informed the Board all the previous recommendations still stand. Mr. Creighton did suggest they cut down the number of vehicles in the rear of the building, he also asked the Board for their input for the hours of operation.

Mr. Sullivan asked if the vehicles shown in the rear of the building are up against the fence. Mr. Gagnon said they are approximately 2 feet off from it.

Mr. Walker asked where the handicap parking spaces and snow storage will be. Mr. Gagnon explained where he plans on putting the snow, and said he wasn’t aware he needed handicap parking.

The Board explained the need for handicap parking informed Mr. Gagnon a handicap space needs to be close to the entrance door to the building.

Mr. Sylvain explained to Mr. Gagnon the notice of decision will be very specific because of issues they have had with other used car dealers in the city, and stressed there is not to be any work done on the cars.

Mr. Walker asked if the applicant had checked on the location of the sign as it can’t be in the city’s right of way. Mr. Sylvain told Mr. Gagnon to check with Jim Grant and Gretchen Young and if they are okay with the location than it can stay where it is, however the Board will need a letter from Mr. Grant or Ms. Young confirming they are okay with it.

Mr. Grassie suggested the applicant plant evergreen trees along the back in order to keep a buffer from the homes.

The Board discussed with Mr. Gagnon the minimum buffer needed from the rear lot line. Mr. Grassie stated the area should be replanted because right now the area is stripped. The Board agreed there should be a 15 foot buffer from the property line and the applicant will replant the area.

Mr. Fontneau asked about the drainage for the property. Mr. Creighton informed the Board Mr. Gagnon has worked with Norway Plains Associates on how to deal with the drainage.

Mr. Sylvain told Mr. Gagnon to work with the Planning Department for the number of evergreens that will be needed; he also said the trees should be at least 8 feet high to start with.

The Board went on to discuss the hours of operation and the number of vehicles, and agreed the hours will be Monday thru Saturday 8:00am to 5:00pm for detailing, Monday thru Saturday 8:00am to 7:00pm for sales, Sunday 8:00am to 7:00pm by appointment only with no detailing. The total number of vehicles is 53 including the appropriate number of spaces for handicap parking.

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

**IX. Review of the Draft Sign Ordinance**

Ms. Mears told the Board she’s brought the draft Sign Ordinance to the Historic District Commission, the Economic Development Committee, Rochester Main Street, it will be going to the Chamber of Commerce at the end of August, and has met with Jim Grant and Jim Campbell as well as other staff members.

Ms. Mears highlighted the changes, which include eliminating balloons, streamers, and pinwheels from Commercial businesses on page 185 item I-VI. The Board discussed inflatable balloons.

*A motion was made by Mr. Fontneau and seconded by Mr. Healey to strike item I-VI from the DRAFT Sign Ordinance. The motion carried unanimously.*

Ms. Mears went on to talk about electronic signs, saying the recommendation is “shall not exceed .3 foot candles at night” and a change of display time from 8 seconds to 5 seconds.

Mr. Sylvain asked if it would be possible to enforce the new Ordinance of existing signs. Mr. Grassie stated he believes if it’s a safety concern then it would be enforceable.

Ms. Mears and the Board discussed language regarding political signs and signs in business windows. The draft says a sign shall not exceed 25% of the window size. Mr. Willis asked if that would apply to grocery stores. After discussion, Ms. Mears suggested restricting it to the Historic District. The Board agreed.

**X. Other Business**

 **A. Trinity Circle**

Mr. Sylvain asked Ms. Young for an update on Trinity Circle. Ms. Young informed the Board the Pump Specialist looked at the pump station and there is approximately $13,000 worth of work to be done. She also said SUR will be doing the site improvements, however they are fitting it into their schedule so they can only work on it when they can.

Mr. Sylvain asked Ms. Young to have an update for the Board at the next meeting.

 **B. Cedar Brook Village**

Mr. Walker asked the Planning Department to check the notice of decision for Cedar Brook Village. He said there is an issue with the complex not having a stop sign.

 **C. Tara Estates**

Mr. Sylvain asked the Planning Department to check with the City Attorney to find out how long they are allowed to enforce a notice of decision.

**XI. Adjournment**

*A motion was made by Mr.* Walker *and seconded by Mr. Jaffin to adjourn at 9:36 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary