**City of Rochester Planning Board**

Monday September 22, 2014

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on October 6, 2014)*

*Members Present*

Nel Sylvain, *Chair*

Rick Healey, *Vice Chair*

Matthew Kozinski, *Secretary*

Charles Grassie

Robert Jaffin

Mark Sullivan

Dave Walker

Thomas Willis

*Members Absent*

Tim Fontneau, absent

Lionel Lachapelle, absent

*Alternate Members Present*

James Gray

Fred Leonard

Staff: James Campbell, Chief 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 7:01 p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Leonard to vote for Mr. Fontneau.

**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. Kozinski to approve the September 8, 2014 meeting minutes. The motion carried. Mr. Jaffin and Mr. Willis both abstained.*

**VII. Norway Plains Road – Phase 1 Approval**

Tom Severino represented NP Rochester, LLC stating they were last before the Board about a year ago to phase the Norway Plains Rd subdivision. He said they have since completed the pavement top coat and they are now finishing the curbing in Phase 1. He supplied the Board with a plan showing the phases of the development and stated the first loop shaded in blue is what they are asking to be accepted as a City street as it will be completed by the end of the month. Mr. Willis clarified the area shown in red is only a binder coat of pavement and they are not asking for acceptance of that portion street at this time. Mr. Severino said that was correct. Mr. Willis asked about the 5 homes on a section of road that is completed but not part of the loop they are seeking acceptance for. Mr. Severino said the he needs to change the coloring on the plan as they do not request that this area be accepted yet, and they will continue to take of them privately. He also said he knows it has been a long time since this subdivision was approved; however it’s been a bad economy and that is the reason the buildout is slow.

Mr. Willis asked who has been maintaining the pump station. Rob Graham of NP Rochester, LLC said they have a company that maintains it, and that he would like to thank Rochester DPW for giving them pointers on what to do with the pump station and maintenance.

Mr. Campbell informed the Board he spoke to the developer about them wanting to relocate some of the trees to a different location other than what is shown on the plan. Mr. Severino said Mr. Graham had spoken to the abutters and they have reached an agreement, are NP Rochester, LLC will still plant trees near the abutting property line(s), though they’ll be in a slightly different spot then shown on the plan.

*A motion was made by Mr. Healey and seconded by Mr. Walker to send the request for street acceptance to the City Council. The motion carried unanimously.*

**VIII. Milton Road Corridor Discussion**

Staff Planner Seth Creighton introduced this project to the board. He said that per the request of City Council and Planning Board, the City has hired a consultant to do a corridor study of Milton Rd, from Norway Plains Rd to Cross Rd. The consultants will look at existing conditions, development potential, and will devise a conceptual roadway design that will focus on safely accommodating full development build-out of this corridor. He stated that the project has started and that with him tonight were Jennifer Hale and Jason Plourde from Tighe & Bonde.

Jennifer Hale of Tighe & Bond stated they are looking at development potential and road improvements that will need to be done in order to handle the potential development. She said they have gone to the Public Works Committee to get their input and they are seeking the same from the Planning Board.

Jason Plourde of Tighe & Bond said they intend to work with the City to develop a plan. He said right now there are many driveway cuts, and there is no curbing along this corridor. He suggested they add curbing in order to define where the driveways are. Mr. Plourde asked the Board if they wish to have more crosswalks as there is only one right now located at the intersection for Rite Aid and Market Basket. He went on to say they want to develop the road way to support future development on Milton Road.

Mr. Plourde then went over the existing road plan and existing conditions with the Board. He asked the Board what they think the problems are on Milton Road as he wants to work together in order to figure out the problems.

Mr. Jaffin asked who made the determination of where to end the study. Ms. Hale said Ms. Young brought the information to them. Mr. Jaffin suggested carrying the study at least up to The Residents Inn. Mr. Willis suggested looking all areas designated Urban Compact. Mr. Sylvain suggested going up Forest Park Drive. Mr. Walker suggested going up to the Shell station with the study. Ms. Hale told the Board if they wanted to go further up Milton Road they can.

The Board discussed having sidewalks on the road as a number of people walk it. Ms. Hale said she has seen that done before but isn’t sure you need sidewalks the whole length of the road. Mr. Sylvain asked about winter maintenance of new sidewalks; Ms. Hale said that would have to be considered. Mr. Walker suggested not having a sidewalk on the side of the road that has the state interchange.

Mr. Jaffin asked if they intend on having bus shelters and bus turnouts because having the bus stop in the road is a problem. Mr. Leonard asked if they are working on identifying the bus stops. Ms. Hale said they are noted on the road plan.

Mr. Sullivan stated the traffic flow through the lights at Market Basket and Rite Aid is okay, but if someone is making a left turn into Cumberland Farms the traffic backs up rather quickly. He also said traffic making a left turn onto Route 202 is very dangerous as people have a tendency to travel at a higher rate of speed. Mr. Willis agreed with Mr. Sullivan and added the lighting in the area of Route 202 is very poor.

Mr. Jaffin said the lighting at the Cross Road intersection is also very poor. Mr. Campbell added the intersection at Route 202 has the highest number of accidents with the second highest being Jarvis Avenue.

The Board went on to discuss a center turn lane for Milton Road. Mr. Leonard expressed his concern saying it could be a problem as two vehicles could come together head on. He suggested doing dedicated right and left turn lanes instead. Mr. Gray said the good thing about having a center turn lane is that there will be no rework required when future businesses move in. Mr. Willis said that access management hasn’t changed for 30 years and is bad; he said this needs to be looked at. Mr. Sullivan asked once the study is complete who will formulate what the consultants have presented in terms of capital investment. Mr. Campbell replied they will have cost estimates for everything, like improvements at intersections.

Mr. Willis asked how this study related to the sewer upgrade with Salmon Falls Road and the EDA grant. Mr. Campbell stated he wasn’t sure as the sewer upgrade is Economic driven and this study is Planning driven.

Mr. Sullivan asked if this is an Economic Development Zone. Mr. Creighton said yes, he thinks there is a list of which lots are part of this, but doesn’t believe there is a map of the boundaries. Mr. Campbell informed the Board there has been discussion about changing the zone of some of lots south of Stonewall Kitchen from Highway Commercial to Industrial.

**IX. Extensions/Continued Applications**

 **A. Raaf-Mitchell Anchor Club Real Estate of Rochester NH, LLC – 66 Rochester Hill Road**

Bob Stowell of Tritech Engineering stated they were before the board at the last meeting with a conceptual design of 66 Rochester Hill Rd. Tonight they are back to present revised plans, after incoportating the concerns and information from the last meeting into the plans. Mr. Stowell explained they have moved the buildings from 10 feet off the property line to 35 feet now. He said the parking has also changed; each unit has 2 parking spaces and guest parking has increased from 20 to 30 spaces.

Mr. Sylvain asked what the height of the buildings would be. Mr. Stowell said the fronts of the buildings would be 35 feet and the backs would be 25 feet.

Mr. Walker asked if there would be dumpsters on site. Mr. Stowell said no, they will have individual pickup by a private company. Mr. Walker asked where they intend to store the snow. Mr. Stowell said they haven’t worked it out yet.

Mr. Sylvain asked how far from Rochester Hill Road the first units would be and if they would be visible. Mr. Stowell said approximately 500 to 550 feet and they shouldn’t be visible from the main road. Mr. Sylvain then asked about buffering for the abutters. Mr. Stowell said they will be able to maintain most of the existing trees, however, they will install additional screening where needed.

Mr. Walker asked if this would be a private road. Mr. Stowell responded yes.

Mr. Willis said that it looks like there are a lot of units being squeezed into a small space, but the engineering designs will better show if this density is feasible.

Mr. Sylvain said once the Board gets the full application package with the site plan, drainage plan, and design of the buildings they will be able to give better input.

Mr. Sylvain called a recess at 8:26pm

Mr. Sylvain called the meeting back to order at 8:35pm

**X. Draft Sign Ordinance Review**

Mr. Sylvain asked the Board if anyone had any questions or comments.

There was a discussion regarding political signs as Mr. Leonard stated he didn’t believe not allowing them in the adopt-a-spot location is in accordance with the State Ordinance. Mr. Gray said the State law does say you cannot affix political sign to any municipal grounds.

Mr. Leonard said he would do some further research.

*A motion was made by Mr. Walker and seconded by Mr. Willis to accept the Sign Ordinance as written. The motion carried. Mr. Leonard opposed.*

**XI. Other Business**

 **A. Stormwater Discussion**

Mr. Creighton addressed the Board saying he gave them a copy of the revised stormwater sections of the Site Plan and Subdivision regulations to review at the last meeting. He said the changes presented at the last meeting and this time deal with updating the Site Plan and Subdivision Regulations, and adding two definitions to Chapter 50 The changes basically state that all stormwater desing standards can be found in Chapter 50 and State of NH documents. Mr. Creighton is here to tonight to make sure the Board is happy with all the changes that have been made. He went on to say they still need to work on parking and road pavement width and then they would be back to ask for formal acceptance in the future.

Mr. Sullivan said he did read the document and he’s not sure if going from a fairly detailed document down to a half page is appropriate or not.

Mr. Leonard said he is still bothered that after a street is accepted the City would be responsible for stormwater maintenance. He asked if it would be possible to hold an escrow for developments in order to do any maintenance if there is ever an issue. Mr. Gray responded by saying the problem is one City Council can’t bind a future City Council to do anything. The Board went on to discuss this issue further.

Mr. Grassie said the problem is the City hasn’t been maintaining the drainage on a regular basis. Mr. Sylvain asked Mr. Willis how the City would set up a maintenance program on a yearly schedule. Mr. Willis responded you have to fund it, put it someone’s job description, and pay that person to do it. Mr. Grassie said it should be something put in the CIP.

Mr. Leonard suggested having a Home Owner Association set up on future subdivisions. Mr. Willis reminded Mr. Leonard that when the City accepts a street they accept everything that goes with it.

Mr. Sylvain said the Board needs to work with Public Works to get something set up. Mr. Grassie asked if there are any funds that would allow a stormwater inventory. Mr. Creighton stated under the rewrite of Chapter 50 it states there has to be annual stormwater inspections, of all Planning Board projects, submitted to DPW. He went on to say part of the grant they have applied for did include a section that said after they have completed the stormwater design revisions if there are any funds left over the consultant would look at creating a tracking system for these inspections.

Mr. Willis recommended looking at the older subdivisions first. Mr. Campbell suggested using an intern to complete the research.

Mr. Sylvain said when the Board approves a subdivision if there is a Home Owners Association they will be responsible for the drainage maintenance and must be included in the notice of decision.

Mr. Campbell said with all the EPA rules coming down we need to have something in place. Mr. Sylvain suggested having Peter Nourse from Public Works at the next workshop meeting to discuss this issue.

 **B. Surety Update from the Chief Planner**

Mr. Campbell explained the City is holding two sureties for Severino Trucking, one for $144,000 which has expired, however the $1,400,000 bond they posted replaced it.

Heritage Drive letter of credit has expired, however the City Attorney reviewed it and there is language that would still allow the City to pull the surety if needed. Mr. Campbell went on to say Mr. Goldstein has made progress on the site, as he’s completed almost everything on the checklist. Mr. Willis said there is a pile of loam about 35 feet high that is located on top of the sewer and has been there for years and he wouldn’t recommend street acceptance until that pile has been moved.

Mr. Campbell informed the Board the surety for the North Main Street McDonald’s went before the Finance Committee and the money will be turned over to the State. He said the Finance Committee also looked at the surety for Chapman Drive and determined the money will go to Public Works for the road improvements that have been completed.

The Board went into a discussion about exactions. Mr. Campbell said the Finance Committee is working with Public Works to get the money for Cross Road into their account.

Mr. Sylvain suggested that Mr. Campbell and Mr. Sullivan work together on a list to forward to the Finance Committee.

Mr. Campbell said he has been speaking with the developer of Elmo Lane because the City is holding more than $13,000 for upgrading the street. He went on to say he doesn’t believe the developer understands what the surety was for. Mr. Sylvain told Mr. Campbell to work with the developer over the winter, but in the spring something will need to be done.

**XII. Adjournment**

*A motion was made by Mr.* Walker *and seconded by Mr. Jaffin to adjourn at 9:24 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary