**City of Rochester Planning Board**

Monday December 15, 2014

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on January 12, 2015)*

*Members Present*

Rick Healey, *Vice Chair*

Matthew Kozinski, *Secretary*

Charles Grassie

Robert Jaffin

Mark Sullivan

Dave Walker

Thomas Willis

*Members Absent*

Nel Sylvain, excused

Fred Leonard, Absent

Tim Fontneau, excused

*Alternate Members Present*

James Gray

Robert May, arrived at 7:21pm

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

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. May 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

Mr. Willis brought up the Ebony Lane subdivision and the sidewalk issue on Ten Rod Road from the last meeting stating the applicant had said they were entertaining selling phase II of the subdivision. Mr. Willis suggested the Board still require the sidewalk still be constructed at the developer’s expense before the issuance of the 30th building permit. Mr. Walker said the sidewalk was suppose to be constructed in phase I before the issuance of the 30th building permit; however the developer made it clear they have no intention of building past the 29th house.

Mr. Grassie said according to the minutes from the last meeting the developer intends to sell to an abutter who does not wish to develop the land. He went on to point out the application package from the developer stated the sidewalk was to be put in to help with the drainage issues.

The Board went on to discuss the drainage issue that exists within the subdivision that the City is currently responsible for because $83,000 of surety had been released to the developer in order for him to pay property taxes. Mr. Willis said there may be a more cost effective way to deal with the drainage issues besides curbing and a closed drainage system.

Mr. Sullivan needing clarification asked if the issue was drainage or sidewalks. Mr. Willis explained that by putting in the sidewalk it would fix the drainage issue.

The Board went on to discuss possibly revoking the approval for phase II and have the new owner start fresh.

Mr. Healey asked that Mr. Campbell speak with Attorney Wensley for guidance in order to revoke an approval. He also suggested that Mr. Campbell contact the applicant to inform them what the Board wishes to do.

**VI. Approval of Minutes**

*A motion was made by Mr. Walker and seconded by Mr. Jaffin to approve the December 1, 2014 meeting minutes. The motion carried. Mr.Grassie abstained.*

**VII. Release of Surety for Key Collision Center**

Mr. Campbell explained the City is holding $48,563.79 from Key Collision for site work. He informed the

Board Witcher Builders, the contractor for the project has provided $40,000 for as-builts, landscaping, and

remaining site work. Mr. Campbell said he is asking that the Board release the original $48,563.79 as he

feels the $40,000 from the contractor is sufficient.

Both Mr. Sullivan and Mr. Walker asked if the Planning Department had the checklist with all the

Department sign offs. Mr. Campbell said he didn’t have the checklist with him. The board agreed to hold

off releasing the money until they had all the department sign offs.

**VIII. Other Business**

Mr. Campbell informed the Board he is working on compiling a list of all the subdivisions and roads approved for the last 10 years that they requested at the November workshop meeting. He said there are approximately 39, however he still needs to verify there aren’t any private roads on the list and he should have the list complete for the first meeting in January.

Mr. Walker asked what type of approval for change of use was given for the former Mr. Bubbles building on South Main Street as there are a couple different business’s in there now. Mr. Campbell said he would look into it.

Mr. Sullivan questioned the status of the surety money for the North Main Street McDonald’s and the Paul Chapman subdivision as the notes on the surety spreadsheet indicate the money for McDonald’s was to be turned over to the State and the money for the Chapman subdivision was to be put into Public Works account as of September 22nd. Mr. Campbell said he would look into it to make sure that has in fact been done.

**IX. Adjournment**

*A motion was made by Mr.* Walker *and seconded by Mr. Kozinski to adjourn at 7:30 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary