



**Regular City Council Meeting
January 8, 2019
Council Chambers
7:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Presentation of the Colors**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Regular City Council Meeting: December 4, 2018
consideration for approval P. 9**
 - 5.2 Special City Council Meeting: December 18, 2018
consideration for approval P. 19**
- 6. Communications from the City Manager**
 - 6.1 Employee of the Month Award P. 25**
 - 6.2 City Manager's Report P. 27**
- 7. Communications from the Mayor**
- 8. Presentation of Petitions and Council Correspondence**
 - 8.1. *Presentation:* Wastewater Treatment Plant Permitting Process Update P. 63**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1 *Appointment:* Jonathan Shapleigh – Chair of the Rochester Economic Development Commission P. 65**

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City Clerk's Office

10. Reports of Committees

10.1. Appointments Committee P. 67

- 10.1.1 **Re-appointment:** Steven Maimes – Library Trustee Ward 2, Term to Expire 1/2/2022 P. 69
- 10.1.2 **Appointment:** Brett Johnson – Trustees of the Trust Fund and Utility Advisory Board, Term to Expire 1/2/2022 (Trustees) and 1/2/2020 (UAB) P. 71 and P. 73
- 10.1.3 **Re-appointment:** Robert Brown – Recreation & Arena Commission, Term to Expire 1/2/2022 P. 75

10.2. Community Development P. 77

10.3. Finance Committee P. 85

- 10.3.1 **Committee Recommendation (*motion carried by a 4 to 2 show-of-hands Committee vote*):** To approve the City Sponsoring the 4th of July fireworks in 2019 *consideration for approval* P. 85

10.4. Public Safety P. 89

- 10.2.1 **Committee Recommendation (*motion carried by a unanimous Committee vote*):** To Paint markings on the pavement at the Wakefield/Union Street Intersection, including the word “yield,” the “shark tooth,” triangle symbols, and dashed lines *consideration for approval* P. 89

10.5. Public Works P. 95

- 10.5.1. **Committee Recommendation:** Adoption of the paving list *motion to adopt* P. 101
- 10.5.2. **Committee Recommendation:** Work with Roger Allen Park Association to bring a proposal back to Council for Discussion in regards to the Right of Way *consideration for approval* P. 97

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10.6. Tri-City Mayors' Task Force on Homelessness P. 103

11. Old Business

11.1. Planning Board Recommendation: P. 111

11.1.1. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Conservation Overlay Districts *second reading and refer to a public hearing* P. 113

11.1.2. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Location and Boundaries of Zoning Districts (*petition submitted by landowners of two parcels*) *consideration for a first reading and refer to a Public Hearing* P. 115

11.2. Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Department of Public Works Capital Improvements Plan Fund for the Granite Ridge II in an Amount not to Exceed \$2,430,000 *consideration for a second reading and adoption* P. 119

11.3. Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Granite State Business Park (GSBP) Tax Increment Financing (TIF) District Capital Improvements Plan (CIP) Fund for the Water Main Extension Project in an Amount not to Exceed \$1,400,000 *consideration for a second reading and adoption* P. 125

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City Clerk's Office

12. Consent Calendar

- 12.1. Resolution Deauthorizing \$4.76 in Funding Relative to a Certified Local Government Travel Grant *first reading, consideration for second reading and adoption* P. 131**
- 12.2. Resolution Deauthorizing \$873.30 in Funding from the Library's Capital Improvement Plan Fund Related to the Library Book Drop *first reading, consideration for second reading and adoption* P. 139**

13. New Business

- 13.1. Resolution Accepting Donation from the St. Anselm's College to the Recreation and Arena Department and Supplemental Appropriation in the Amount of \$2,750 *first reading, consideration for second reading and adoption* P. 143**
- 13.2. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan in the Amount of \$6,300,000 *first reading, consideration for second reading and adoption* P. 149**
- 13.3. An Ordinance of the City of Rochester City Council Adopting Amendments to Chapter 42 of the General Ordinances of the City of Rochester Regarding Zoning and Development Standards for the Development of Lands within the Downtown Commercial Zone District *first reading and refer to a public hearing* P. 153**
- 13.4. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Historic Overlay District (HOD) *first reading and refer to a public hearing* P. 173**

14. Non-Meeting/Non-Public Session

15. Other

16. Adjournment

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City Clerk's Office

**Regular City Council Meeting
December 4, 2018
Council Chambers
7:00 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Walker
Deputy Mayor Varney

OTHERS PRESENT

Blaine Cox, City Manager
City Attorney Terence O'Rourke
Jessica Gray, Fire Department
Chief Klose, Fire Department
Alexis Makris, Makris R.E.
Development LLC
Christian Smith, Beals Associates

COUNCILORS EXCUSED

Mayor McCarley

Minutes

1. Call to Order

Deputy Mayor Varney called the Regular City Council meeting to order at 7:00 PM.

2. Opening Prayer

2.1 Rochester Veterans Council

The Rochester Veterans Council led the opening prayer.

3. Presentation of the Colors

3.1. Pledge of Allegiance

The Rochester Veterans Council led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Council members were present except for Mayor McCarley who had been excused.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: November 13, 2018 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of November 13, 2018. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 Employee of the Month Award

Blaine Cox, City Manager, invited Chief Klose and Jessica Gray, Fire Department, to come forward. City Manager Cox read the nomination letter of Ms. Gray. He announced that Ms. Gray has been selected as the Employee of the Month for December, 2018.

6.2 City Manager's Report

City Manager Cox said the Tax Rate has been set by the Department of Revenue at \$27.52, which is five cents lower than what had been anticipated with the budget adoption in June, 2018. The Tax Bills are to be mailed out on December 12, 2018 and shall be due on January 11, 2019.

City Manager Cox gave the rest of the report as follows:

Contracts and documents executed since last month:

- **Department of Public Works**
 - Brown & Caldwell – Task Order Change 29 – Great Bay Coalition – EPA & NH DES Technical Support Service
 - Sebago Technics Contract
 - Southeast Land Trust (SELT) Agreement – WTP Watershed (3) Parcels Purchase and & Conservation Easement Document
- **Economic & Community Development**
 - CDBG Environmental Review – Cap Weatherization Program – multiple projects
- **Legal Department**
 - 23 Cleo Circle Redemption
 - 20 Cove Court Shoreline Cleanup Agreement

Other documents for information:

- Computer Leases
 - Woodbury, M – Fire

The following standard reports have been enclosed:

- City Council Request & Inquiry Report
- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

7. Communications from the Mayor

Deputy Mayor Varney announced that there are a number of Public Hearings to take place as follows:

December 10, 2018

East Rochester Elementary School – 773 Portland Street

7:00 PM

Renaming and Renumbering of Main Street and Autumn Street

(To comply with the NH Department of Safety Divisions of Emergency Services, Bureau of Emergency Communications, Enhanced 9-1-1 Mapping Guidelines.)

December 11, 2018

Gonic Elementary School – 10 Railroad Avenue

7:00 PM

Renaming and Renumbering of Main Street and Pickering Road

(To comply with the NH Department of Safety Divisions of Emergency Services, Bureau of Emergency Communications, Enhanced 9-1-1 Mapping Guidelines.)

December 18, 2018

Council Chambers

7:00 PM

1. CDBG Annual Action Plan for Fiscal Year 2019-2020

2. Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Department of Public Works Capital Improvements Plan Fund for the Granite Ridge II in the Amount Not to Exceed \$2,430,000

3. Resolution for Supplemental Appropriation and Authorizing

Borrowing Authority Pursuant to RSA 33:9 to the Granite State Business Park Tax Increment Financing District (TIF)

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committees

10.1. CTE Joint Building Committee

Councilor Varney reviewed the Committee report and said a rather large change order was approved relative to the electrical controls; however, the project is still on-time and within allotted budget.

10.2. Public Safety

10.2.1 Committee Recommendation: To stripe for “no parking” to the next intersection in front of 36 Washington Street at the discretion of Public Works *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the request to stripe for “no parking” to the next intersection in front of 36 Washington Street at the discretion of Public Works. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.2.2 Committee Recommendation: To place a sidewalk on the south side of Chesley Hill Road across the street *consideration for approval*

Councilor Walker reviewed the Committee’s recommendation to place a serpentine sidewalk on the south side of Chesley Hill road and said the matter could be sent to the Workshop for more discussion. Councilor Lauterborn **MOVED** to suspend the Rules of Order to Amend the Agenda to allow the Developer to speak directly to the City Council about the matter. Councilor Walker seconded the motion. Councilor Gray spoke against the motion. He said this gives no notice to others that may want to participate in the discussion. He said this is circumventing the citizens who attended the Planning Board meetings and were satisfied with the Planning Board’s

approved plan. Councilor Lauterborn said that is the point, the Planning Board worked with the developer and took citizen's input for a long period of time in order to finalize a plan. She added that the Public Safety Committee met and amended that final plan without notice or input to the developer. She encouraged the City Council to allow the Developer to respond to the Public Safety recommendation. Councilor Keans agreed and said this project had been vetted through the Public Safety Committee months ago. Councilor Varney supported the motion to add the discussion to the agenda; however, voting on the matter should wait until the workshop. The **MOTION CARRIED** to Amend the Agenda.

10.2.2.1 Chesley Hill Sidewalk Discussion with Markis R.E. Development LLC

Alexis Makris, Makris R.E. Development LLC, reviewed the Chesley Hill Sidewalk project. She said Christian Smith, Beals Associates, an engineering firm, is present this evening as well if any technically questions arise. Ms. Makris said the abutters had been in support of the sidewalks although most recently some have been against installing the sidewalks. In other developments around the City, some sidewalks have been exempt from the final development plan for various reasons. She clarified that installing the sidewalks throughout the subdivision did not come into question until it came to connecting the Donald Street sidewalk to Route 125. She said all interested parties were part of these conversations and many potential issues were brought to light. She engaged a reputable trucking company named Severino Trucking to assess the situation. The assessment led to many concerns and a site review by the Planning Board. It seemed at that time that both sides agreed the original plan was not a plausible plan. It was noted that there were safety issues in terms of crossing Chesley Hill Road. She said Chesley Hill Road is not striped and it is a high traffic road, according to the abutters. Other safety concerns were brought to light including the nine percent grade-slope down a portion of Chesely Hill Road, which would cause the sidewalk not to meet ADA requirements. She gave reasons why an alternative option was put in place, which is what is being called the serpentine sidewalk. The approved serpentine sidewalk approved by the Planning Board has now been modified by the Public Safety Committee to further work with the Public Works concerns as follows:

- Width of the sidewalk has been widened
- Added two staging areas (pedestrian stop areas)

- Reduced the sidewalk slope from a 9% grade to an 8.3 % grade
- Added removable bollards
- Turn-areas have been included for the sidewalk plows
- Added lighting

Ms. Makris noted that in order for this serpentine sidewalk to be built, some trees will need to be removed. She gave a verbal description of how the streets would be connected from Norman Street to Route 125. She said this is the best alternative solution in order to construct a safe sidewalk in this subdivision. The sidewalk would be built in phases along with the subdivision. It is not a perfect situation; however, it is a reasonable solution to the problem.

Deputy Mayor Varney questioned if this agenda item should now be sent to the next Workshop. Councilor Walker requested that a vote be taken in order for the developer to begin the project. He said the abutters were able to discuss the concerns with the serpentine sidewalk with the Planning Board already. Ms. Makris added that after the discussion with abutters at the Planning Board level the Planning Board still approved the serpentine sidewalks.

Councilor Walker **MOVED** to **APPROVE** the request to place a sidewalk on the south side of Chesley Hill Road across the street, as approved by the Planning Board. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.3 Public Works

10.3.1 Resolution *Committee Recommendation:* Petition for Street Acceptance for Miller's Farm Drive *motion to accept*

Councilor Torr **MOVED** to **ACCEPT** Millers Farm Drive as a City Street in Rochester. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.3.2 *Committee Recommendation:* Petition for Street Acceptance for Smoke Street and Laredo Lane *motion to accept*

Councilor Torr **MOVED** to **ACCEPT** Smoke Street and Laredo Lane as City Streets in Rochester. Councilor Walker seconded the motion. The

MOTION CARRIED by a unanimous voice vote.

10.3.3 Committee Recommendation: Resolution Appropriating to the 2018-2019 Department of Public Works Capital Improvement Plan Fund and Acceptance of a New Hampshire Department of Environmental Services (NHDES) Brownfields Cleanup Grant in the Amount of up to \$200,000
first reading, consideration for second reading and adoption

Councilor Walker **MOVED** to read the resolution by title only for a first time. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Deputy Mayor Varney read the resolution by title only for a first time.

Resolution Appropriating to the 2018-2019 Department of Public Works Capital Improvement Plan Fund and Acceptance of a New Hampshire Department of Environmental Services (NHDES) Brownfields Cleanup Grant in the Amount of up to \$200,000

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

Whereas, that a NHDES Brownfields Cleanup Grant in an amount up to Two Hundred Thousand Dollars (\$200,000.00) to be used for remedial actions at the City-owned properties located at 10 Wallace Street and 16 Wallace Street has been awarded to and is hereby accepted by the City of Rochester.

Further, that the sum of Two Hundred Thousand Dollars (\$200,000.00) be, and hereby is, appropriated to the 2018-2019 Department of Public Works Capital Improvement Plan Fund. The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the grant.

Further, that the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance director to act as the City's representative(s) to enter into the agreement with New Hampshire Department of Environmental Services for the execution of all documents necessary for the Brownfields Cleanup Grant.

Further, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to identify, designate and/or establish such accounts and/or account numbers as necessary to implement the

transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as needed.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Walker **MOVED** to suspend the rules and to read the resolution by title only for a second time. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a majority voice vote. Deputy Mayor Varney read the resolution by title only for a second time.

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Lachapelle seconded the motion. Councilor Walker requested a roll call vote. Councilor Hamann seconded the request. The **MOTION CARRIED** by a unanimous roll call of 12 to 0. Councilors Lachapelle, Hutchinson, Bogan, Gates, Hamann, Torr, Keans, Lauterborn, Gray, Walker, Abbott, and Deputy Mayor Varney voted in favor of the motion.

10.4 Tri-City Mayor's Task Force on Homelessness

Councilor Hutchinson said the Task Force met twice in November, with one meeting dedicated to a workshop setting and used to discuss the 7 strategies to combat homelessness at length. The next meeting is scheduled for December 6, 2018, at the Somersworth Middle School (media room) at 6:00 PM. This will be considered a Regular meeting and the workshop strategies shall be presented to the three mayors of the tri-city area.

Councilor Keans questioned the goal of the Task Force. She believed that the Emergency Cold Weather Shelter would be the task on which to stay focused. Councilor Hutchinson said the focus is broken down into two major components; the urgent need for an Emergency Cold Weather Shelter and, secondly, the implementation of a plan to combat and prevent homelessness long term. This Task Force is likely to continue to meet for a good part of 2019.

Councilor Hutchinson said a plan had been in place to suggest that the Salvation Army be permitted to serve as an Emergency Cold Weather Shelter; however, there is a variance matter that must be dealt with first. This variance issue is causing a delay in use of this facility. In the absence of an emergency Zoning Board of Adjustment Special hearing to adjust this variance issue, no Emergency Cold Weather Shelter is in place at this time.

11. Old Business

Councilor Keans questioned the status of the Deputy City Manager position. City Manager Cox replied that the City is seeking a candidate for the Finance Director/Deputy City Manager position. Councilor Varney confirmed the position is being posted as Finance Director/Deputy City Manager as it is listed in the City's Merit Plan.

12. Consent Calendar

Councilor Lachapelle **MOVED** to **ACCEPT** the Consent Calendar. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.1. Resolution Deauthorizing \$3,150 in funding from the 2016-2017 Economic Development Capital Improvement Plan Fund related to the ERZ Signs Project *first reading, consideration for second reading and adoption*

Resolution Deauthorizing \$3,150 in funding from the 2016-2017 Economic Development Capital Improvement Plan Fund related to the ERZ Signs Project

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the amount of Three Thousand One Hundred Fifty Dollars (\$3,150) appropriated for the ERZ Signs Project as part of the 2016-2017 Economic Development Capital Improvement Plan Fund is hereby deauthorized and shall be returned to the General Fund Unassigned Fund Balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

13. New Business

No discussion.

14. Non-Meeting/Non-Public Session

14.1 Non-Public, RSA 91-A:3, II, Land

Councilor Lauterborn **MOVED** to enter into a Non-Public, RSA 91-A:3, II, Land at 7:35 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 13 to 0. Councilors Gates, Keans, Lauterborn, Walker, Lachapelle, Gray, Abbott, Torr, Hamann, Bogan, Hutchinson, and Deputy Mayor Varney voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the Non-Public Session and return to Public Session at 7:42 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

15 Other

Councilor Gates requested that the City Manager direct staff to create a spreadsheet showing the Tax Rate and Assessment adjustments over the last ten-years. Councilor Lauterborn pointed out that when a citywide assessment adjustment is conducted, it causes the tax rate to go up or down in a way that is unrelated to the adopted budget cycles. City Manager Cox replied that the information is available and it can be uploaded to the City's website. The document does include the assessment data.

15. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the Regular City Council meeting at 7:43 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

**Rochester City Council Special Meeting
December 18, 2018
Council Chambers
7:58 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lauterborn
Councilor Torr
Councilor Walker
Councilor Varney
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Terence O'Rourke, City Attorney

COUNCILORS EXCUSED/ABSENT

Councilor Hutchinson
Councilor Lachapelle

Minutes

1. Call to Order

Mayor McCarley Called the City Council Special Meeting to order at 7:58 PM. Deputy City Clerk Cassie Givara took the roll. All Councilors were present except for Councilor Hutchinson and Councilor Lachapelle, who were excused.

2. An Ordinance to Revise and Consolidate, Amend, Supplement, and Codify the Ordinances of the City of Rochester *second reading and consideration for adoption*

Councilor Walker **MOVED** to read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion.

City Manager Cox gave a brief overview of the history of this resolution. Council had authorized an appropriation for funds to hire an outside contractor

(General Code) to codify and re-index the City ordinances.

City Clerk Kelly Walters clarified that all the proposed changes to the Code are listed in schedule A, which had been distributed to Council. She stated that there had been a legal review of the ordinances from 1995 through 2018, and if an ordinance was found to contradict an earlier version or if that ordinance was contradictory to state law, it was changed to reflect the updated information.

City Attorney Terrence O'Rourke stated that there had been no substantive changes to the code. The codification process had just fixed inconsistencies, formatting, and numbering. The content and purpose of the codes are just as they appeared when passed by Council. There were some minor updates to definitions within the ordinances to reflect current practice.

Councilor Keans questioned the assertion that there had been no substantive changes to the code. She felt that some of the codes listed were not as she thought they were previously. Councilor Keans asked, if Council were to accept these changes, if it would have to go through an ordinance process.

City Attorney O'Rourke stated that the Ordinance is what had been read for a second time and it is what Council is voting on tonight. The vote will simply take the current City Ordinance and renumber and clean up the inconsistencies. It will not change the substance of any of the existing ordinances.

Councilor Keans stated that there were items listed which she felt did not correctly reflect the way the City currently conducts business and she asked if these would have to go through the ordinance process with a public hearing if they needed to be changed.

City Attorney O'Rourke said that Council is only voting on the re-codification of the ordinances. If Council wanted to substantively change anything within the existing ordinances, it would have to go through the normal process. Attorney O'Rourke suggested adopting the codified ordinances so they can be put online. Any proposed changes to individual ordinances can be made after the re-codification is accepted.

Councilor Abbott disagreed that there had been no substantive changes and referenced an ordinance relating to sewer lines. Councilor Abbott said there had also been definitions deleted from prior ordinances. He requested to see the proposed changes side-by-side with the mark-up on the original version.

Councilor Keans said that she felt these changes needed to be reviewed line by line at a workshop.

Councilor Walker inquired who had made the changes to the Ordinances. City Clerk Kelly Walters stated that there had been a legal review by General Code. The proposed changes had then come back to the City Attorney for a review and had been reviewed by City staff of relevant departments.

Councilor Walker **MOVED** to **TABLE** the motion to adopt the codification of the City Ordinances. Councilor Torr seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Walker suggested that the codification of the ordinances should come back to a workshop and be reviewed section by section so Council can see what changes have been made. City Staff could have a presentation showing the changes made to each section.

City Attorney O'Rourke said that the City had paid General Code to do what Councilor Walker was suggesting and all the changes are shown already in Schedule A.

Mayor McCarley recommended that Council take some time to review Schedule A as a starting point, and then review the Ordinances in comparison to determine if they think any substantive changes have been made. It can then be further discussed at the next workshop.

Councilor Varney stated that the intent was not to change the existing ordinances in any way. If Council believes that they are not conducting business in the manner which the ordinances state, that is not what is being approved this evening. Councilor Varney did request the mark-up showing which changes had been made for the next workshop meeting.

3. Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2018-2019 Police Department Capital Improvement Project (CIP) Fund in the Amount of \$33,906 for the Replacement of a Police Interceptor SUV *first reading, consideration for second reading and adoption*

Mayor McCarley clarified that the City does have insurance on their vehicles, but stated that there were very few of these vehicles available for purchase and the insurance money will be going back into the general fund.

Councilor Varney said that there would be a supplemental appropriation required for this vehicle purchase, regardless of whether or not there was an insurance reimbursement.

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution Authorizing Supplemental Appropriation to the Fiscal
Year 2018-2019 Police Department Capital Improvements Project
(CIP) Fund in the Amount of \$33,906 for the Replacement of a Police
Interceptor SUV**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHESTER:**

That Thirty Three Thousand Nine Hundred Six Dollars (\$33,906.00) is hereby appropriated as a supplemental appropriation to the Fiscal Year 2018-2019 Police Department Capital Improvements Project Fund to pay for costs and expenditures related to replacement of one (1) Police Interceptor SUV. The supplemental appropriation shall be derived in its entirety from the General Fund unassigned fund balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Walker **MOVED** to suspend the rules and read the resolution for a second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Varney asked City Manager Cox about a Granite Ridge Project spreadsheet which showed the debt service for Phase I and Phase II along with the payback. Councilor Varney asked if the spreadsheet was available on the Economic Development website under the TIF district. City Manager Cox stated he didn't believe the spreadsheet was online. Councilor

Varney requested that it be posted online for those who have inquired about the payback.

Councilor Gates referenced a request he had made for a historical accounting of the tax rate for the City of Rochester and asked where this information can be found for any constituents wishing to review it. City Manager Cox stated that the tax data can be found on the City Manager's page of the Rochesternh.net site under budgets.

4. Non-Public/Non-Meeting

5. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the City Council Special Meeting at 8:16 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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City Clerk's Office

WQTY03/2019 2019
EOM

11/01/2018

To whom it may concern,

I would like to nominate Brandon Turcotte, WWTF mechanic, for employee of the month. Brandon noticed an abnormality in the plants disk filter system in the course of his assigned maintenance program. He not only brought the abnormality to his supervisor's attention, and worked diligently in a not so pleasant work condition to correct, but he also came up with a redesign concept that makes maintaining and checking the equipment much easier and safer. The new set up works wonderfully. The corrective measures have saved the City of Rochester countless dollars on saved energy usage. The new design has helped with the quality of the plants final effluent, and has created a much safer work environment for preventative and corrective maintenance.

In addition to the new disk filter discharge pump installation, Brandon has not only managed to keep up with his assigned work, but has taken on additional tasks while the WWTF has been understaffed. His attention to keeping the plant equipment maintained and help in maintaining the physical appearance of the buildings and grounds, has not only helped to keep the plant in compliance with our permit, but also has The WWTF a finalist for the State's plant of the year award, an honor the City of Rochester should be very proud of.

Last but certainly not least, while in the course of his duties, Brandon passed an elderly resident sitting in his driveway next to his car. Concerned, Brandon stopped to check on the man who stated "I have been here for hours, you are the only one who stopped to check on me." Turns out the gentleman had fallen trying to load his back of his car. Brandon helped him to his feet, asked if he needed any help, and saw the man on his way.

Brandon has proven to be a valuable asset to the City of Rochester, and has gone above and beyond in his daily duties. The Wastewater Treatment Facility is fortunate to have him on the team. I would like the rest of the City of Rochester to be aware of his contributions as of late. We set a high standard here at the Treatment facility. Brandon has not only met them, but exceeded them. He sets a good example for the rest of the team to follow.

Thank you for your consideration,

Chris Goodwin

Lead Operator, WWTP.

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City Clerk's Office



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER
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www.RochesterNH.net

CITY MANAGER'S REPORT January 8, 2019

The Employee of the Month is: Brandon Turcotte – Public Works Department – WWTF **P. 25**

Contracts and documents executed since last month:

- City Manager
 - Connectivity Point Contract – Server Upgrade Project **P. 29**
 - Council Chambers Rental Agreement – Arts Rochester DBA Sole City Dance **P. 30**
- Department of Public Works
 - Aubert – Portland Street – Snow Dump Agreement **P. 31**
 - DOT – Strafford Square Amendment **P. 32**
 - Hoyle, Tanner – Wallace Street Engineering Contract **P. 33**
 - Land Protection Grant Program – GTBY Resource Protection Partnership **P. 34**
 - Millers Farm Warranty Deed **P.35**
 - Notice of Award – Portland Street Sidewalk Replacement Project – SUR Construction **P.36**
 - Notice to Proceed – Agreement Signature **P. 37**
 - Tree City USA Recertification **P. 38**
 - Wallace Street – Brownfields Revolving Loan Cleanup Grant **P. 39**
 - Warranty Deeds – Smoke Street and Laredo Lane **P. 40**
- Economic & Community Development
 - Job Loan Discharges – SWD Property Management and Country Tire **P. 41**
 - NH Listens – Lead Safety Technical Assistance Project – Letter of Interest **P. 42**
 - CDBG Environmental Review – Cap Weatherization Program – single family home **P. 44**
 - CDBG Environmental Review – Cap Weatherization Program – full weatherization **P. 45**
 - CDBG Environmental Review – Cap Weatherization Program – furnace and flue replacement **P. 46**
 - CDBG Environmental Review – Cap Weatherization Program – boiler replacement **P. 47**
- Finance
 - Clean Water SRF Loan Application Authorization – Colonial Pines Sewer Extension Project – Phase 2 **P. 48**
- IT
 - Office 365 Configuration – Systems Engineering **P. 49**
 - SHI - Office 365 Pilot **P. 50**
- Legal Department
 - The Ridge Phase I – Development Agreement Addendum **P. 51**
- Planning
 - Drainage Agreement – Chesley Hill Subdivision **P. 52**

Other documents for information:

- Computer Leases
 - Aucoin, J – PD **P. 53**
 - Knox, N – PD **P. 54**
- Tuition Reim
 - Libby, J – BZLS **P. 55**
 - Parker-Wright, K – Library **P. 57**
- Other Docs
 - NH Department of Transportation – Safety Improvements Letter **P. 58**
 - NH Department of Transportation – Safety Improvements – Horizontal Curve Signs **P. 59**

The following standard reports have been enclosed:

- City Council Request & Inquiry Report - **none**
- Monthly Overnight Travel Summary - **none**
- Permission & Permits Issued **P. 60**
- Personnel Action Report Summary - **61**



City of Rochester, New Hampshire
OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.net

December 14, 2018

MEMO

TO: Roland Connor, Interim Finance Director

CC: Blaine M. Cox, City Manager

FROM: Samantha Rodgerson, Senior Executive Assistant

RE: Connectivity Point Contract – Server Upgrade

Attached is the Scope of work and quote from Connectivity Point to provide the City of Rochester with installation and setup of new server upgrade equipment for the Government Channel.

This includes all material, labor and shipping costs. The amount of this project was included as part of the CIP projects within the City Manager's budget.

CIP Item for Recording Broadcast Equipment Account #: 15011000-773800-18502

Please sign the attached authorization.

Thank you,

Samantha Rodgerson

Reviewed by Purchasing Agent



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01/03/2019



January 2, 2019

TO: Blaine M. Cox, City Manager

FROM: Samantha Rodgers, Senior Executive Assistant

REGARDING: **Rental of Council Chambers**

The attached rental agreement with Arts Rochester DBA Sole City Dance is attached. They have requested to rent Council Chambers on March 23, 2019. There is a City policy pertaining to rental agreements and Arts Rochester DBA Sole City Dance has met those requirements.

INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager

FROM: Peter C. Nourse, PE
Director Community Services

DATE: December 14, 2018

SUBJECT: Agreement with Thomas Aubert: Re Use of Property at 828
Portland St. as a Snow Dump

Attached herewith, please see snow dump agreement signed by property owner Thomas Aubert for City use of his property at 828 Portland St. as a snow dump for winter 2018-2019 with one year renewal options.

Please note that the City has other snow dump options beyond this property and termination of this agreement does not constitute a crisis for the City. This property is in a convenient location to dump snow. The City has other City-owned property including one property we are currently working to develop in the general area of this subject property. It is anticipated that there will be no long term need of the subject property for snow dumping.

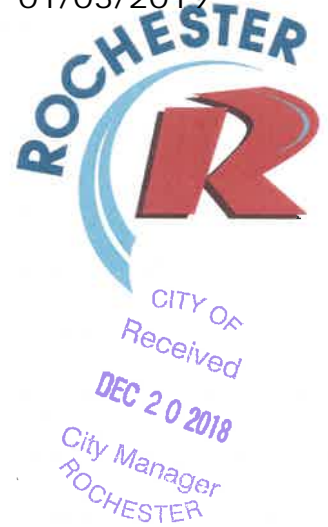
***If you have any questions please call, if not please sign below with your approval to proceed with this upgrade to the position.

(Blaine M. Cox, City Manager)



City of Rochester, New Hampshire
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01/03/2019



INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
ROLAND E. CONNORS, INTERIM FINANCE DIRECTOR

FROM: LISA J. CLARK, ADMIN SUPERVISOR *[Signature]*

DATE: December 18, 2018

SUBJECT: NHDOT Strafford Square Project #14350
Project Amendment Document

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE, City Engineer

Attached please find 3 copies of the Amended Project Agreement from NHDOT in regards to the Strafford Square Project. This amendment extends the project completion date to June 30, 2022.

If you have any question, please call Michael Bezanson, PE if not please pass on to the City Manager for signature. This document should be returned to the DPW distribution.

[Signature: Roland Connors] (EMAIL ATTACHED)
Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

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CITY OF
Received
NOV 29 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager
Roland E. Connors, Interim Finance Director

FROM: Lisa J. Clark, Administrative Supervisor *LJC*

DATE: November 29, 2018

SUBJECT: Hoyle Tanner and Associates, Inc
Wallace Street Engineering Contract \$5,210.29

CC: Michael Bezanson, PE City Engineer
Peter C. Nourse, PE, Director of City Services

Attached please find one copy of Hoyle Tanner & Associates Contract Amendment #3. This amendment is to perform a groundwater sampling event in advance of the issuance of the Groundwater Management Permit for the site, as requested by NHDES. .

This contract will be funded using the following funds
15011010-771000-09501 \$5,210.29

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. These documents should be returned to the DPW for distribution.

Signature

Roland E. Connors, Interim Finance Director



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01/03/2019



CITY OF
Rochester
NOV 29 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
ROLAND E. CONNORS, INTERIM FINANCE DIRECTOR

FROM: LISA J. CLARK, ADMIN SUPERVISOR

DATE: November 29, 2018

SUBJECT: Land Protection Transaction Grant Program
Great Bay Resource protection Partnership

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE, City Engineer

Attached please find the paperwork associated with the Great Bay Resource Protection Partnership Grant for the Southeast Land Trust Property Acquisition appraisals. This grant funding was approved and appropriated for at the July 10, 2018 City Council Meeting. This is a private grant without State or Federal Funding.

Water Fund Account 55016010 771000-19555 = \$3,300

If you have any question, please call Peter Nourse if not please pass on to the City Manager for signature. This document should be returned to the DPW As Soon as possible for 11/30/18 mailing.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

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CITY OF
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DEC 31 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Date: December 28th, 2018
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Warranty Deed for Miller's Farm Drive (Phase III)
CC: Terence O'Rourke, City Attorney

Please see the attached Warranty Deed for the third and final phase of the newly accepted public road known as Miller's Farm Drive.

If you have any questions please let me know, if not, please follow the steps listed below.

1. Please SIGN
2. Please NOTARIZE
3. Please send to the LEGAL DEPARTMENT for recording



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01/03/2019



CITY OF
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DEC 6 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
ROLAND E. CONNORS, INTERIM FINANCE DIRECTOR

FROM: LISA J. CLARK, ADMIN SUPERVISOR *LJC*

DATE: December 4, 2018

SUBJECT: SUR Construction Notice of Award \$386,954.00
Sidewalk Replacement Project – Portland Street

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE, City Engineer

Attached please find one copy of the notice of award to SUR Construction. SUR was low bidder for the project and the funds are appropriated as follows:

15013010-771000-16530	= \$51,508.41
15013010-771000-17529	= \$50,000.00
15013010-771000-18529	= \$200,000.00
15013010-771000-19563	= \$85,445.59
Total	\$386,954.00

FY2019 PO# 4431 is in place encumbering these funds.

If you have any question, please call, if not please pass on to the City Manager for signature. This document should be returned to the DPW for distribution.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

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DEC 13 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Date: December 11th, 2018
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Notice to Proceed, Agreement Signature
CC: N/A

Please see the attached Notice to Proceed and Agreement for the Portland Street Sidewalk bid won by SUR Construction Inc. This goes along with the previously signed Notice of Award.

If you have any questions please let me know, if not, please sign and return to DPW.



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NOV 29 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Mayor Caroline McCarley, Mayor's Office
FROM: Lisa J. Clark, Administrative Supervisor *LJC*
DATE: November 27, 2018
SUBJECT: Tree City USA Recertification
CC: Peter C. Nourse, P.E.

Attached please find the Tree City USA Recertification for signature. This is the 18th year as a participant in the program. The application due date is December 31, 2018.

Please sign the attached paperwork and send back to the Public Works Department.



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01/03/2019



CITY OF
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DEC 20 2018
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
ROLAND E. CONNORS, INTERIM FINANCE DIRECTOR

FROM: LISA J. CLARK, ADMIN SUPERVISOR *LJC*

DATE: December 18, 2018

SUBJECT: 10-16 Wallace Street
Brownfields Revolving Loan Cleanup Grant

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE, City Engineer

Attached please the Grant Agreement Associated with the State of NH Brownfield Revolving Loan Clean up Grant for the 10-16 Wallace Street Property.
The Grant Acceptance, the Grant Appropriation and the Designation of Authorities was completed at the December 4, 2018 Regular City Council Meeting.

NOTE: Does require Notarization and initials on each page

If you have any question, please call, if none please pass on to the City Manager for signature. This document should be returned to the DPW for distribution to the State of NH.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

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INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Date: December 26th, 2018
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Warranty Deeds for Smoke Street and Laredo Lane
CC: Terence O'Rourke, City Attorney

Please see the attached Warranty Deed for the newly accepted public roads known as Laredo Lane and Smoke Street.

If you have any questions please let me know, if not, please sign and send to the Legal Department for recording.



City of Rochester, New Hampshire
Office of Economic Development
33 Wakefield Street
Rochester, NH 03867
(603) 335-7522 www.RochesterEDC.com

01/03/2019



**Choose
ROCHESTER**
NEW HAMPSHIRE

CITY OF
Received

DEC 19 2018

City Manager
ROCHESTER

MEMO

TO: Blaine Cox, City Manger
CC: Terence O'Rourke, City Attorney; Roland Connors, Finance Director; Karen Pollard, ED Manager; Julian Long, Community Development
FROM: Jenn Marsh, ED Specialist
DATE: 12/19/2018
RE: JOB Loan discharges for SWD Property Management and Poulin Reality Acquisitions, LLC

Attached are 3 releases that require a notarized signature from the City Manager. This will be the second time these have been signed however, both businesses have misplaced the original that was sent to them. Both businesses also did not realize they would need to record these documents at the Registry of Deeds and provide the City or Rochester with a copy for our files.

The following three JOB Loan releases are included with this memo:

1. Release of mortgage and security agreement for SWD Property Management. This mortgage and security agreement was recorded in October 2004 and is also associated with the business Fiesta Candy. Book 3084, Page 0650
2. Release of mortgage and security agreement for Poulin Realty Acquisitions, LLC. This mortgage and security agreement was recorded in June of 2011 and is also associated with the business Country Tire. Book 3932, Page 0886
3. Release of collateral assignment of leases and rents for Poulin Realty Acquisition, LLC. This assignment was recorded in June of 2011 and is also associated with the business Country Tire. Book 3932, Page 0901

I have personally had conversations with both applicants stating it is their responsibility to record the releases and have a copy sent to the City Attorney. Please returned signed documents to me and I will get them to the applicants so they can record them.

Please let me know if you have any questions.

Jenn

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City of Rochester Grant

City Manager Approval

GRANT SUBJECT & AMOUNT:

NH Listens – Lead Safety Technical Assistance Project

TODAY'S DATE:	December 3, 2018
DEPT. HEAD SIGNATURE:	Karen Pollard, on file
APPLICATION DEADLINE:	December 1, 2018
ATTACHMENTS	Yes No <input checked="" type="checkbox"/>

COMMITTEE SIGN-OFF

COMMITTEE:	
CHAIR PERSON:	

ADMINISTRATIVE APPROVALS

CHIEF FINANCIAL OFFICER:	
CITY MANAGER:	<i>Blair Co</i> 12-3-2018

MATCHING FUNDS BUDGET INFORMATION

SOURCE OF MATCHING FUNDS (if required):	Matching funds are not required.
SOURCE ACCOUNT NUMBER:	N/A
MATCH AMOUNT:	N/A
APPROPRIATION REQUIRED No	Grants requiring City financial participation – funds must already be appropriated as part of existing budget.

LEGAL AUTHORITY

City Charter, Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Aldermen, and the Selectmen of Towns so far as applicable to cities.

SUMMARY STATEMENT

New Hampshire Listens, Conservation Law Foundation, and New Hampshire Legal Assistance are working to assemble a cohort of six communities committed to tackling the problem of lead poisoning locally. From approximately February to June of 2019, New Hampshire Listens will convene all of the teams from each community in a series of full- and half-day meetings. The first session will provide important information about the causes and impacts of childhood lead poisoning, and applicable laws and regulations. Each Community of Action team will receive a "Tool Kit for Action" with templates for potential local regulations and information about the authority of local health officials related to reducing lead hazards.

During the convening process, and for four months after, NH Listens, CLF, and NHLA will provide technical support to each of the teams in their local efforts to prevent lead poisoning. This will include up to \$1,000

to each community's team to help cover costs associated with their local implementation efforts.

The Community Development Coordinator has recruited city staff from the Planning and Building, Zoning, and Licensing Services departments to participate in the project, as well as the Community Action Partnership of Strafford County. Goodwin Community Health and the Rochester School Department are also considering participation.

RECOMMENDED ACTION

The Community Development Coordinator requests that the City Manager approve the submittal of a letter of interest to participate in the proposed project to work on lead poisoning prevention.

Date: November 28, 2018

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
NOV 28 2018
City Manager
ROCHESTER

Re: FY 2018-2019 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2018-2019 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The City Council approved funding to the CAP weatherization program at the June 19, 2018 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Summer replacement for single family home
built in 1935

01/03/2019

CITY OF
Received

JAN 2 2019

City Manager
ROCHESTER

Date: January 2, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2018-2019 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2018-2019 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will do a full-home weatherization on a manufactured home located at Briar Ridge Estates. The City Council approved funding to the CAP weatherization program at the June 19, 2018 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: December 13, 2018
To: Blaine Cox
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
DEC 13 2018
City Manager
ROCHESTER

Re: FY 2018-2019 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2018-2019 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will replace the furnace and existing flue in a manufactured home located in East Rochester. The City Council approved funding to the CAP weatherization program at the June 19, 2018 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: December 4, 2018

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager



Re: FY 2018-2019 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2018-2019 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will replace the burner in a furnace in a single-family home located in East Rochester. The City Council approved funding to the CAP weatherization program at the June 19, 2018 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

CITY OF
Received

DEC 17 2018

City Manager
ROCHESTER

Date: December 17, 2018

To: Blaine Cox, City Manager

From: Roland Connors, Interim Finance Director

RE: Clean Water SRF Loan Application Authorization – Colonial Pines Sewer Extension Project – Phase 2

Please find the attached Clean Water SRF loan application which is document that is required by the New Hampshire Department of Environmental Services in order for the City of Rochester to be considered for funding from the State Revolving Loan Fund.

I recommend that the City sign this loan application in the amount of \$3 million.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

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CITY OF
Rochester

DEC 26 2018

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager
Roland Connor, Deputy Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: December 24, 2018

SUBJECT: Systems Engineering
Office 365 configuration services - \$5,420

CC:

Attached please find one copy of the contracts for Office 365 Portal Setup & Azure AD Connect, and SharePoint Online Deployment.

Total needed funding of \$5,420 is already allocated in PO#720.

If you have any questions, please let me know. If not, please sign and pass on to the City Manager for signature. This document should be returned to Sonja Gonzalez for distribution.

Signature

Roland Connor, Deputy Finance Director



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

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INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager
Roland Connor, Deputy Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: December 13, 2018

SUBJECT: SHI
Office 365 Pilot - \$6,546.00

CC:

Attached please find one copy of the Microsoft Products and Services Agreement Signature Form. This form allows SHI to sell Office 365 licensing to the City.

Funds for product to be purchased are allocated in PO 4489.

If you have any questions, please let me know. If not, please sign and pass on to the City Manager for signature. This document should be returned to Sonja Gonzalez for distribution.

Signature

Roland Connor, Deputy Finance Director



City of Rochester, New Hampshire
OFFICE OF THE CITY ATTORNEY
31 Wakefield Street • Rochester, NH 03867
(603) 335-7564
www.RochesterNH.net

Memorandum

To: Blaine Cox, City Manager
From: Terence O'Rourke, City Attorney *TO*
Date: December 11, 2018
Re: The Ridge Phase I Development Agreement Addendum

The Ridge Phase I Development Agreement called for the City to take over responsibility for infrastructure maintenance in April, 2018. However, Waterstone has yet to deed necessary property to the City. In light of this reality, Waterstone has agreed to amend the Agreement to extend its responsibilities for infrastructure maintenance to April 15, 2019.



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

01/03/2019

CITY OF
Received
DEC 21 2018
City Manager
ROCHESTER

Date: December 21, 2018
To: Blaine Cox, City Manager
From: Seth Creighton, Chief Planner
Re: Drainage Agreement for Subdivision, Chesley Hill Rd

Attached is a "drainage maintenance agreement" that needs to be signed by you and then recorded by the applicant as part of a recently approved subdivision on Chesley Hill Rd. It has been reviewed and found to be acceptable by Planning, DPW, and Legal.

This agreement memorializes that the City will NOT be responsible for the development's roads and associated drainage and/or maintenance unless such are explicitly accepted by the City Council. The purpose of this is to alert home buyers that they are buying into a development that has private roads.

Please sign and return to my attention.

Thank you.

01/03/2019



ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET
ROCHESTER NH, 03867-1933

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DEREK J. PETERS
Chairman
DAVID R. STEVENS
Vice-Chairman
LISA M. STANLEY
Commissioner

PAUL R. TOUSSAINT
Chief of Police



November 29, 2018

TO: Blaine Cox
City Manager

FROM: Paul R. Toussaint
Chief of Police

RE: Computer Lease Program Request – Jeremy Aucoin

CITY OF
Received
DEC 4 2018
City Manager
ROCHESTER

I have received a request from an employee to participate in the City's computer lease program. I have reviewed the request and associated documents and find that approval of the request will benefit the employee.

I support the participation. I have attached the request for your further review and offer my thanks in advance for your consideration.

Please let me know if you need anything further from me in this regard.

01/03/2019



ROCHESTER POLICE DEPARTMENT

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Vice-Chairman
LISA M. STANLEY
Commissioner

PAUL R. TOUSSAINT
Chief of Police



November 29, 2018

TO: Blaine Cox
City Manager

FROM: Paul R. Toussaint 
Chief of Police

RE: Computer Lease Program Request – Nicole Knox

CITY OF
Received
DEC 4 2018
City Manager
ROCHESTER

I have received a request from an employee to participate in the City's computer lease program. I have reviewed the request and associated documents and find that approval of the request will benefit the employee.

I support the participation. I have attached the request for your further review and offer my thanks in advance for your consideration.

Please let me know if you need anything further from me in this regard.



City of Rochester, New Hampshire

Office of Finance and Administration

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 335-7589

Tuition Reimbursement Pre-Approval Form

1. Applicant's Name: Julia Libby
2. Department: Building, Zoning, & Licensing
3. The course(s) is(are) related to the employee's job or as part of a career development program: Yes ☒ No ☐
4. Number of Courses for this employee already approved for the current fiscal year is: 3 (attach copies of prior approvals)
5. Course(s) for which reimbursement is now being requested:
 - a. Name of Course Perspectives in History : Cost: \$960 ; and
dates of Course: from Jan 8th to March 4th
 - b. Name of Course English Comp II : Cost: \$960 ; and
dates of Course: from March 5th to April 29th
 - c. Name of Course Perspectives in Natural Science Cost: \$960 ; and
dates of Course: from May 7th to July 1st
6. Reimbursement for only the cost of the course will be as follows:
100% for an A grade; 90% for a B grade; 70% for a C grade.
7. Upon course completion, proof of course completion and grade attainment must be submitted for reimbursement.
8. Department head approval signature: James Hunt
9. Date of Department head's approval: 11/27/18
10. Finance Director approval signature: David Connor
11. Date of Finance Department approval: 11/29/18
12. City Manager's approval Signature: Blaire C.
13. Date of City Manager's Signature: 11.29.18



City of Rochester, New Hampshire

Office of Finance and Administration
31 Wakefield Street • Rochester, NH 03867-1917
(603) 335-7609 Fax (603) 335-7589

Tuition Reimbursement Pre-Approval Form

1. Applicant's Name: Julia Libby
2. Department: Building, Zoning & Licensing
3. The course(s) is(are) related to the employee's job or as part of a career development program: Yes ☒ No ☐
4. Number of Courses for this employee already approved for the current fiscal year is: 0 (attach copies of prior approvals)
5. Course(s) for which reimbursement is now being requested:
 - a. Name of Course: student success strategies for online learning Cost: \$900.00; and dates of Course: from 7/2/18 to 8/26/18
 - b. Name of Course: perspectives in liberal arts Cost: \$900.00; and dates of Course: from 9/3/18 to 10/28/18
 - c. Name of Course: English Comp I Cost: \$900.00; and dates of Course: from 10/29/18 to 12/23/18
6. Reimbursement for only the cost of the course will be as follows:
100% for an A grade; 90% for a B grade; 70% for a C grade.
7. Upon course completion, proof of course completion and grade attainment must be submitted for reimbursement.
8. Department head approval signature: [Signature]
9. Date of Department head's approval: 4/10/18
10. Finance Director approval signature: [Signature]
11. Date of Finance Department approval: 4/11/18
12. City Manager's approval Signature: [Signature]
13. Date of City Manager's Signature: 11 April 2018

BA Degree in
Political Science

550.00



City of Rochester, New Hampshire

Office of Finance and Administration
31 Wakefield Street • Rochester, NH 03867-1917
(603) 335-7609 Fax (603) 335-7589

Tuition Reimbursement Pre-Approval Form

1. Applicant's Name: Katherine Parker-Wright
2. Department: Library
3. The course(s) is(are) related to the employee's job or as part of a career development program: Yes X No
4. Number of Courses for this employee already approved for the current fiscal year is: 1 (attach copies of prior approvals)
5. Course(s) for which reimbursement is now being requested:
 - a. Name of Course Crit 502; Cost: \$1,331.00; and
dates of Course: from 1/7/2019 to 2/15/19
 - b. Name of Course ; Cost: ; and
dates of Course: from to
 - c. Name of Course ; Cost: ; and
dates of Course: from to
6. Reimbursement for only the cost of the course will be as follows:
100% for an A grade; 90% for a B grade; 70% for a C grade.
7. Upon course completion, proof of course completion and grade attainment must be submitted for reimbursement.
8. Department head approval signature: [Signature]
9. Date of Department head's approval:
10. Finance Director approval signature: [Signature]
11. Date of Finance Department approval: 12/19/2018
12. City Manager's approval Signature: [Signature]
13. Date of City Manager's Signature: 12.19.2018

01/03/2019



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

STATEWIDE
28139
X-A003(700)
(Roadway Curve Signing)

Bureau of Highway Design
Room 200
Tel. (603) 271-2171
Fax (603) 271-7025

December 12, 2018

Mr. Blaine Cox
City Manager
City of Rochester
31 Wakefield Street
Rochester, NH 03867

CITY OF
Received
DEC 17 2018
City Manager
ROCHESTER

Dear Mr. Cox:

This is to notify the City that the NH Department of Transportation has been developing a safety improvement project on state owned roadways in Rochester.

Work along NH Route 125, NH Route 108, US Route 202, Old Dover Road, NH Route 202A, and Pickering Road includes the removal, replacement, and/or installation of horizontal curve signing. The intent of this project is to increase motorist safety on state owned roadways throughout the City. Proper signing will aid in the reduction of motorist speeds and crashes along curves. This project is part of a statewide systemic effort to update all horizontal alignment signs to meet federal standards.

Construction will be completed during the day and will not require detours. Work along the roadways is anticipated to include tree trimming, traffic sign removal, relocation, and installation. Traffic impacts during construction will include shoulder or lane closures with flaggers and uniformed officers facilitating traffic movement. All work on this project will be performed such that traffic is unimpeded whenever possible.

The project is scheduled to advertise in January 2019. Construction is anticipated to begin and end during the summer of 2019. A pre-construction meeting, to which the City will be invited, will be held by the Contractor prior to the start of construction.

Included as part of this transmittal are two (2) copies of the Municipal Work Zone Agreement (MWZA) that all municipalities are asked to sign as an acknowledgement that the Department will have the authority to control traffic through the work zone for the duration of the project.

01/03/2019



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

Horizontal Curve Signing Project
Statewide 28139
Maintenance District 6

Bureau of Highway Design
Room 200
Tel: 603-271-2171
Fax: 603-271-7025

CITY OF
Received
DEC 17 2018
City Manager
ROCHESTER

December 12, 2018

Mr. Blaine Cox
City Manager
City of Rochester
31 Wakefield Street
Rochester, NH 03867

Dear Mr. Cox:

I am writing to let you know of an upcoming highway safety project to improve safety on roadway curves. The curve sign project will be on state roads in your municipality, as well as on state roads in all towns and cities in NHDOT Maintenance District 6. This same safety improvement is being implemented statewide.

The NHDOT will be designing and installing curve signs and chevrons based on measurements taken while driving each curve. Only those curves meeting certain criteria will be signed. This is required by the Federal Highway Administration (FHWA) to provide consistency in our highway warning signs. Most importantly, providing appropriate curve warning signs is a proven safety improvement to reduce run off the road crashes, which disproportionately result in serious injuries and fatalities on roadway curves.

The sign improvements are being made with Federal Highway Safety Improvement Program (HSIP) funds with no funding required by the municipality. Since all the signs are being installed on state owned and maintained roads there is no future maintenance responsibility for the municipality. Most of the sign installations will occur in 2019, but the work may extend into 2020.

Please feel free to contact me at the number listed above or via e-mail Michael.Dugas@dot.nh.gov should you have any questions or comments.

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
11/28/2018	12/5/2018	RAFFLE	Elks - annual raffle	2019
12/3/2018	12/5/2018	RAFFLE	Club Victoire - annual raffle	2019
12/3/2018	12/5/2018	RAFFLE	American Legion - annual raffle	2019
12/6/2018	12/13/2018	TAG	Friends Forever - SHS	1/18-20/2019
12/10/2018	12/13/2018	EVENT	Snocross event - fairgrounds	1/12-13/2019
12/13/2018	12/21/2018	SOLICIT	Atlantic Broadband - Lee Zwinger	thru 1/18/2019
12/13/2018	12/21/2018	SOLICIT	Atlantic Broadband - Grayson Clark & Michael O'Brien	thru 1/18/2019

ELECTRONIC MESSAGE BOARD REQUESTS				
11/30/2018		MESSAGE	Rochester Rockets Fundraiser - Dodgeball Tournament	12/15/2018
12/26/2018		MESSAGE	First Church Congregational - Jumble Sale	1/26/2019
12/26/2018		MESSAGE	First Church Congregational - Pancake Breakfast	1/19/2019
1/2/2019		MESSAGE	Granite State Choral Society - Singers Wanted	

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City Clerk's Office



City of Rochester Formal Council Meeting

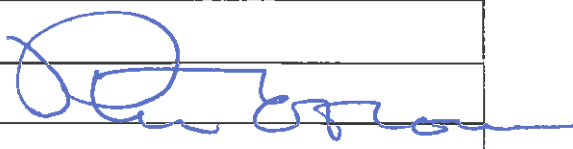
AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT
Legal Council Update to City Council on Matters Pertaining to the Great Bay Coalition

COUNCIL ACTION ITEM <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
INFORMATION ONLY <input checked="" type="checkbox"/>	* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

AGENDA DATE	1/8/19	
DEPT. HEAD SIGNATURE	Peter C. Nourse 	
DATE SUBMITTED	1/3/19	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

--

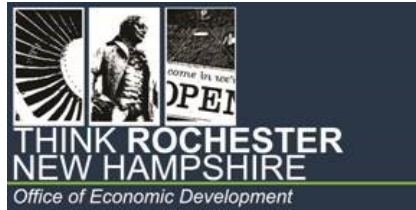
SUMMARY STATEMENT

Legal Council, Rath, Young and Pignatelli will provide a public presentation on the status of pending Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES) permit for the Waste Water Treatment Facility.

RYP will also provide non-public council to the City Council.

RECOMMENDED ACTION

Approve.



City of Rochester, New Hampshire
Office of Economic Development
31 Wakefield Street
Rochester, NH 03867

MEMO

TO: Mayor McCarley

CC: Karen Pollard, Economic Development Manager; Kelly Walters, City Clerk;
City Council

FROM: Jennifer Marsh, Economic Development Specialist

DATE: December 28, 2018

RE: Recommendation for Chair appointment on behalf of REDC

On behalf of the Rochester Economic Development Commission, we would like to recommend Jonathan Shapleigh of Northpoint Bank as the 2019 REDC Chair person. Our current Chair Susan DeRoy lives outside of Rochester and has taken a job outside of the city, which makes her ineligible to remain on the board after many years of her dedicated service.

Jonathan Shapleigh has offered to fill the Chair position and has expressed his interest at our December meeting. Jonathan has been Vice Chair since 2016.

Jonathan resides in Rochester and currently works for Northpoint Bank in Portsmouth. Jonathan is a very active member in the Rochester Community and is an excellent leader, efficient and dependable.

Thank you for your consideration of Jonathan as the Chair of the REDC for 2019.

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City Clerk's Office



01/03/2019

City of Rochester, New Hampshire
CITY COUNCIL – APPOINTMENTS COMMITTEE
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.net

Appointments Committee Minutes
December 18, 2018

Committee Members Present:

Sandra Keans, Chair
James Gray, Vice-Chair
Robert Gates
Donna Bogan
Tom Abbott

Committee Members Absent:

The meeting was called to order at 6:15 p.m. on December 18, 2018.

Steven Maimes – Library Trustee Ward 2 (6:15)

Mr. Maimes is applying for his 3rd term as a Library Trustee. Mr Maimes believes it is running very smoothly. He is very happy with Brian (Sylvester, librarian) and says all aspects of the library are doing well.

Councilor Gray **MOVED** to recommend Mr. Maimes; Councilor Abbott **SECONDED** the recommendation. The Appointments Committee unanimously recommends Mr. Maimes be reappointed as a Ward 2 Library Trustee, term to expire 1/2/2022.

Brett Johnson – Trustees of the Trust Fund / Utility Advisory Board (6:30)

Mr. Johnson is new to the City and believes in participating where one lives. He works from home and has flexible hours so he has availability at many times. He has more knowledge about Public Works Projects and believes he could be helpful on the Utility Advisory Board. With a Masters in is Business Administration, he also feels he can contribute to the Trustees of the Trust Fund

Councilor Bogan **MOVED** to recommend Mr. Johnson; Councilor Abbott **SECONDED** the recommendation. The Appointments Committee unanimously recommends Mr. Johnson be appointed as a member of the Utility Advisory Board, term to expire 1/2/2020 and a Trustee of the Trust Fund, term to expire 1/2/22.

Robert Brown – Recreation & Arena Commission (6:45)

Mr. Brown would like to continue on the commission as he was an original member that got it off the ground. He has a long history of contributing to all aspects of programming for youth in the City.

Councilor Bogan **MOVED** to recommend Mr. Brown; Councilor Abbott **SECONDED** the

recommendation. The Appointments Committee unanimously recommends Mr. Brown be reappointed as a Member of the Recreation & Arena Commission, term to expire 1/2/2022.

The meeting was adjourned at 6:58 PM.

Respectfully submitted,

Sandra B. Keans, Chair



01/03/2019

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

RECEIVED

OCT 19 2018

CITY CLERK
ROCHESTER

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: LIBRARY TRUSTEE — WARD 2

NEW RE-APPOINTMENT X REGULAR X ALTERNATE

NAME: STEVEN L. MAIMES

STREET ADDRESS: 59 FRANKLIN STREET

ZIP 03867

TELEPHONE:(H) 332-8889(W) **E-MAIL** SMAIMES@METROCAST.NET

REGISTERED VOTER: (CIRCLE ONE) (YES) NO **WARD** 2

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

CURRENT TRUSTEE ~~SINCE~~ SINCE JANUARY 2013.

POSITION OF TREASURER PAST 3 YEARS AND SECOND SENIOR
TRUSTEE (OUT OF 7). ROCHESTER RESIDENT AND LIBRARY
PATRON FOR 32 YEARS. ADVOCATE FOR THE LIBRARY.

KNOWLEDGE OF TRUSTEE MEETINGS THE PAST 6 YEARS.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Steven Maimes

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City Clerk's Office



01/03/2019

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

RECEIVED

NOV 16 2018

CITY CLERK'S OFFICE
ROCHESTER, NH

STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP

POSITION DESIRED: Trustee of Trust Funds

NEW ☒ RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

NAME: Brett Johnson

STREET ADDRESS: 97 Millers Farm Drive

ZIP 03868

TELEPHONE: (H) 603 (W) 944-7479 E-MAIL brett59jeyahoo.com

REGISTERED VOTER: (CIRCLE ONE) YES ☒ NO _____ WARD 5

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

Bachelor of Business Administration Univ. of Iowa 2002
MBA 2016 Univ. of New Hampshire
prior civ. duties: Town of Newmarket
Administrative Search Committee Zoning Board of
Adjustment, Riverwalk Advisory Committee

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

NA

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: [Signature]

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City Clerk's Office



01/03/2019

RECEIVED

NOV 16 2018

CITY CLERK'S OFFICE
ROCHESTER, NH

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Utility Advisory Board

NEW ☒ RE-APPOINTMENT ☐ REGULAR ☐ ALTERNATE ☐

NAME: BRETT JOHNSON

STREET ADDRESS: 97 Miller's Farm Drive

ZIP 03868

TELEPHONE: (H) 603 944-7479 (W) 603 944-7479 **E-MAIL** brettsgjeyahw.com

REGISTERED VOTER: (CIRCLE ONE) YES ☒ NO ☐ **WARD** 5

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

Bachelor of Business Administration 2002 Univ of Iowa
MBA 2016 Univ. of New Hampshire
Princ. & Assoc. Admins: Town of NEWMARKET Administration
Search committee, Zoning Board of Adjustment, Rockwalk
Advisory committee

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

NA

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: [Signature]

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City Clerk's Office



01/03/2019

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Arena Advisory Commission

NEW _____ RE-APPOINTMENT ☒ REGULAR _____ ALTERNATE _____

NAME: Robert W. Brown

STREET ADDRESS: 11 Hampshire Avenue

ZIP 03867

TELEPHONE: (H) ☒ 332-1103 (W) ☒ 332-1103 **E-MAIL** bbbrown@metrocast.net

REGISTERED VOTER: (CIRCLE ONE) YES ☒ NO _____ **WARD** 6

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

Original appointed Arena Advisor Commission member still serving.
I wish to be re-appointed to another 3 year term.
Currently a "fill-in" as available Secretary / Arena meetings.
Recently served as a member on Ice Arena refurbish project.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

Registered member USA Hockey N.E. District - member Evaluation Program.
Board member Seacoast Hockey League.
USATF & N.H. Official (donate service to Rochester elementary/middle/high school)
Officer RAA

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Robert W. Brown

RECEIVED

DEC 11 2018

CITY CLERK'S OFFICE
ROCHESTER, NH

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City Clerk's Office



Rochester City Council

Community Development Committee

MEETING MINUTES

Elaine Lauterborn, Chairperson

Donna Bogan, Vice Chairperson

Tom Abbott

Jeremy Hutchinson

James Gray

Meeting Date:	Monday, December 10, 2018	
Members Present:	Tom Abbott Donna Bogan James Gray Elaine Lauterborn	Members Absent: Jeremy Hutchinson
Guests/Staff:	Jennifer Murphy Aubin, Rochester Economic Development Executive Secretary Jennifer Marsh, Rochester Economic Development Specialist Matthew Winders, Rochester Main Street	

Councilor Lauterborn called the meeting to order at 7:00 p.m. Motion was made by Councilor Gray and seconded by Councilor Bogan to approve the October 9, 2018 minutes. The minutes were approved unanimously.

PUBLIC INPUT	There was no public input.
ROCHESTER MUSEUM OF FINE ARTS – Public Sculpture Project	<p>Ms. Murphy Aubin presented on the proposed public sculpture project on behalf of the Rochester Museum of Fine Arts (RMFA). RMFA has collaborated with the Economic Development Office previously on other public art projects, such as the downtown murals project. The public sculptures would be located near the China Palace area and installed in spring 2019. The sculptures were created by Barrington sculptor Adam Pearson.</p> <p>Ms. Murphy Aubin mentioned that unlike other art installations, public sculptures could be moved to other locations if desired. The proposed project has been reviewed by Economic Development Manager Karen Pollard and City Manager Blaine Cox prior to the project being referred to the Community Development Committee. The proposed cost for the project is \$4,000, which is currently available in the Economic Development Office funds set aside for the project.</p>

	<p>Councilor Abbott asked if the sculptures would interfere with winter snow plowing. Ms. Murphy Aubin said that she and Mr. Wyatt reviewed the proposed installation sites and proposed sculptures and believe that there is adequate clearance for plowing.</p> <p>Councilor Lauterborn asked if the sculptures have already been created. Ms. Murphy Aubin stated that they have been and that photographs of the sculptures were included in the Committee agenda packet. Councilor Lauterborn asked if any alternate locations have been discussed. Ms. Murphy Aubin replied that the Community Center and library were considered but that a main thoroughfare location was preferred.</p> <p>Councilor Lauterborn suggested that the riverwalk area near the former Foster's building also be considered. Councilor Bogan stated that this area has been planned for use for an interactive installation by the Riverwalk Committee.</p> <p>Councilor Lauterborn asked if the City would own the art or whether the sculptor would retain ownership. Ms. Murphy Aubin stated that the City of Rochester would have ownership. Councilor Gray asked if the \$4,000 couldn't be better spent elsewhere, such as on the in-progress wayfinding project.</p> <p>Motion was made by Councilor Bogan and seconded by Councilor Lauterborn to recommend that the City Council support the proposed public sculpture project. Motion passed, three to one.</p> <p>Mr. Winders stated that the sculpture project would be a great addition downtown and that the downtown needs more public art.</p>
ROCHESTER FARMERS MARKET PRESENTATION	<p>Ms. Marsh explained that when the Rochester Farmers Market was first formed, the organizers decided to serve in leadership for a period of three years to get the market started. That period of three years is now coming to a closure. Ms. Marsh stated that there are several available options for moving forward: to remain under Rochester Main Street, for the City of Rochester to create an LLC for the market, to hire a manager for the market.</p> <p>Councilors Gray and Abbott discussed trade name and LLC registration and renewal timelines. Councilor Lauterborn asked if the market has been breaking even or losing money. Ms. Marsh</p>

stated that so far the market has been breaking even due to sponsorships for music and volunteer management. Additional funding would be required to hire a paid part-time manager.

Councilor Lauterborn asked if the market manager would be a City employee. Councilor Gray stated that the manager would be a Rochester Main Street employee, as Rochester Main Street is the fiscal agent. Councilor Gray suggested reaching out to entities such as Gerry's Food Pantry to see if there is interest in taking over the farmers market. Councilor Lauterborn suggested that a market manager could be hired as a seasonal City employee.

Councilor Abbott asked how much money the City receives via food licenses. Ms. Marsh stated that food licenses are \$25 for the season and, if the vendors sell other items, a hawkers and peddlers license is \$150. Ms. Marsh mentioned that vendors also pay fees to participate in the farmers market. Councilor Abbott asked how many vendors participate. Ms. Marsh replied that the number of vendors ranges from 18 to 22 vendors per market. Councilor Abbott asked if that wouldn't mean that the farmers market doesn't pay for itself.

Ms. Marsh mentioned that if the Care Pharmacy property owner ever disallows use of the parking lot by vendors, such a prohibition could jeopardize the market. Possible alternate locations, under such circumstances, would include the former Advanced Recycling site on Wallace Street or Hanson Street.

Councilor Lauterborn stated that the raised issues will be brought to the full City Council for further deliberation and suggested that Ms. Marsh discuss the possibility of the Recreation Department hiring on a seasonal market manager with the City Manager. Councilor Gray suggested that the farmers market discussion be added to the January 2019 Community Development Committee agenda.

Ms. Marsh added that the Rochester Rotary Club has \$25,000 available to fund a beneficial downtown project. Potential ideas suggested have included a skate park and a percussion park on the riverwalk.

**WORKFORCE
HOUSING CHARRETTE
– Charrette Report**

Mr. Long gave a brief overview on the final charrette report and the charrette team’s recommendations, which included increasing density allowances and waivers for first-floor commercial requirements. Councilors Abbott and Bogan expressed concerns about waiving first-floor commercial requirements but support for increasing density allowances.

Councilor Lauterborn asked if the Planning Board has approved the proposed change to density limitations, and Councilor Gray confirmed that the Planning Board had done so.

Mr. Long also discussed density bonuses for housing projects that include affordable or workforce housing units and mentioned that the City of Portsmouth has such bonuses.

An overview of the workforce housing charrette and the final charrette report are available on the City of Rochester’s website at <https://www.rochesternh.net/community-development-division/pages/downtown-rochester-housing-workshop>.

**PROGRAMS REPORT –
CDBG Projects, Other
Grant Projects**

Mr. Long gave a brief overview of continuing CDBG projects. The tennis court lights project at the Community Center will be completed before the spring 2019 tennis season, and the two school department chairlift projects are scheduled to be completed over the school department winter break.

Mr. Long also stated that FY 2019-2020 CDBG grant applications are due December 14, 2018. (Originally the deadline was December 13th, but an error listed the deadline as “Friday, December 13th” rather than Thursday. The extension will ensure no one misses the deadline due to this error.) Councilor Lauterborn asked if the East Rochester Library has submitted a CDBG grant application. Mr. Long replied that the library has applied for general city funds for general operating expenses and for CDBG funds for building renovation projects. Mr. Long added that he has also provided a list of other possible funding sources, including historic building restoration resources, to the East Rochester Library.

Mr. Long then provided updates on non-CDBG grants. Bridging the Gaps is in the process of finalizing an agreement with Seacoast Youth Services to have Seacoast Youth Services take over the program in spring 2019, once the federal grant has ended. Also, the City of Rochester has been awarded a brownfields remediation grant from the New Hampshire Department of Environmental

	<p>Services to remediate soil contamination at the former Advanced Recycling site on Wallace Street.</p> <p>Mr. Long finally discussed COAST's ongoing Comprehensive Operations Analysis. All of the in-person public listening sessions have concluded, but the community survey is still being conducted. Councilor Gray mentioned that he attended the Farmington public listening session but was unable to attend the Rochester session as it was the same night as the Rochester candidates' forum.</p>
OTHER BUSINESS	<p>Councilor Lauterborn asked the Committee if they would like to have the FY 2019-2020 grant applicants present at the January 2019 Community Development Committee meeting. The Committee said they would like to do so.</p>

The meeting was adjourned at 8:12 p.m.

Next Meeting – Monday, January 14, 2019 at 7:00 p.m. in Isinglass and Cocheco Conference Rooms in City Hall Annex (33 Wakefield Street)

Topics – FY 2019-2020 Grant Application Presentations, FY 2019-2020 CDBG Annual Action Plan, Rochester Farmers Market, Projects Program Report, JOB Loan Program Report

Rochester Museum of Fine Arts
150 Wakefield Street
Rochester, NH 03867

Wednesday October 3, 2018

RE: \$4,000 Proposal – Art & Culture Initiatives, a partnership with *Rochester Main Street*, funding request for cost of materials sculpture and installation, an art sculpture project as a gateway to downtown revitalization and beautifying the City of Rochester, NH

Dear Ms. Karen Pollard,

On behalf of the Rochester Museum of Fine Arts, we thank the City of Rochester and the Office of Economic and Community Development's support of the Rochester Museum of Fine Arts public art projects in the historic downtown district, with the successful installation of art to cover boarded windows in the downtown. Our mission is to inspire creative change and enhance the visual impact of our city.

Based on the success of this project, we are proposing another art project comprised of a series of metal sculptures that will serve as a gateway to the City of Rochester's historic downtown, welcoming visitors, businesses and community members to the City.

In collaboration with the Rochester Main Street organization as we did with our first mural project, we look forward to promoting the community's great art projects, public partnerships and dedicated stewardship of our art and cultural resources.

The site is located along Columbus Ave/Route 125 and South Main Street. The Museum selected local artist, Adam Pearson, a sculptor from Barrington, NH. He will be installing three large metal abstract sculptures. Attached are sculpture designs to articulate the vision for the public art.

Thank you in advance for the consideration.

Sincerely,



Matt Wyatt
President, Rochester Museum of Fine Arts, www.rochestermfa.org/public-art

Sculpture Examples





Finance Committee
Meeting Minutes

Meeting Information

Date: December 11, 2018
Time: 7:00 P.M.
Location: City Council Chambers
31 Wakefield Street
Rochester, New Hampshire

Committee members present were: Mayor McCarley, Deputy Mayor Varney, Councilor Walker, Councilor Gray, Councilor Lauterborn and Councilor Keans. Absent: Councilor Torr. City staff present were: City Manager Cox, Interim Finance Director Connors, Police Chief Toussaint, Deputy Police Chief Boudreau, Chief Information Officer Sonja Gonzalez, Network Systems Technician Dan White, Director of Recreation and Arena Chris Bowlen and Accountant Kelley. Others present were: Lisa Stanley, Police Commission, Derek Peters, Police Commission and Ray Barnett.

Agenda & Minutes

1. Call to Order

Mayor McCarley called the meeting to order at 7:01pm.

2. Public Input:

Ray Barnett, resident, addressed the Finance Committee regarding how the Police and Fire Department's contracts are written, specifically, relating to the top of the pay scale.
Public Input – Closed at 7:08pm

3. Unfinished Business

There was no unfinished business taken up by the Finance Committee.

4. New Business

4.1 Recreation Department FY20 Budget Guidance for Fireworks

Director of Recreation and Arena, Chris Bowlen, approached the committee to see if they are interested in moving forward with funding the fireworks again next year on July 3, 2019. Mayor McCarley stated she would like to see it again. Councilor Lauterborn doesn't approve of the city paying for a fireworks display with taxpayer money.

Councilor Varney moved to recommend to the full council to approve the City sponsoring the 4th of July fireworks in 2019. Councilor Walker seconded.

A 4-2 show of hands approved the motion. Councilors Varney, Walker, Keans and Mayor McCarley were in favor. Councilors Lauterborn and Gray were not.

4.2 City IT Department Status Update

CIO, Sonja Gonzalez, made a presentation regarding the status of the IT Department. Councilor Gray had questions on whether the city is collaborating with the school department on these items. Gonzalez responded that they are doing so where they are able to. But with some items they are just not able to do so, such as the phone system and Microsoft Office products. City Manager Cox mentioned that the lines of communication with the school department regarding IT issues have improved greatly since Gonzalez has come on board.

4.3 PD Radio System Sole Source Vendor Request

Deputy Police Chief Boudreau addressed the Finance Committee requesting the Police Department be allowed to forego the bid process and just move forward with Motorola to remain consistent with existing radio equipment. By doing so, this will help maintain standardization between departments. The state has bids out there for both Motorola and Kenwood. There was discussion regarding the installation piece and having that portion of the cost go out to bid. It was determined that the installation cost is included as part of the total state bid package. Councilor Varney requested that the Finance Committee be updated monthly via the PD monthly report in regards to the status and costs of this project, since it is so large. **The request to forego the bid process was approved by a consensus of all present members of the committee. No vote was needed.**

4.4 Police Pay Compression

Lisa Stanley with the Police Commission approached the Finance Committee to explain that pay compression is negligible pay differences between different levels of employees regarding experience. This often happens when there are fewer candidates in a competitive work environment. The cost and time of training new employees is significant so keeping employees on board is important. There are currently 11 employees who fall below the linear line of pay. They are seeking to bump up these employee's salaries to help keep them on board. The funding to do so would come from their salary line. There are enough funds there due to staff turnover. Councilor Varney asked when the current contract is up. It expires in June 2020. Councilor Lauterborn stated she doesn't like the merit pay scale. Councilor Keans agreed. Councilor Walker does support merit pay but states this current issue is due to the booming economy. He would like to see how Rochester compares with other communities. Commissioner Peters explained how long it takes to get new hires ready and trained from date of hire to when they are able to patrol the streets alone. The police department is currently down 11 personnel, therefore, it's so important to keep these existing employees. The Committee decided to request the collection of information regarding other community's pay scales and bring it back to the full council either for next week's workshop or in January before any decision is made.

4.5 Police Vehicle Supplemental Appropriation

Chief Toussaint explained that on 11/11/18 a supervisor was involved in a collision that totaled a 2017 cruiser. He is here tonight to request a supplemental appropriation to purchase a replacement cruiser and to forego the bid process. Insurance money will not cover the entire cost of a new replacement vehicle. Ford is not making any new 2019 police interceptor vehicles but they have found a leftover 2018 vehicle from a dealer in Massachusetts that they have dealt with in the past. City Manager Cox stated that, if approved, he recommend this request come from fund balance. Councilor Lauterborn wanted to make sure that any insurance money that is received from Primex would go back towards reimbursing the fund balance.

Councilor Lauterborn moved to recommend approval to the full council at next week's workshop meeting. Councilor Walker seconded. All approved.

5. Reports from Interim Director of Finance & Administration

5.1 Report on Tax Deeded Property

Interim Director of Finance Connors reported that the tax deeded property balance is \$1.3 million as of the end of November.

5.2 Report on Sale of City Property

The sale of city property account is up to \$180,000. There is nothing to report on the monthly financials unless there are any questions.

5.3 Monthly Financial Report

There were no questions or concerns regarding the monthly financial report for November.

6. Other

Councilor Keans brought up that the Fire Department recently had multiple firefighters out for multiple days over two consecutive weeks in order to attend a conference. She finds this extraordinary with the overtime budget given that they are always asking for additional officers. Mayor McCarley asked City Manager Cox to check with Chief Klose on this.

7. Adjournment

Councilor Walker made the motion to adjourn the meeting at 8:13 P.M, Councilor Varney seconded it. All councilors were in favor.

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City Clerk's Office

Public Safety Committee
Council Chambers
December 19, 2018
7:00 PM

MEMBERS PRESENT

Councilor David Walker
Councilor Robert Gates
Councilor Geoff Hamann

MEMBERS ABSENT

Councilor Jeremy Hutchinson
Councilor Peter Lachapelle

OTHERS PRESENT

Michael Bezanson, PE, City Engineer
Gary Boudreau, Deputy Police Chief
Mark Klose, Fire Chief
Carl Turner, 11 Windhaven Drive
Kerrie Nolty, Medical Coordinator Hands Up
Nick Navana, Chair Hands Up
Emily Runin, Volunteer Hands up

Minutes

Councilor Walker brought the meeting to order at 7:00 PM.

1. Public Input

The members of the public were present for items already on the agenda.

2. Wakefield Street/ Union Street-Yield

Carl Turner of 11 Windhaven Drive was present to discuss the issue with the yield at the intersection of Wakefield/Union Streets. Before he addressed the Wakefield/Union yield issue, he stated that the street sign on one end of his road reads "Windhaven Drive" and the sign on the other end reads "Windhaven Road"; he wanted someone to take a look into it. Regarding the Wakefield/Union yield issue, last week he was traveling north on Wakefield and turning onto Union Street and he was cut off by a vehicle that should have yielded. He would like the yield sign to be more visible; anything would help. Councilor Walker said the striping on the pavement give the impression that traffic from southbound Wakefield Street does have the right of way into the right lane on Union Street.

Page 1 of 5

Public Safety Committee Minutes
December 19, 2018

Mr. Bezanson said there are two “yield” signs, one on either side of the travel lane from southbound Wakefield Street. As far as options for making the yield more visible, he referred to the pavement markings at the new roundabout on Marketplace Blvd. at the Ridge; the word “yield” is painted on the pavement with a “shark tooth” symbol, and dashed line to show right-to-way. Councilor Walker asked if a flashing yield sign was on hand. Mr. Bezanson said “no”. Councilor Gates asked if they had the regular yield signs on hand, and Mr. Bezanson said that they probably do, but that two yield signs are already installed at the Wakefield/Union intersection. Councilor Walker said he likes the painted yield pavement markings. ***Councilor Hamann made a motion to paint the markings on the pavement at the Wakefield/Union Street intersection, including the word “yield”, the “shark tooth” triangle symbols, and dashed line. Councilor Gates seconded the motion. Unanimous voice vote carried the motion.***

3. Hand Up Health Services

Councilor Walker summarized the issue. Kerrie Noltz, the Medical Coordinator of Hand Up Health Services, Nick Navona, the Chair Person and Emily Runin a Volunteer were present to discuss the services that they offer through Hands Up Health Services. Ms. Noltz said that the program is called Syringe Service program or Needle Exchange Program; these programs provide more than syringes. In July 2017 Hand Up Health Services registered as a Syringe Service Program through New Hampshire Department of Health and Human Services. In August 2017 street outreach began in Rochester, Dover, and Portsmouth and in October and November of 2017 regularly scheduled outreach sessions were in Rochester and Dover. Both programs use the principle of harm reduction, which is a set of practical strategies and ideas aimed at reducing negative consequences associated with drug use. These principles provide a framework for working with people who use drugs (PWUD). They can make choices, changes, client driven vs. coercive, supportive vs punitive. A framework for understanding drugs and drug use, viewed through lens of science not morality, acknowledges some drugs/ use are safer than others, acknowledges and addresses context of use (drug, set, setting). The goal is to improve the health and well-being of individual, their partners, families and associates and the community. By exchanging the syringes, this helps prevent HIV, Hepatitis C and soft tissue infections and endocarditis. This program provides an engagement pit for getting people help and medical housing. Many drug users do not have any support. This program helps to keep the drug users healthy while using, they are

Page 2 of 5

Public Safety Committee Minutes

December 19, 2018

not using more, trying to keep them healthy. They promote safer injection tips, use sterile injecting supplies, take care of your veins, take your time, carry Naloxone and do not use alone. Disease prevention and referral, which includes HIV/ Hepatitis C testing, healthcare referral, substance use, treatment referral. They also provide overdose prevention by supplying fentanyl test strips, a lot of the opioid supply in the area has fentanyl. Mr. Navana stated that the individuals are already using drugs this is a way to keep them healthy during use. Ms. Runin said they have people come to them who use the syringes over and over again, it's not that they are using more drugs. They encourage people to call in overdoses to 911, it saves lives in the end. Councilor Gates asked how do they know the program is a success. Ms. Noltz said more tracking by the police and connecting with others. Councilor Gates asked how they deal with people saying giving syringes is enabling them. Mr. Navana said they are already using drugs they are just keeping them healthy they are not encouraging them to use or to stop. Ms. Runin said right now they have all the supplies in the back of the car and they use an apartment building driveway that they have permission to use. Deputy Boudreau said that the police department tracks the statistics closely. The Comstat report from last week showed that in 2017 year to date there were 250 deaths, and year to date for 2018 there is 162. He stated he didn't know if it was because of the availability of Narcan or reduction in use and that it was probably a combination of both. He said it is trending in the right direction. Ms. Noltz said they also encourage and support readiness for rehabilitation.

4. E911 Update

Councilor Walker summarized the issue.

Deputy Chief Boudreau said there was no meeting last month, but the two public hearings were held for East Side area Main Street and the Gonic area Main Street. They will be holding another public hearing. The tenants in the Gonic area apartment buildings were not there. The next one will probably be held in late January. Fire Chief Klose said he attended both public hearings and he said that some of the letters were not delivered. He talked to the postal service and they said that 195 letters were accidentally destroyed, which is part of the reason they will hold another public hearing. He also said that at the public hearing in East Rochester there were no residents of Main Street just Autumn Street and there was also a representative from the E911 committee of the state present. He also said that some of the people wanted to know why we were concerned

about these two streets. He said that there is 35 pages of discrepancies and they are working on them one page at a time.

5. Emergency Management Update

Councilor Walker summarized the issue. Fire Chief Klose said that The Hazard Mitigation Plan has been approved by Homeland Security and it is being finalized and will be adopted by the City for the 5 years. He also said that there is inclement weather predicted for Friday in the form of heavy rain, so there may be localized flooding.

6. Other

Wakefield Street-Yield Sign

Councilor Gates wanted to go back to the Wakefield Street/Union Street yield issue and ask Mr. Turner if he lived near Wakefield Street. Mr. Turner said “no”; he lives near Skyhaven Airport, but travels in the downtown area and is concerned. Councilor Gates asked if there have been many accidents in the area; Deputy Chief Boudreau said he would have to check the data on this area.

School Street Speed Issue

Deputy Chief Boudreau said that he received a call from the principal of the School Street School and she was concerned about the speeding on Portland Street near the crosswalk. The principal would like two flashing signs that say caution. He said there is a crossing guard there and he has not had a chance to check this request out. There are school zone notification signs present on Portland Street; it was questioned whether these could be updated or moved. This was kept in committee until next month; Mr. Bezanson will get more information.

South Main Street-Parking

Fire Chief Klose raised the issue of the parking spot on South Main Street by the Chamber of Commerce. The pumper that the Fire Department uses has a hard time travelling in the right lane as South Main Street turns into Wakefield Street when large vehicles are parked in the first spot. It happened twice in this area that the pumper had a hard time getting by when a vehicle was parked there. Mr.

Page 4 of 5

Public Safety Committee Minutes

December 19, 2018

Bezanson said the area ahead of the crosswalk is hash marked for no parking as required. Deputy Chief Boudreau said it does cause a bit of a vision problem. Councilor Walker asked if they have compact car signs. Mr. Bezanson said he would have to look to see if DPW has one or can order one. This was held in committee and Mr. Bezanson will look into the compact car parking signs issue.

Councilor Gates made a motion to adjourn the meeting at 7:58 PM. Councilor Hamann seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Laura Miller, Secretary II.

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City Clerk's Office

Public Works and Buildings Committee
Meeting Minutes
December 20, 2018
Council Chambers

MEMBERS PRESENT

Councilor Ralph Torr, Chairman
Councilor Ray Varney- Vice Chairman
Councilor Sandy Keans
Councilor David Walker
Councilor Geoffrey Hamann

OTHERS PRESENT

Blaine M. Cox, City Manager
Peter C. Nourse PE, Director of City Service
Daniel Camara, GIS / Asset Management
Robert Benoit, President Roger Allen Park Association
William Elwell, 281 North Main Street
Al Benton, Roger Allen Park Association

MINUTES

Chairman Torr called the Public Works and Buildings Committee to order at 7:00 PM.

1. Approve minutes from the November 15, 2018 Public Works & Building Meeting.

Chairman Torr requested comments or a recommendation on last month's meeting.

Councilor Walker made a motion to accept minutes as presented for the November 15, 2018 Public Works & Building Committee meeting. The motion was seconded by Councilor Hamann. The Motion passed unanimously.

2. Public Input

Mr. Robert Benoit introduced himself as President of the Roger Allen Park Association Board of Directors. He stated that the Roger Allen Park has serviced the youth of the community for many years. He stated that annually approximately 2000 children participate in sports at this park. Mr. Benoit stated that the maintenance and uniform budget for the park is approximately \$300,000 and is raised through all private donations without any City Tax contributions. Mr. Benoit stated that it is one of the best, if not the best, parks in the State of NH. Mr. Benoit stated for several years the park has been looking for access or egress to provide better safety for the traffic entering and exiting the park on Chestnut Hill Road. He stated that some time ago they learned that the park had a potential right of way through an adjoining property that dated back to the 1930's. He believes that if this right of way was utilized it would give better and safer access or egress from the park onto Chestnut Hill Road. Mr. Benoit stated that the adjoining property where he understood the right of way to exist is on the property of the new DPW

Facility at 209 Chestnut Hill Road. He stated that the Association and their legal counsel believe that the Right of Way is valid and he has heard that the City and their legal council does not believe that to be true. Mr. Benoit stated that he is here tonight to request that the City and the Association work together to find a solution that would give the Roger Allen Park Association a right of way that would give them access to Chestnut Hill Road and not cause any detriment to the City's planned DPW Facility. Mr. Benoit stated he would like this Committee to make a recommendation to the full City Council to work have the Public Works Department work with the Roger Allen Park Association on a mutually acceptable agreement regarding the Right of Way.

Mr. William Elwell of 281 North Main Street spoke of a sidewalk issue on North Main Street. He stated that in the area of Fortier Street on the north bound side of the road the sidewalk ends leaving pedestrians to walk in the street and across lawns. Mr. Elwell stated that approximately 5 years ago when the sidewalks were reconstructed in this area the engineers put in crosswalks to direct pedestrians to cross the street before the end of the sidewalk, but he stated this is not happening. He stated that the pedestrians are walking to Macdonald's and Cumberland Farms and it doesn't make sense for them to cross and then cross back at the traffic light. Mr. Elwell stated that he believed that this was a temporary situation and that the intent was to come back and put in this approximate 500 feet of sidewalks at a later date. He is requesting that this be done. Councilor Varney asked Director Nourse if there was sidewalk funds available. Mr. Nourse stated that the current funds have been awarded in a contract to reconstruct the sidewalks on Portland Street from Signal to Chamberlain Street. Councilor Varney asked for a cost estimate on this section of sidewalk. Mr. Nourse stated it is approximately a 600 foot area without sidewalk. He stated that this was looked at in the 2013 Sidewalk project on North Main Street. At the time it was determined that the numerous conflicts in the area made it very complicated and costly to install sidewalks in that section of the roadway. He stated that there maybe be utility pole relocations necessary, a landscaped curbed island just after Claire would need to be removed, and there is a parking lot, approximately 200 feet long at 267 North Main Street, at the Seacoast Fencing property. Mr. Nourse stated that in 2013 it was decided to direct the pedestrians to cross the road at Fortier Drive for those going to the Home Depot and Hannaford area, and those that needed to, could cross back safely at the light for Cumberland Farms and MacDonald's. Mr. Nourse stated with all that being said, it is clear that pedestrians are traveling this section without sidewalk. He stated he can see the worn down grass areas and he has witnessed the foot traffic in the area. Mr. Nourse stated without the impediments discussed sidewalks are about \$80 per linear feet, so minimally it would be a \$50,000 project. He stated that there have been other sidewalk requests for areas without sidewalk and those have been added as standalone projects to the CIP's and he thinks this one is a legitimate project as well. Councilor Varney asked that this project be added to

the CIP for consideration with the budget.

3. Other:

Councilor Varney made a motion to modify the agenda hear “Other” next. He stated he would like to address the Roger Allen Park Association. Councilor Keans seconded the motion. The motion passed.

Roger Allen Park Association request for cooperative agreement – Councilor Varney stated that he would like to hear from Peter Nourse and Blaine Cox on the issue as he believes that regardless of who is right about the validity of the right of way he believes that an agreement can be worked out that would not adversely impact the City and would give Roger Allen Park the ability to some day in the future benefit their situation. He believes that this volunteer group and others like this, has a large positive impact on the City. Councilor Varney suggested that the DPW and the architect consultants work with the park to give them what they need. Chairman Torr suggested that if City does to this it effects the sales agreement of the property to the City. He stated when the 209 Chestnut Hill Road property changed hands 3 years ago the right of way was not conveyed in the deed. Councilor Keans stated that whether there is or isn’t a right of way seems to be a debatable issue. Chairman Torr stated that the deed is clear, there is no right of way in the deed. Councilor Varney stated that it is not about who is right one way or the other, He believes that an agreement can be worked out that will not adversely impact the City and will be beneficial to Roger Allen Park. Chairman Torr reiterated that this could impact the sale of the property to the City. Mr. Cox stated that the City has executed a deed on the property of 209 Chestnut Hill Road and he and Mr. Nourse have discussed the ability to provide an access and they believe that this could be done without adverse effects to the new facility. Councilor Hamann stated that he is having difficulty visioning an access that would help the traffic at Roger Allen Park. He asked that a map be distributed showing the access. Councilor Varney stated that for this discussion he wanted to have the DPW and the Architects look at the situation and bring it to the City Council for discussion. Councilor Walker asked if the City has a legal opinion as to the validity of the right of way claim. Mr. Cox stated that the City Attorney has looked at it extensively and he does call into question whether it is valid or not, but the Park Association has a legal opinion that contradicts that. Councilor Varney again stated that the Council shouldn’t get hung up on who is right or wrong, but whether we can come to an agreement that is beneficial to both. He said we are not building a road for them, we are just going to allocate space for them to do so for future use. Councilor Walker stated that he would like to clear up the legal issue first. Councilor Keans stated she was opposed to litigation if the City can work something out with the park. Mr. Benton from the Roger Allen Park Association gave a history on his understanding of finding of the right of way when Chairman Torr bought the 209 Chestnut Hill Road property 3-4 years ago.

4. **Strafford Square**

Mr. Nourse stated we are in the right of way phase of the project. He stated there are approximately 25 abutters that we will have to address. He stated per the Uniform Act there are laws that require the City to compensate abutters for impacts. He said most of the impacts will be for temporary access and require minimal compensation. He states that NHDOT classifies the impacts as complicated and uncomplicated and in this area most are uncomplicated. Uncomplicated means the right of way gets closer to the boundaries, trees need removal, or even roadway access changes. He stated that they become complicated if there are 2 or more of these issues for one property. He further stated that the Uniform Act requires that for the complicated impacts you are required to get an independent appraisers to appraise the property to establish the monetary compensation. There are six properties in this project area that are considered complicated and the City is working on the process of establishing agreements with those abutters. Mr. Nourse stated that we have a proposal from Consolidated (formerly Fairpoint) and they are planning on doing the requested work. He stated that it is a very technical and complex undertaking for Consolidated and the Council should be made aware of potential issues due to the complexity of the job. He also stated that Consolidated is not sure of the amount of work that is required.

5. **DPW Facility Update**

Mr. Nourse stated that the onsite survey is completed. The architects are finishing up with the space needs determinations and working on permitting. He stated that staff and the architects will be presenting to the City's Technical Review Group (TRG) in February and going to the Planning Board on the first of April. He displayed a timeline schedule for the project. Councilors Varney and Keans asked that the schedule be emailed to the Committee. He stated that if project stays on schedule we are looking to be commissioning the new building in early 2021.

6. **Other**

Dewey Street Bridge - Mr. Nourse discussed the graffiti and destruction of public property in the area of the Dewey Street Bridge. He stated that we have been working with the IT and with Eversource on a camera project in the area. Eversource will not allow the City to install cameras on their poles so the City will have to put up our own poles and have metered services for the camera system and lights. He stated to put up one pole it will be about \$6,000 and to put one on each side of bridge it would be a total of about \$10,000. A camera on the Dewey Street side will be an additional \$5,000 for the equipment and cabling and the other side, Hanson Pines, would probably be \$6,000 as we would have to run the cable from the Yeagley Way area. Councilor Keans stated that there is already power on the poles there. Mr. Nourse explained that we would not be allowed to use those existing poles, we would have to put up our own. She asked if something could be worked out with them. Mr. Nourse stated we would work with Eversource to put up our own poles and have power supplied. Mr. Cox explained that

running cable across the bridge is not likely to work. Mr. Cox stated that we were looking to get direction from the Committee as to one or two cameras. The Committee was in agreement that the cameras were needed on both sides, but wanted additional information as to the project. Councilor Keans asked if a security company would be installing them. Councilor Hamann asked who would be monitoring, what the capability would be. Councilor Varney suggested that Mr. Nourse bring back the additional information regarding equipment, monitoring and cost for the installation of two cameras, one on each end. Mr. Cox stated that they had the direction needed and would bring back the information to the Committee on the installation of two cameras.

FY2019 and FY2020 Paving Plan – Mr. Nourse stated that we currently have 1.2 million dollars in the FY2019 CIP Paving Fund with a roll over remaining of \$63,000. Mr. Nourse stated that the department will be going out to bid on these projects in January. He stated that the pavement index recommended roads for FY2019 are just about that number. Mr. Nourse displayed the list on the monitor. The list included sections or all of the following Streets: Cove Ct, Cross Street, Foch Street, Jeremiah Lane, Louise Street, Maine St - East Rochester, Governors Road, Ten Rod Road, Charles Street, Springfield Court, and Walnut Street for a total of \$1,258,000. The list for FY 2020 includes all or sections of the following Streets: Columbus Ave, Colby Street, Chestnut Hill Road, Cross Road, Chapman, Johnathan, Huckins and Salmon Falls Road from Bernard to Stonewall. Mr. Nourse stated that some of these smaller roads will be done in house by the DPW Staff and not included in the paving projects bid. Mr. Nourse discussed the investment made in this pavement index program and how it selects roads for treatments. Councilor Keans asked if the program takes actual road usage into account. Mr. Nourse stated that there are not traffic counts but it does look at the type of road, such as arterials, connectors and neighborhoods. Councilor Varney asked about the remaining funds for work in the spring. Mr. Nourse stated there is a turnover of \$63,000 plus the FY2019 appropriation of \$1.2 million. Councilor Varney asked if this was for spring and summer paving. Mr. Nourse stated that we are in a position to go out to bid next month and to award the bid based on this plan. Because of the SB38 money we have been able to get on the desired budget cycle and will not have to wait to July to award. He stated he expects paving to resume at the start of the season. Councilor Varney stated that the Council does not want to see late season paving each year.

Councilor Varney made a motion to recommend the discussion and adoption of the paving list at the full City Council Meeting in January. Councilor Walker seconded the motion. The motion passed unanimously

209 Chestnut Hill Road / Roger Allen Park Association Right of Way Issue

Councilor Varney made a motion to recommend that the full council direct the administration to work with Roger Allen Park Association to bring a proposal back to

Council for discussion. The motion passed with Councilors Varney, Keans, Walker and Hamann voting to approve.

Councilor Walker made a motion to adjourn at 7:56 pm. Councilor Haman seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Administration and Utility Billing Supervisor.

CIP FY19-FY20 Paving List					
Project Street	Starting Cross Street	Ending Cross Street	DPW Suggested Rehabilitation Method	Estimated Project Cost	Project Cost Running Total
Cross St / Municipal Lot	Portland St	Columbus Ave	Remove Pavement and Repave	\$ 40,000	\$ 40,000
Main St - ER	Cocheco Ave	Autumn St	FWM* and Overlay (2")	\$ 85,000	\$ 125,000
Governors Rd	Cross Road	Farmington TL	FWM*, Patch, and Overlay (2")	\$ 210,000	\$ 335,000
Ten Rod Rd	Daytona	Four Rod	FWM*, Patch, and Overlay (2")	\$ 425,000	\$ 760,000
Charles St	Columbus Ave	Knight St	FWM*, Patch, and Overlay (2")	\$ 255,000	\$ 1,015,000
Walnut St	Twombly St	Strafford Sq Project	FWM*, Patch, and Overlay (2")	\$ 160,000	\$ 1,175,000
Colby St	Oak St	Main St - Gonic	Remove Pavement and Repave	\$ 35,000	\$ 1,210,000
Columbus Ave	Lowell St Intersection	Knight St	F2FM** and Overlay (2")	\$ 220,000	\$ 220,000
Chestnut Hill Rd	Elmo Ln	Little Falls Br Rd	FWM*, Patch, and Overlay (2")	\$ 235,000	\$ 455,000
Cross Rd	Milton Rd	Governors Rd	FWM*, Patch, and Overlay (2")	\$ 360,000	\$ 815,000
Chapman / Jonathan / Huckins	Gonic Rd	End	Reclaim and Pave	\$ 325,000	\$ 1,140,000
Salmon Falls	Bernard Rd	Stonewall Dr	Reclaim and Pave FWM* and Overlay	\$ 510,000	\$ 1,650,000

2019

* - Full Width Mill (grind out asphalt entire width of pavement)

** - Fog Line To Fog Line Mill (grind out asphalt in travel lanes only)

In-House FY19-FY20 Paving List					
Project Street	Starting Cross Street	Ending Cross Street	DPW Suggested Rehabilitation Method	Estimated Project Cost	Project Cost Running Total
Cove Ct	North Main St	End	EM*** and Overlay (1.5")	\$ 13,000	\$ 13,000
Foch St	Washington St	End	Shim and Overlay (1.5")	\$ 5,000	\$ 18,000
Jeremiah Ln	Portland St	End	Shim and Overlay (1.5")	\$ 8,000	\$ 26,000
Louise St	Franklin St	End	Shim and Overlay (1.5")	\$ 6,000	\$ 32,000
Springfield Ct	Lafayette	End	Remove Pavement and Repave	\$ 10,000	\$ 42,000

*** - Edge Mill (grind out asphalt along edges only to allow smooth transitions to existing driveways and increase crown)

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City Clerk's Office



Tri-City Joint Mayors' Task Force on Homelessness
Somersworth Middle School, Media Center
7 Memorial Drive
Somersworth, NH 03878
December 6, 2018
6:00 PM

MAYORS

Chairman
 Jeremy Hutchinson

Mayor Caroline McCarley
 Mayor Karen Weston
 Mayor Dana Hilliard

Vice Chair
 Marcia Gasses

Rochester Members

Elizabeth Atwood

Rev. Eliza Tweedy

Jeremy Hutchinson

T.J. Jean

Dover Members

Phyllis Woods

Betsey Andrews Parker

Andrew Howard

Marcia Gasses

Somersworth Members

Todd Marsh

Laura Hogan

Rick Michaud

Dina Gagnon

Alternate (Dover):

Lindsey Williams

Homeless Liaison

Terra Stewart

Survival Shelter Sub-Task Group	Master Plan Sub-Task Group
Marcia Gasses	Betsey Andrews Parker
Todd Marsh	Todd Marsh
Elizabeth Atwood	Dina Gagnon
Andrew Howard	Eliza Tweedy
	Phyllis Woods
	Lena Nichols
	Laura Hogan
	Rich Michaud

MINUTES**1. Call to Order**

Chairman Hutchinson called the meeting to order at 6:02 PM.

2. Roll Call

Cassie Givara, Deputy City Clerk of Rochester, took the roll. The following members were present: Betsey Andrews Parker, Andrew Howard, Todd Marsh, Rick Michaud, Eliza Tweedy, Jeremy Hutchinson, and Mayor Hilliard. Lindsey Williams & Phyllis Woods both arrived shortly after rollcall.

The Following members were absent/excused: Dina Gagnon, Laura Hogan, Terra Stewart, Marcia Gasses, Mayor McCarley, Mayor Weston.

3. Clergy Remarks – Rev. Eliza Tweedy

Reverend Eliza Tweedy of the First Church Congregational in Rochester gave inspiring open remarks and spoke about breaking down the “us. Vs them” barrier, learning to view humanity as one people, as one community and taking care of our community.

4. Update: Current Statistics on Homelessness in Strafford County

Tory Jennison (Director of Population Health at Integrated Delivery Network), Betsey Andrews-Parker (CAPSC) and Todd Marsh (Rochester Welfare) gave updates on the current statistics on those waiting to be sheltered in the seacoast area.

5. Public Input

Chairman Hutchinson invited members of the public to address the Task Force.

George Maglaras, Strafford County Commissioner, informed the commission that The Strafford County Commissioners have decided to open a temporary shelter at the Strafford County Complex. This temporary shelter is intended to be a stop gap measure to shelter those in need while the Task Force and Salvation Army struggle to get a cold weather shelter open in Rochester. This shelter is not intended for long-term use. Commissioner Maglaras stated that the County doesn't have to deal with the same code or zoning issues with which the municipalities have to deal, so they are able to step in and assist without the red tape.

Commissioner Maglaras stated that the shelter would be able to open almost immediately, prior to the holidays. The facility can likely house up to 40 individuals. The Commissioner said that the details would be released shortly, including transportation which will be provided by the County. The County hopes to offer integrated care for those

staying at the shelter to ensure there is no wrong point of entry for those seeking help. The County will take care of all costs, although the costs will be lessened due to the existing resources available. The shelter will be low-barrier, sheltering those in need overnight but not during day time hours.

He stated that the Commissioners are of the belief that Government shouldn't be doing anything that the private sector is willing to do. Government should be a tool to augment what the Task Force is doing, not replace it. This shelter may or may not be part of a longer term solution. Ideally once the Mayors and Task Force come up with a coordinated effort, a nonprofit or an organization from the private sector will step up to offer help.

Commissioner Maglaras strongly suggested that the Municipalities suspend the code enforcement aspect of the shelter process in circumstances of an emergency or cold weather; there should be more compassion for people than for rules and regulations.

The Commissioner said he was researching other programs throughout the country with the hopes of bringing information back which may help the Tri City Mayors in regards to behavioral health issues. This warming shelter at the Strafford County Complex will allow for the statistical analysis on this population to begin.

Commissioner Maglaras spoke about a program developed by the State of Utah Government in which they created delivery networks around government-run shelters which had fewer rules and restrictions, and with which there was no wrong point of entry. The shelters were open for those with substances misuse issues, behavioral health issues and others. These issues were dealt with in an integrated fashion. The Commissioner stated he planned to travel to Utah to learn more about this program and see if it would be plausible to do something similar in NH and how such a program could be funded.

A resident spoke about the struggles her family has been enduring with an unethical landlord who is not taking care of the property in which she lives or keeping the house in a safe, livable condition. The resident also addressed the committee about her inability to get assistance from code enforcement due to her landlord not allowing them in the building. The resident spoke of the lack of affordable housing in the area and inability to secure housing through HUD due to prior evictions. Following Public Input, members of the Task Force from various community resource organizations stepped aside with the resident to further discuss her situation.

6. Approval of Minutes

- 3.1 Tri-City Mayors' Joint Task Force Meeting October 18, 2018 (revised)
consideration for approval

- 3.2 Tri-City Mayors' Joint Task Force Meeting November 15, 2018
consideration for approval
- 3.3 Tri-City Mayors' Joint Task Force Workshop November 29, 2018
Information Only

Andrew Howard **MOVED** to accept the minutes for October 18, 2018 as revised as well as the minutes for November 15, 2018. Eliza Tweedy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Communications from the Mayors

**Agenda change – Communication from mayors held following the review of the draft Master Plan*

8. Communications from the Task Force Chairs

Chairman Hutchinson reported that the Salvation Army is in a holding pattern with the City of Rochester in regards to the variance issue. The Salvation Army is still waiting on approval from the Zoning Board of Variances, but missed the deadline to be placed on the December agenda. They are now scheduled to appear mid-January.

Chairman Hutchinson stated that he is petitioning for a suspension of the rules in order to hold an emergency hearing on the Salvation Army Shelter. The Chairman said he is meeting in 4 days with City officials from Rochester including the City Manager and Fire Chief to discuss the issue.

There was a discussion regarding the need for measures which would suspend rules for extreme cold. There are measures in place for all other types of emergencies, but no such measures for cold temperatures.

The Commission discussed the difficulties being encountered in opening the Salvation Army shelter. It was asked if a shelter could be opening in either Dover or Somersworth as a Plan B if the code enforcement and variance issues in Rochester continue. Chairman Hutchinson stated that the Salvation Army stepped forward and offered to open the shelter, they were not approached by the Task Force or the Municipalities. Unfortunately, there have been no other organizations which have offered space or property.

Matt Huusko, Rochester, asked if the National Guard Armory on Brock Street in Rochester was an option, as it had been used last year for similar purposes. Chairman Hutchinson said that the Armory is State-Owned. The City has no jurisdiction over this property. Last Year the National Guard offered the space, it was not requested by the City.

Lindsey Williams, Dover, clarified for the record that the Task Force is not ignoring the Cold Weather Shelter or delaying working on this item. The Task Force meeting on November 29, 2018 had been a workshop specifically to work on the Master Plan, but the commission is still very much focused on getting a shelter in place.

9. Review: Draft Master Plan

Chairman Hutchinson stated that the Task Force was not originally put in place to open a temporary shelter. The goal is a long term solution to ending homelessness and getting a plan in place which can be approved by the respective City Councils year after year. The Chairman suggested keeping the Task Force going at least through the following fall once the Plan has gone through one budget cycle and experienced the hiccups shortfalls, funding issues, etc. At that point the Task Force will have a better idea of sustainability of the Plan and be able to make adjustments in anticipation of the next winter season.

There was a summary given of what was accomplished at the previous week's workshop meeting. The group had workshopped 4 strategies, formulating more thorough narratives including proposed action items, challenges to implementation and possible funding sources. Betsey Andrews Parker has taken all the comments and suggestions from each group and worked them into the draft master plan.

Ms. Andrews Parker reported that there are still strategies which need to be completed and there will need to be volunteers with experience in the subject matter to work on these items and reach out to relevant resources.

Matt Huusko, SOS Recovery, stated he would work on the Substance Misuse Strategy. Marcia Gasses and Todd Marsh committed to continue work on the cold weather shelter strategy.

The Committee discussed the process of the Master Plan's Completion. It was decided that it can be sent to each City's respective attorneys for review while in the draft format prior to being presented to the Cities in January. Mayor Hilliard recommended that the Task Force opens up the Master Plan for public comment in draft form. There will also be a chance for public input when it is presented to the City Councils.

10. Affordable Housing Strategy

No new updates or discussion.

11. Report from Sub-Task Groups

No new updates or discussion.

- **Communications from the Mayors (*agenda change*)**

Mayor Hilliard spoke about erasing borders; problems don't lie within borders and problems needs to be addressed regionally. Mayor Hilliard expressed the goal of having Dover, Somersworth and Rochester think of each other as partners in this process. Mayor Hilliard also emphasized the need to ensure the fidelity of the work being accomplished by the Task Force. Who will be in charge and handle funding and allocations? Although the Task Force will unlikely disband, it may need to be restructured following the completion of the Master Plan and after the next budget cycle in each City.

Mayor Hilliard stated that he felt the current timeline for the completion of the Master Plan was ideal. The Task Force will hold the next Workshop in January to further finalize the plan. Over the course of the subsequent several months, the Master Plan can be tweaked, go to the Cities' legal department for review, have an opportunity for public input and a charrette, and be finalized in April. The Mayor recommended not moving the product forward to the Councils during budget season, but rather waiting until the summer months when there is less on the Councils' schedules and the Task Force can make the Master Plan a focus before final adoption in late summer or early fall.

Chairman Hutchinson started a discussion on potentially having the Master Plan appear before the Councils for adoption prior to the approval of the budgets if there will City funding involved. Having a line item for cold weather shelters in the City Welfare budgets was discussed. The potential of coming up with a plan for requesting a supplemental appropriation from the three Councils was also discussed and how it would work.

Chairman Hutchinson cautioned that a supplemental appropriation would need to have substance and be worded carefully in order to be approved by the Councils. There needs to be specific direction and verbiage stating for what the money will be used. There will need to be discussion on how much to request and if the money will be equally dispersed amongst the three cities.

12. Supply Donation List – Terra Stewart

A list was supplied to the task force of suggested donations for the homeless community (Addendum). It was noted that these donations can be dropped off at the Tri-City Co-Op on Summer Street in Rochester. It was stated that there should be a caveat that only the specified supplies on the donation list are being requested to avoid the Co-Op from receiving unneeded or less useful supplies.

Mayor Hilliard of Somersworth said he would have the list posted on the City's TV channel.

13. Other

Barbara Holstein, Rochester Youth Reach, reported that the Knights of Columbus had just donated 192 new ski jackets to children in need.

The deadline for edits and additions to the Master Plan Strategies is due by January 4, 2018 to be submitted to Betsey Andrews Parker.

There will be no Task Force workshop meeting in December due to the holidays. The next regular Task Force meeting will be held on Thursday January 17th, 6:00 PM in Rochester, Location to be determined.

14. Closing Public Input

No Discussion

15. Adjournment

Chairman Hutchinson **ADJOURNED** the meeting at 7:49 PM

Respectfully Submitted,

Cassie Givara
Deputy City Clerk, Rochester

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City Clerk's Office



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

Planning and Development
Conservation Commission
Historic District Commission
Arts and Culture Commission

To: Blaine Cox, City Manager

From: James Campbell, AICP, Director of Planning & Development

Re: Zoning Amendments

Date: December 27, 2018

The Planning Board recently reviewed two possible amendments to the Zoning Ordinance. The first was an amendment initiated by the City Council regarding the Conservation Overlay District to recommend changes to references within the Conservation Overlay District language. The Planning Board unanimously recommended that the City Council adopt the amendments to the Conservation Overlay District.

The second proposed amendment was a citizen petition submitted by the landowners of two parcels to amend the Zoning Map along Route 108 (Rochester Hill Road) to change the Zoning District from Agricultural to Office Commercial. The Planning Board voted unanimously to NOT recommend the amendment. The Planning Board would prefer a more holistic approach to the area and not to make zoning map changes parcel by parcel.

If you have any questions or need any additional information, please do not hesitate to ask.

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City Clerk's Office

Amendment to Chapter 42 of the General Ordinances of the City of Rochester
Regarding Conservation Overlay Districts

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows):

42.12 Conservation Overlay District

(d) Delineation Process.

The edge of wet of these wetlands shall be determined by the delineation process set forth in the *Corps of Engineers Wetlands Delineation Manual, 1987*, on file with this ordinance with the City Clerk. When there is a dispute in the boundary the landowner may appeal the decision to the Planning Board with written recommendations by the Conservation Commission.

Revised

(d) Delineation Process.

The edge of wet of these wetlands shall be determined by the delineation process set forth in the *Corps of Engineers Wetlands Delineation Manual, 1987* **and the most recent version of the Regional Supplement to the Corp of Engineers Wetland Delineation Manual: Northcentral and Northeast Region**, ~~on file with this ordinance with the City Clerk.~~ When there is a dispute in the boundary the landowner may appeal the decision to the Planning Board with written recommendations by the Conservation Commission.

(f) Definitions.

(1) The term "wetland" as defined by *National Food Security Act Manual (Soil Conservation Service, 1994)* and the *Corps of Engineers Wetlands Delineation Manual (Environment Laboratory, 1987)* as amended, will mean those areas that are surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for a life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs and similar areas.

Revised

(1) The term "wetland" as defined by *National Food Security Act Manual (Soil Conservation Service, 1994)* and the *Corps of Engineers Wetlands Delineation Manual (Environment Laboratory, 1987)* **and the most recent version of the Regional**

Supplement to the Corp of Engineers Wetland Delineation Manual: Northcentral and Northeast Region ~~as amended~~, will mean those areas that are surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for a life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs and similar areas.

The effective date of these amendments shall be upon passage.

22.10 Conflict of Interest. [1]
~~No member of the Fire Department shall hold the office of Chief of Police, Deputy Chief of Police, Sergeant or regular Police Officer in the City.~~

22.11 Payrolls. [1]
~~The secretary of the department shall make up the call force payroll semi-annually in June and December and turn into the Fire Chief for approval and after the action of the Fire Chief payments thereon shall be made immediately after.~~

22.12 Penalty. [1]
~~Any person failing to comply with a lawful order of the Fire Chief or his/her designee shall be fined not more than \$100.00 for each offense and each 24 hours of maintenance of prohibited conditions shall constitute a separate offense.~~

**Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding
the Location and Boundaries of Zoning Districts**

THE CITY OF ROCHESTER ORDAINS:

WHEREAS, Chapter 42.1, Section J establishes that the location and boundaries of zoning districts within the City of Rochester are established as shown on a map titled, "City of Rochester Zoning Map."

WHEREAS, Chapter 42.1, Section J further declares that the City of Rochester Zoning Map is incorporated by reference as part of Chapter 42 of the General Ordinances of Rochester regarding zoning.

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to change the zoning for the property located at 287 Rochester Hill Road from Agricultural to Office/Commercial.

THEREFORE, the Mayor and City Council of Rochester ordain that the zoning of the property located at 287 Rochester Hill Road in the City of Rochester shall be changed in accordance with the Attached Exhibit. (Exhibit A).

FURTHER, the City of Rochester Zoning Map shall be amended and updated to reflect that the above shown property are included in the Office/Commercial Zone and are removed from the Agricultural Zone.

The effective date of these amendments shall be upon passage.

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City Clerk's Office

Petition for Zoning Ordinance Amendment

Date: Aug 13 2018

The fillings of this petition and payment of the required fees, hereby propose a change in Chapter 42, Section _____, of the General Ordinances of the City of Rochester.

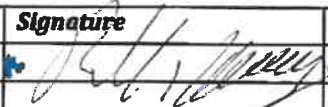

It is respectfully requested that the Honorable Mayor and City Council amend the above as follows:

(Note: Please give a completed description of the change requested; if a zoning change is proposed supply full legal description of the affected parcel or areas).

WE would REQUEST To change From
AGRICULTURE To OFFICE COMERCIAL

CONTACT Michael Whitcher 664 5577 x 13

Each petitioner must supply, printed name, signature, street address, and Map and Lot Number.

	Printed Name	Signature	Street Address	Map & Lot Number
1	Patrick Murray		0 Rochester Hill	0015
2				0255-0015-0000
3				
4	Michael Whitcher		287 Rochester Hill	
5	MACARDI LLC			0254-0018-0000
6				
7				
8				
9				
10				

RECEIVED

AUG 31 2018

CITY CLERK'S OFFICE
ROCHESTER, NH

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City Clerk's Office

**Resolution for Supplemental Appropriation and Authorizing Borrowing Authority
Pursuant to RSA 33:9 to the Department of Public Works (DPW) Capital Improvements
Plan (CIP) Fund for Granite Ridge Phase II in an amount not to exceed \$2,430,000.00**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby appropriate an amount not to exceed Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00) for the purpose of building the public infrastructure associated with Granite Ridge Phase II and further;

In accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT

Granite Ridge TIF Phase II - Supplemental Appropriation

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	November 13, 2018		
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE signature on File City clerks office		
DATE SUBMITTED	10/29/18		
ATTACHMENTS AB-FRF	YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	Finance Committee
CHAIR PERSON	Mayor McCarley

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Granite Ridge TIF Bond
ACCOUNT NUMBER	61083010-771000-195xx
AMOUNT	\$2,430,000.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

This agenda bill request a \$2,430,000 supplemental appropriation for the Granite Ridge TIF District. The total approved per the Developers Agreement for Phase II is \$7,430,000. The current appropriation is in the amount of \$5,000,000. This will be funded with a TIF Bond.

RECOMMENDED ACTION

1. Resolution authorizing a supplemental appropriation in the amount \$2,430,000 with funding source of a Granite Ridge TIF Bond.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**

Project Name: Granite Ridge - Phase II Supplemental

Date: 10/29/18

Fiscal Year: FY2019

Fund (select):

GF Water Sewer Arena CIP xx Water CIP Sewer CIP Arena CIP Special Revenue xxFund Type: Lapsing Non-Lapsing xx**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61083010	771000	195XX	-	-	2,430,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6108000	471000	195XX	-	-	2,430,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # NA

CFDA # NA

Grant # NA

Grant Period: From NA
To NA

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority
Pursuant to RSA 33:9 to the Granite State Business Park (GSPB) Tax Increment Financing
(TIF) District Capital Improvements Plan (CIP) Fund for the Water Main Extension
Project in an amount not to exceed \$1,400,000.00

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby appropriate an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) for the purpose of paying the costs associated with the GSBP Water Line Extension Project.

In accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Eight Hundred Thousand Dollars (\$800,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

Further, that the funds for this appropriation shall be derived as follows: Eight Hundred Thousand Dollars (\$800,000.00) from the GSBP TIF District bond issuance and Six Hundred Thousand Dollars (\$600,000.00) from the General Fund Unassigned Fund Balance.

Still Further, that the General Fund shall be reimbursed from any sales of City owned properties in the GSBP TIF District in an amount up to Six Hundred Thousand Dollars (\$600,000.00).

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT

Granite State Business Park - Water Main Extension Supplemental Appropriation

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	November 13, 2018		
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE signature on File City clerks office		
DATE SUBMITTED	10/17/18		
ATTACHMENTS AB-FRF	YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	Finance Committee
CHAIR PERSON	Mayor McCarley

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	TIF Bond & General Unassigned Fund Balan
ACCOUNT NUMBER	60963010-771000-19553
AMOUNT	1,400,000.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

This agenda bill request a supplemental appropriation for the Granite State Business Park (GSBP) Water line extension project in the amount of \$1,400,000.00.

The funding sources are \$800,000 TIF bond and \$600,000 from the General Fund Un-assigned Fund Balance. This is per the Finance Committee Recommendation. The recommendation also stipulates that the General Fund is to be reimbursed up to \$600,000 from any proceeds earned through the sale of City owned property within the GSBP TIF District.

The engineering was previously funded and is in progress.

RECOMMENDED ACTION

1. Resolution authorizing a supplemental appropriation in the amount \$800,00 with funding source of a Granite State Business Park TIF Bond. .
2. Resolution authorizing an \$600,000 Supplemental from the General Fund Un-assigned Fund Balance for the Granite State Business Park Water Main Extension Project.
3. Resolution authorizing any proceeds from the sale of any City owned Granite State Business Park properties are to be used to reimbursed to the General Fund up to \$600,000.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**

Project Name: Granite Ridge - Phase II Supplemental

Date: 10/29/18

Fiscal Year: FY2019

Fund (select):

GF Water Sewer Arena CIP xx Water CIP Sewer CIP Arena CIP Special Revenue xxFund Type: Lapsing Non-Lapsing xx**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61083010	771000	195XX	-	-	2,430,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6108000	471000	195XX	-	-	2,430,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # NA

CFDA # NA

Grant # NA

Grant Period: From NA
To NA

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Deauthorizing \$4.76 in funding related to a Certified Local Government Travel Grant

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the amount of Four and 76/100 Dollars (\$4.76) appropriated as part of a Certified Local Government Travel Grant is hereby deauthorized and reimbursement shall be reduced by the aforementioned amount. .

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT

De-Authorization of Certified Local Government Travel Grant

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	January 8, 2019		
DEPT. HEAD SIGNATURE	James Campbell, on file		
DATE SUBMITTED	12/31/18		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2

COMMITTEE SIGN-OFF

COMMITTEE	NA
CHAIR PERSON	NA

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Certified Local Government Travel Grant
ACCOUNT NUMBER	61241109-558001-18574
AMOUNT	\$4.76
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

SUMMARY STATEMENT

The City of Rochester applied for a Certified Local Government travel grant to attend the National Alliance of Preservation Commission which will take place July 18- July 22 in Des Moines, Iowa. The city was awarded \$3,126.34 to attend the conference from the NH Division of Historical Resources. Senior Planner Michelle Mears and the Historic District Chair Molly Meulenbroek attended the conference. This covered the cost of the entire conference. The NAPC FORUM is the only national conference focused on the issues facing local historic preservation commissions and historic districts. There was \$4.76 in unexpended Certified Local Government Travel funds.

RECOMMENDED ACTION

De-authorize the unexpended \$4.76 from Planning and Development fund.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing **Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61241109	558001	18574	\$4.76 -	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6124003	402179	18574	\$3,126.34 -	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	New		Certified Local Government Travel Grant	\$4.76 -	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Deauthorizing \$873.30 in funding from the Library's Capital Improvement Plan Fund related to the Library Book Drop Project

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the amount of Eight Hundred Seventy Three and 30/100 Dollars (\$873.30) appropriated to the Library's Capital Improvement Plan Fund to fund the Library Book Drop Project is hereby deauthorized and shall be returned to the General Fund Unassigned Fund Balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT

Library Book Drop CIP Project 17532 Deauthorization

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	January 8th 2019	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	11/28/18	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	FUND 1501 CASH CIP
ACCOUNT NUMBER	15014030-771000-17532
AMOUNT	\$873.30
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

CITY COUNCIL

SUMMARY STATEMENT

Remaining funds (\$873.30) from Library Book Drop CIP Project 17532 can be deauthorized. Book drop has been purchased and installed.

Transfer \$873.30 to General Fund Unassigned Fund Balance

RECOMMENDED ACTION

Deauthorize \$873.30 from Library Book Drop CIP Project 17532
and transfer to general fund unassigned fund balance.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing **Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Accepting Donation from St. Anselm's College to the Recreation and Arena Department and Supplemental Appropriation in the Amount of \$2,750.00

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That a donation in the amount of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00) to the Recreation and Arena Department from the St. Anselm's College Road for Hope charity walk is hereby accepted.

Further, the Mayor and City Council authorize a supplemental appropriation to the Recreation and Arena Department Fiscal Year 2018-~~2019~~ operating budget in the amount of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00). The entire amount of the supplemental appropriation shall be derived from the donation from St. Anselm's College.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT	Road for Hope Recreation & Arena Donation
----------------	-------------------------------------------

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>	FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>	* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

AGENDA DATE	Tuesday, January 8 2019		
DEPT. HEAD SIGNATURE	Chris Bowlen, On File		
DATE SUBMITTED	Thursday, December 27 2018		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	Road for Hope (St Anslem College)
ACCOUNT NUMBER	61114020-589007-195xx.
AMOUNT	\$2,750
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Rochester City Council

SUMMARY STATEMENT

This donation is a result of our involvement with St. Anselm College's charity walk, Road for Hope. Each year these college students pass through Rochester as part of their journey and our department provides them an informational overview of our services and donated lunches from a local business. Part of the Road for Hope mission is to "strengthen bonds in the community". In alignment with this mission, we will be using this money to support our community events, activities and meeting spaces.

RECOMMENDED ACTION

To accept this donation.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**Project Name: Date: Fiscal Year:

Fund (select):

GF ☐Water ☐Sewer ☐Arena ☐CIP ☐Water CIP ☐Sewer CIP ☐Arena CIP ☐Special Revenue ☒Fund Type: Annual Lapsing ☐ Multi-year Non-Lapsing ☒**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1						
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61114020	589007	195xx	-	-	2,750.00
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6111001	406207	195xx	-	-	2,750.00
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐Funds will be returned ☐

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City Clerk's Office

**Resolution Authorizing the Application for and Acceptance of a State of New Hampshire
Department of Environmental Services (NHDES) Clean Water State Revolving Fund
(CWSRF) Loan in the Amount of \$6,300,000.00**

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of Six Million Three Hundred Thousand Dollars (\$6,300,000.00) to the NHDES CWSRF Loan program in order to finance the Waste Water Treatment Plant Biosolids/Sludge Dewatering Facility and Carbon Feed Systems Storage Facility Upgrade project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of Six Million Three Hundred Thousand Dollars (\$6,300,000.00) from the NHDES CWSRF Loan program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the CWSRF.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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City Clerk's Office



01/03/2019

City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

WWTP Biosolids & Carbon System Storage Facilities - Clean Water State Revolving Fund (CWSRF) Loan Application Authorization & Designation of Authority

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	January 8, 2019	
DEPT. HEAD SIGNATURE	Peter C. Nourse, Director of City Services	
DATE SUBMITTED	January 2, 2019	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Sewer Fund
ACCOUNT NUMBER	Project #'s 17546 & 19546
AMOUNT	\$6,300,000.00
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

City Charter, Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Aldermen, and the Selectmen of Towns so far as applicable to cities.

SUMMARY STATEMENT

The Department of Public Works submitted a pre-application to NHDES for consideration of CWSRF Funding for the WWTP Biosolids/Sludge Dewatering Facility and the Carbon Feed System Storage Facility. Based on NHDES's priority ranking process these projects are both eligible to submit a formal application for CWSRF loan funding. NHDES has recommended one loan for both projects to include the construction and construction engineering associated. The amount of \$5 million and \$1.3 million for the total of \$6.3 million have been previously been appropriated and remains unencumbered in the following Sewer Fund CIP accounts:

55026020-771000-17546 \$5,000,000.00

55026020-772000-19546 \$1,300,000.00

This request is for authority for DPW to submit the formal CWSRF loan application for the projects and for designation of authority for the City Manager and the Finance Director to act as the City Representatives for all CWSRF loan documentation and contract execution associated with the WWTP Biosolids and Carbon System Storage Facilities.

RECOMMENDED ACTION

1. City Council Authorization to submit the formal application to NHDES for the CWSRF Loan associated with the WWTP Biosolids and Carbon System Storage Facilities project in an amount up to \$6,300,000.00.

2. City Council Authorization for the City Manager AND the Finance Director to act as the designated authorities for loan documentation and contract execution associated with the CWSRF Loan for the WWTP Biosolids and Carbon System Storage Facilities project .

Ordinance No. ___, 2018

**AN ORDINANCE OF THE CITY OF ROCHESTER CITY COUNCIL ADOPTING
AMENDMENTS TO CHAPTER 42 OF THE GENERAL ORDINANCES OF THE CITY
OF ROCHESTER REGARDING ZONING AND DEVELOPMENT STANDARDS FOR
DEVELOPMENT OF LANDS WITHIN THE DOWNTOWN COMMERCIAL ZONE
DISTRICT**

Whereas, The City of Rochester received a Municipal Technical Assistance Grant from Plan NH and Community Block Grant funds through the U.S. Department of Housing and Urban Development; and,

Whereas, such funding enabled the analysis of regulatory barriers to private-sector investment in Rochester's downtown properties; and,

Whereas, this ordinance seeks to lessen regulatory barriers and encourage residential, commercial, and mixed-use development within the Downtown Commercial Zone District; and,

Whereas, text to be stricken from the Chapter appear as ~~text to be stricken~~; text to be added to Chapter 42 appears as text to be added; and, scrivener's notes appear as [notes]; and,

Whereas, this ordinance supports the public interest and safeguards the health and welfare of the residents and businesses of the City of Rochester.

Therefore; THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

Amendment 1: Section 42.2.b, which section describes terms used within the Chapter, is amended to add two definitions as follows:

no changes to definitions 1 through 189]

190. Parking Facility, Commercial: A Parking Lot or Parking Garage used as an independent business venture for the short-term parking of automobiles on an hourly, daily, weekly, or monthly basis for a fee.

191. Parking Facility, Public: A Parking Lot or Parking Garage, owned by a municipal or public entity, used for the short-term parking of automobiles on an hourly, daily, weekly, or monthly basis, and which may require permitting or usage fees.

[Permanent Foundation renumbered to 192 and remaining definitions renumbered accordingly]

Ordinance No. ___, 2018.

Page **1**

Amendment 2: Section 42.19.b.8, which section defines minimum lot size requirements for various areas within Rochester, is amended as follows:

8. Density Rings. The density rings are shown on the Official City of Rochester Zoning Map that is adopted as part of this Ordinance and only apply to multi-family dwellings/developments. The rings are defined as follows:

There is no minimum lot area per dwelling unit applicable within the Downtown Commercial (DC) Zone District. For areas outside of the DC Zone District, the minimum lot area per dwelling unit within a one (1) mile radius of the center of Rochester, shall be 5,000 square feet. The minimum lot are per dwelling unit outside of the one (1) mile radius of the center of Rochester, shall be 7,500 square feet.

The minimum lot area per dwelling unit within a one-half (½) mile radius of the center of Gonic and East Rochester, shall be 5,000 square feet. The minimum lot are per dwelling unit outside of the one-half (½) mile radius of the center of Gonic and East Rochester, shall be 7,500 square feet.

Any lot that is partially within the radius of a density ring shall be treated as if it were entirely within the radius of the density ring.

Amendment 3: Section 42.20.b.7, which section defines development standards for Lodging Facilities, is amended as follows:

7. ~~Lodging-Motel-Facility.~~ For a Lodging Facility, tThe minimum lot size shall be 30,000 square feet plus 1,000 square feet per unit. Minimum lot size for a Bed and Breakfast shall be the minimum lot size for a single-family home according to the applicable zone district. The minimum lot size for a Hotel in the Downtown Commercial (DC) Zone District shall be 7,500 square feet.

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Amendment 4: Section 42.20.b.11, which section defines standards for Multi-Family Dwellings/Development, is amended as follows:

11. Multifamily -Dwellings/Development. The- following- requirements- shall apply to multifamily dwellings/developments of 3 or more dwelling units:

- A. Buffers from Roads. Except for parcels within the Downtown Commercial (DC) Zone District, a 50--foot buffer shall be established from all neighboring roads, including roads from which access is taken. The Planning Board shall determine treatment of the buffer area, whether it is to be left undisturbed, to have supplemental plantings installed, to be designated part of the overall open space plan for the development, and/or to be part of an individual lot but protected from construction. No roofed structures may be erected in the buffer

Ordinance No. ___, 2018.

Page 2

area. This buffer shall not be required for parcels in the DC Zone District.

- B. Buffers from Single Family. Except for parcels within the Downtown Commercial (DC) Zone District, a 100-foot buffer shall be established adjacent to any existing single-family house or any vacant lots less than 3 acres that are zoned residential. This buffer shall not be required for parcels in the DC Zone District.
- C. Access. Any new multifamily development must take access from an existing collector or arterial road rather than an existing local road. The Planning Board may waive this requirement by conditional use upon a finding that it is preferable to take access from a local rather than a collector road and that taking access from the local road will have no significant adverse impact upon residents or property owners located on the local road.
- D. Commercial Districts. Within any commercial districts, multifamily is allowed only as a secondary use:
- i. it must be situated on the second floor or on higher floors of a commercial building or in a separate building behind the commercial building; and
 - ii. at no time may the area of the multifamily dwellings exceed 80% of the square footage of the on-site commercial space.
- E. Downtown Commercial District. Within the Downtown Commercial (DC) Zone District, multifamily is allowed with the following restrictions:
- i. Multifamily units are prohibited on the ground floor within parcels fronting any of the following Streets:
 - Union Street
 - North Main Street south of the North Main Street Bridge
 - South Main Street north of Columbus Avenue
 - Wakefield Street south of Columbus Avenue
 - Hanson Street
 - ii. Ancillary ground floor multifamily use, such as entryways, lobbies, utility areas and similar functional spaces shall be minimized to the extent practical. Remaining ground floor space within the first 50 feet of building depth shall be reserved for non-residential uses, as permitted in the DC Zone District. Applicants may apply for a Conditional Use Permit to locate these uses between 20 ft and 50 ft.
 - iii. DC Zone District parcels not fronting on the above-listed Streets may contain multifamily use and units on all floors without restriction.
- E.F. Sewer and Water. Any new multifamily dwellings/developments must connect to the City of Rochester's public sewer and water systems.

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Ordinance No. ___, 2018.

Page 3

Amendment 5: Section 42.20.b.14, which section defines development standards for Public Parking Facilities, is added as follows:

14. Parking Facility, Public. For a Public Parking Facility, the following standards shall apply:

- A. Sizing and capacity of the facility shall be based on current and forecasted use patterns and demand for publicly accessible parking.
- B. Frontages along a primary commercial street shall, to the extent practicable, incorporate commercial business as a means of minimizing extended expanses of blank walls.
- C. An operations plan shall define the basic functions of the facility including signage, offsite wayfinding, hours of operation, access and control points, payment systems, and lighting and landscape installation.
- D. Rate schedules shall be subject to establishment and change by the City of Rochester and shall not be required for approval or conditioned by the Notice of Decision.

[Small Wind Energy Systems renumbered to 15. Remaining items renumbered accordingly.]

Amendment 6: Section 42.21.d.7, which section defines conditional use standards for Lodging Facilities, is amended as follows:

7. ~~Lodging-Motel-Facility.~~ For a Lodging Facility, the minimum lot size shall be 30,000 square feet plus 1,000 square feet per unit. Minimum lot size for a Bed and Breakfast shall be the minimum lot size for a single-family home according to the applicable zone district. The minimum lot size for a Hotel in the Downtown Commercial (DC) Zone District shall be 7,500 square feet.

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Amendment 7: Section 42.21.d.10, which section defines conditional use standards for Parking Lots, is added as follows:

10. Parking Lot. For properties within the Downtown Commercial (DC) Zone District, Parking Lots shall be limited to twenty (20) parking spaces for any single tenant unless otherwise approved by the Planning Board pursuant to the standards below:

- A. The applicant demonstrates a unique commercial or market-based need for additional parking.
- B. There is a lack of publicly accessible parking in the immediate vicinity.
- C. Sharing parking with an adjacent use or property is impractical or not possible.

Ordinance No. ___, 2018.

Page 4

- D. Negative visual effects of a large parking lot are minimized to the extent practicable through site design, breaking-up large expanses of paving, shielding parking from direct public view, or placing parking to the side or behind buildings. Where possible, buildings in the DC District should front a primary street with parking placed to the side or rear.
- E. The Planning Board may impose operational parameters regarding signage, limiting access points, and may require specific lighting and landscaping installation.

Amendment 8: Section 42.21.d.11, which section defines conditional use standards for Commercial Parking Facilities, is added as follows:

- 11. Parking Facility, Commercial.** The Planning Board may approve a Commercial Parking Facility based on the following standards:
 - A. Sizing and capacity of the facility is based on current and forecasted use patterns and demand for publicly accessible parking.
 - B. Frontages along a primary commercial street, to the extent practicable, incorporate commercial business on the ground floor as a means of providing pedestrian interest and minimizing extended expanses of blank walls.
 - C. An acceptable operations plan defines the basic functions of the facility including signage, offsite wayfinding, hours of operation, access and control points, payment systems, and lighting and landscape installation.
 - D. Rate schedules and changes thereto shall remain the prerogative of the owner and shall not be required for approval or conditioned by the Notice of Decision.

[Porkchop Subdivision renumbered to item 12 and remaining items renumbered accordingly.]

Amendment 9: Article III, Section 10, of the City of Rochester Site Plan Regulations, which section defines the number, placement, and other stipulations for required parking, is amended as follows:

[following page]

Chapter 42 Zoning

SECTION ANALYSIS

42.1	General Provisions P. 1
42.2	Definitions P. 6
42.3	Administration P. 36
42.4	ZBA & Building Code Board of Approval P. 43 Residential Zoning
42.5	Districts P. 48
42.6	Commercial Zoning Districts P. 52
42.7	Industrial Zoning District P. 61
42.8	Granite Ridge Development P. 63
42.9	Special Zoning Districts P. 69
42.10	Aquifer Protection Overlay P. 70
42.11	Aviation Overlay District P. 71
42.12	Conservation Overlay District P. 75
42.13	Flood Hazard Overlay District P. 85
42.14	Historical Overlay District P. 93
42.15	Special Downtown Overlay District P. 113
42.16	Reserved P. 115
42.17	Reserved P. 116
42.18	Use Regulations P. 117
	<i>Table A: Residential Uses P. 202</i>
	<i>Table B: Sales – Service – Office – Institutional Uses P. 203</i>
	<i>Table C: Food – Lodging – Public Recreation Uses P. 204</i>
	<i>Table D: Industrial – Storage – Transport – Utility Uses P. 205</i>
	<i>Table E: Agricultural – Animal Care – Land Oriented Uses P. 206</i>
42.19	Dimensional Regulations P. 119
	<i>Table A: Dimensional Regulations – Residential Districts P. 207</i>
	<i>Table B: Dimensional Regulations – Commercial Districts P. 208</i>
	<i>Table C: Dimensional Regulations – Industrial Districts P. 209</i>
	<i>Table D: Dimensional Regulations – Special Districts P.210</i>
42.20	Standards for Specific Permitted Uses P. 123
42.21	Conditional Uses P. 137
42.22	Special Exceptions P. 144
42.23	Accessory Uses P. 154
42.24	Home Occupations P. 164
42.25	Reserved P. 168
42.26	Roads and Parking P. 169
42.27	Miscellaneous Provisions P. 172
42.28	Performance Standards P. 179
42.29	Signs P. 184
42.30	Nonconforming Property P. 188
42.31	Reserved P. 192
42.32	Reserved P. 193
42.33	Conservation Subdivisions P. 194

Chapter 42 Comprehensive Zoning [1]

Adopted by the City Council: 4-22-14

Certified by the Codes and Ordinances Committee: 8-7-14

Amendments:

[2] February 3, 2015, Chapter 42.2; 42.20; and 42.23

[3] June 16, 2015, Chapter 42.10

[4] June 16, 2015, Chapter 42.29

[5] July 7, 2015. Chapter 42.2; 42.20; and 42.27

[6] January 12, 2016 Chapter 42.6 Signage

[7] [date](#)

[TABLE 18-A RESIDENTIAL USES](#)

[TABLE 18-B SALES-SERVICE-OFFICE-INSTITUTIONAL USES](#)

[TABLE 18-C FOOD-LODGING-PUBLIC RECREATION USES](#)

[TABLE 18-D INDUSTRIAL-STORAGE-TRANSPORT-UTILITY USES](#)

[TABLE 19-B DIMENSIONAL STANDARDS - COMMERCIAL DISTRICTS](#)

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 18-A RESIDENTIAL USES 8/7/2014

RESIDENTIAL USES	Residential Districts				Commercial Districts			Industrial Districts		Special		Criteria/Conditions
	R1	R2	AG	NMU	DC	OC	HC	GI	RI	HS	AS	Section Reference
Apartment, Accessory (accessory use)	E	P	P	P	P	P	P	-	-	-	-	Section 42.21 & 42.23
Apartment, Inlaw	P	P	P	P	P	P	P	-	-	-	-	
Apartment, Security	-	P	-	P	P	P	P	P	P	P	P	Sections 42.2 & 42.23
Assisted Living Facility	-	C	C	C	C	C	C	-	-	C	-	Section 42.21
Boarding House	-	-	-	-	E	-	-	-	-	-	-	
Community Residence - I	-	E	E	-	E	E	E	-	E	E	-	Section 42.22
Community Residence - II	-	-	E	-	-	E	-	-	E	E	-	Section 42.22
Conservation Subdivision	C	C	C	-	-	C	C	-	-	-	-	Sections 42.21 & 42.33I
Dwelling, Apartments (Apt/ Mixed Use Bldg)	-	-	-	P	P	C	P	-	-	-	-	Section 42.21
Dwelling, Multifamily Development	-	P	-	-	CP	-	P	-	-	-	-	Sections 42.20 & 42.22
Dwelling, Multifamily	-	P	-	-	CP	-	P	-	-	-	-	
Dwelling, Single Family	P	P	P	P	P ₋	P	P	-	-	P	-	
Dwelling, Three & Four Family	-	P	-	C	CP	C	P	-	-	-	-	Sections 42.21 & 42.33
Dwelling, Two Family	-	P	P	P	P ₋	P	P	-	-	-	-	Sections 42.21 & 42.33
Flag Lots	-	C	C		-	-	-	-	-	C	-	Section 42.21
Home Occupation - 1 (accessory use)	P	P	P	P	P	P	P	-	-	P	-	Section 42.24
Home Occupation - 2 (accessory use)	P	P	P	P	P	P	P	-	-	P	-	Sections 42.22 & 42.24
Home Occupation - 3 (accessory use)	-	E	E	P	P	P	P	-	-	E	-	Sections 42.22 & 42.24
Manufactured Housing Unit on own lot	-	-	P	-	-	-	-	-	-	-	-	Sections 42.20 & 42.21
Nursing Home	-	-	C	-	-	C	-	-	-	P	-	Sections 42.20 & 42.21
Outdoor Wood-Fired Hydronic Boiler	-	-	P	-	-	-	-	-	-	-	-	Section 42.20
Porkchop Subdivision	-	-	C	-	-	-	-	-	-	-	-	Section 42.21
Residential Facility	-	-	E	-	-	E	-	-	E	E	-	Section 42.22
Senior Housing	-	P	C	C	C	C	-	-	-	-	-	Section 42.21
Temporary Structure	P	P	P	P	P	P	P	P	P	P	P	Section 42.20
Zero Lot Line Development	C	C	C	-	-	C	C	-	-	-	-	Section 42.33

*LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

TABLE 18-B SALES-SERVICE-OFFICE-INSTITUTIONAL USES 8/7/2014

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

SALES-SERVICE-OFFICE-INSTITUTIONAL USES	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	Section Reference
Adult Day Care Center	-	-	E	E	P	P	-	P	E	-	P	-	Section 42.22
Adult Day Care Home	-	E	E	E	P	P	-	P	-	-	P	-	Section 42.22
Adult Oriented Establishment	-	-	-	-	-	-	-	-	-	C	-	-	Section 42.22
Agricultural Building, Reuse of Existing	C	C	-	C	-	P	-	-	-	-	-	-	Section 42.22
Antique Shop	-	C	P	-	P	P	P	P	-	-	-	-	Section 42.21
Artist Studio	-	C	P	-	P	P	-	P	-	-	-	-	Section 42.21
Bank	-	-	C	-	P	P	P	P	-	-	-	-	Section 42.21
Convenience Store	-	C	P	-	P	E	P	P	-	-	-	-	Section 42.21
Day Care - 1 (Day Care Residence)	P	P	P	P	P	P	-	P	-	-	P	-	
Day Care - 2 (Day Care - Family)	-	E	P	E	P	P	-	P	-	-	P	-	Sections 42.20 & 42.21
Day Care - 3 (Day Care Center)	-	-	E	E	P	P	-	P	E	-	E	-	Section 42.22
Florist	-	-	P	-	P	-	P	P	-	-	-	-	
Funeral Home	-	-	C	-	P	P	-	P	-	-	P	-	
Gas Station	-	-	-	-	P	-	P	P	-	-	-	-	Sections 42.20 & 42.21
Grocery Store	-	-	-	-	P	-	P	P	-	-	-	-	
Hospital	-	-	-	-	P	P	-	P	-	-	P	-	
House of Worship	-	C	C	C	P	C	-	P	-	-	P	-	Section 42.21
Housing Unit Sales	-	-	-	-	-	-	-	P	P	-	-	-	
Laundry Establishment - 1	-	C	P	-	P	-	-	P	-	-	-	-	Section 42.21
Laundry Establishment - 2	-	-	P	-	P	-	-	P	-	-	-	-	
Library	-	C	P	C	P	P	-	P	-	-	-	-	Section 42.21
Marina	-	-	-	-	-	-	-	P	-	-	-	-	
Museum	-	C	P	C	P	P	P	P	-	-	-	-	Section 42.21
Office	-	-	P	-	P	P	P	P	P	P	-	-	
Office, Medical	-	-	C	-	P	P	P	P	C	-	P	P	Section 42.21
Office, Professional	-	-	P	-	P	P	P	P	P	-	-	-	
Personal Service Establishment	-	-	P	-	P	P	P	P	-	-	-	-	
Retail Sales (under 5,000 square feet)	-	-	P	-	P	E	P	P	-	-	-	-	
Retail Sales (5,000 - 30,000 square feet)	-	-	-	-	P	-	P	P	-	-	-	-	
Retail Sales (over 30,000 square feet)	-	-	-	-	-	-	P	P	-	-	-	-	
Retail Service	-	-	C	-	P	P	P	P	-	-	-	-	Section 42.21
School, K-12	C	C	C	C	C	P	-	C	-	-	-	-	Section 42.21
School, Other	-	C	C	C	P	P	-	P	C	-	-	-	Section 42.21
Second Hand Shop	-	C	P	-	P	P	-	P	-	-	-	-	Section 42.21
Service Establishment	-	-	C	-	C	-	P	C	P	-	-	-	Section 42.21
Shelter	-	-	-	-	E	E	-	P	E	E	E	-	
Small Wind Energy Systems	P	P	P	P	P	P	P	P	P	P	P	P	Section 42.20
Vehicle Sales, New	-	-	C	-	-	-	P	P	-	-	-	-	Sections 42.20 & 42.21
Vehicles Sales, Used	-	-	C	-	-	-	P	P	-	-	-	-	Section 42.20
Vehicle Service	-	-	-	-	P	-	P	P	P	-	-	-	
Yard Sale, Commercial	-	-	-	-	-	-	-	C	-	-	-	-	Sections 42.20 & 42.22

*LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 18-C FOOD-LODGING-PUBLIC RECREATION USES 8/7/2014

FOOD-LODGING-PUBLIC RECREATION USES	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions Section Reference
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	
Café	-	-	P	C	P	P	P	P	-	-	-	P	Section 42.21
Campground	-	-	-	E	-	-	-	-	-	E	-	-	Section 42.22
Caterer	-	-	P	-	P	P	-	P	P	P	-	-	
Club	-	-	C	-	P	P	-	P	-	-	-	-	Section 42.21
Community Center	-	-	P	-	P	P	P	P	-	-	-	-	
Conference Center	-	-	C	-	P	P	P	P	-	-	P	P	Section 42.21
Country Club	-	-	-	C	-	-	P	E	-	C	-	-	Section 42.21
Foodstand	-	-	E	-	E	E	P	E	E	E	E	E	Section 42.22
Function hall	-	-	-	-	P	P	P	P	-	-	-	-	
Golf Course	-	-	-	P	-	-	P	-	-	P	-	-	Section 42.22
Health Club	-	-	C	C	P	P	P	P	-	-	-	-	Section 42.21
Lodging, Bed and Breakfast	-	C	P	-	P	P	-	P	-	-	-	-	Section 42.21
Lodging, Hotel	-	-	C	-	P	C	P	P	-	-	C	C	Section 42.21
Lodging, Motel	-	-	-	-	-	-	P	P	-	-	-	C	Sections 42.20 & 42.21
Nightclub	-	-	-	-	EP	-	P	P	-	-	-	-	
Recreation, Indoor	-	-	C	-	CP	C	P	P	-	C	-	-	Section 42.21
Recreation, Outdoor	-	-	-	C	-	C	P	P	-	C	-	-	Section 42.21
Recreation, Park	P	P	P	P	P	P	-	P		C	-	-	Section 42.21
Restaurant	-	-	P	-	P	C	P	P	-	-	-	P	Section 42.21
Restaurant, Drive-through	-	-	-	-	P	-	P	P	-	-	-	-	
Tavern	-	-	C	-	P	-	P	P	-	-	-	P	Section 42.21
Theater/Cinema (30,000 s.f. or less)	-	-	P	-	P	P	P	P	-	-	-	-	Section 42.21
Theater/Cinema (over 30,000 s.f.)	-	-	-	-	-	-	P	P		-	-	-	Section 42.21

*LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 18-D INDUSTRIAL-STORAGE-TRANSPORT-UTILITY USES 8/7/2014

INDUSTRIAL-STORAGE-TRANSPORT-UTILITY-USES	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	Section Reference
Airport	-	-	-	E	-	-	-	-	-	-	-	P	Section 42.21
Contractor's Storage Yard	-	-	-	E	-	-	-	E	P	P	-	-	Sections 42.20 & 42.22
Distribution Center	-	-	-	-	-	-	P	C	P	-	-	-	Section 42.21
Emergency Services Facility	-	-	-	-	C	C	-	C	C	-	P	-	Section 42.21
Fuel Storage	-	-	-	-	-	-	P	E	E	-	-	-	Section 42.21
Helipad (accessory use)	-	-	-	E	-	E	P	E	P	P	P	P	Section 42.21
Industry, Heavy	-	-	-	-	-	-	P	E	P	E	-	-	Section 42.21
Industry, Light	-	-	-	-	-C	-	P	P	P	-	-	-	Section 42.21
Industry, Recycling	-	-	-	-	-	-	-	-	-	P	-	-	Sections 42.20 & 42.22
Junkyard	-	-	-	-	-	-	-	E	E	P	-	-	Sections 42.20 & 42.22
Laundry Establishment - 3	-	-	-	-	-	-	-	P	P	-	-	-	Sections 42.20 & 42.21
Mini-Warehouse	-	-	-	-	-	-	P	C	P	-	-	-	Sections 42.20 & 42.21
Monument Production	-	-	C	-	-	C	-	P	P	P	-	-	Section 42.21
Parking Lot	-	C	C	C	C	C	-	P	C	P	C	P	Section 42.21
Public Parking Facility					P								
Commercial Parking Facility					C								
Printing Facility	-	-	C	-	-	P	P	P	P	-	-	-	
Recycling Facility	-	-	-	-	-	-	-	E	E	P	-	-	Sections 42.20 & 42.22
Research and Development	-	-	-	-	E	P	P	P	P	-	-	-	Section 42.21
Sawmill	-	-	-	-	-	-	-	-	E	-	-	-	Section 42.21
Sawmill, Temporary (accessory use)	-	-	-	P	-	P	-	P	P	P	-	P	Section 42.21
Solid Waste Facility	-	-	-	-	-	-	-	-	-	P	-	-	Sections 42.20 & 42.22
Tank Farm	-	-	-	-	-	-	P	C	P	-	-	-	
Trade Shop	-	-	C	-	C	C	P	P	P	P	-	-	Section 42.21
Transportation Service	-	-	C	-	C	-	P	P	C	C	-	-	Section 42.21
Truck Terminal	-	-	-	-	-	-	P	-	C	C	-	-	Section 42.21
Utility - Substation	E	E	E	E	E	C	E	P	P	P	E	E	Section 42.21
Utility - power generation	-	-	-	-	E	-	E	-	E	E	-	-	Section 42.21
Warehouse	-	-	C	-	C	C	P	P	P	C	-	C	Sections 42.20, 42.21 & 42.23
Wireless Communications Facility	-	-	-	E	E	E	P	E	P	P	E	E	Sections 42.20 & 42.22

*LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 18-E AGRICULTURE-ANIMAL CARE-LAND ORIENTED USES 8/7/2014

AGRICULTURE-ANIMAL CARE-LAND ORIENTED USES	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	Section Reference
Cemetery	-	-	-	E	-	E	-	-	-	-	P	-	Section 42.22
Earth, Sand and Gravel Excavation/Processing	-	-	-	E	-	E	E	C	-	E	-	-	Sections 42.20 & 42.22
Fair	-	-	-	-	-	-	-	-	-	-	-	-	Section 42.2
Farm	E	-	-	P	-	E	-	E	-	E	-	E	Sections 42.20 & 42.22
Farm, Crops	E	E	-	P	-	P	-	P	P	P	-	P	Sections 42.20 & 42.22
Farmer's Market (temporary)	-	-	P	-	P	P	P	P	P	P	P	P	Section 42.2
Kennel (commercial)	-	-	-	E	-	E	-	E	E	E	-	-	Section 42.22
Kennel (private)	-	-	-	E	-	-	-	-	-	-	-	-	Section 42.22
Landscaping Materials	-	-	-	C	C	-	-	C	P	C	-	-	
Plant Nursery	-	-	C	P	C	P	P	P	-	P	-	-	
Roadside Farm Stand	-	-	C	P	P	P	E	E	-	E	-	-	Section 42.22
Stable, Commercial	-	-	-	P	-	E	-	E		P	-	-	Sections 42.20 & 42.22
Veterinary Clinic	-	-	C	E	-	P	P	P	C	P	-	-	Sections 42.20 & 42.22

*LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 19-A DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS 8/7/2014

RESIDENTIAL DISTRICTS	LOTS			SETBACKS				OTHER					STANDARDS, NOTES, AND REFERENCES	
	Minimum Lot Area (Square feet)	Minimum Frontage (Feet)	Minimum Lot Area/Dwelling Unit (Sq Ft)	Minimum Front (Feet)	Maximum Front (Feet)	Minimum Side (Feet)	Minimum Rear (Feet)	Maximum building footprint (%)	Maximum Lot Coverage (%)	Maximum number of stories	Minimum Building Height (Feet)	Maximum Building Height (Feet)	A "- " means there is no dimensional standard for this item.	
RESIDENTIAL-1 (R1)														
Single family	10,000	100	-	10		10	20	30	35			35	See Section 42.19 - Dimensional Standards	
All other uses	10,000	100	-	10		10	20	30	35			35		
RESIDENTIAL-2 (R2)														
Single family	6,000	60	-	10		8	20	30	35			35	See Section 42.19 - Dimensional Standards	
Two family	9,000	80	-	10		8	20	30	45			35	See Section 42.19 - Dimensional Standards	
Three & four family	12,000 & 15,000	80	-	15		10	25	30	60			35	See Section 42.19 - Dimensional Standards	
Multifamily	30,000	100	5000 or 7500	15		10	25	30	60			35	See Section 42.19 - Dimensional Standards	
All other uses	9,000	80	-	10		8	20	30	35			35		
NEIGHBORHOOD MIXED USE (NMU)														
All uses	6,000	60	- ²	-	25	5 ¹	20		90	3	20	20	See Section 42.19 - Dimensional Standards	
AGRICULTURAL														
Single Family, Conventional Subdivision, municipal water & sewer	20,000	150	-	20		10	20	30	35			35	See Section 42.19 - Dimensional Standards	
Single Family, Conventional Subdivision, municipal water OR sewer	30,000	150	-	20		10	20	30	35			35	See Section 42.19 - Dimensional Standards	
Single Family, Conventional Subdivision, neither municipal water nor sewer	45,000	150	-	20		10	20	30	35			35	See Section 42.19 - Dimensional Standards	
Two Family	150% of single	150	-	20		10	20	30	40			-	See Section 42.19 - Dimensional Standards	
Single Family Dwelling - Conservation Subdivision	6,000	60	-	20		10	20		35			35	See Section 42.33 - Conservation Subdivisions	
All other uses	45,000	150	5000 or 7500	20		10	20		40			35		

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 19-B DIMENSIONAL STANDARDS - COMMERCIAL DISTRICTS 8/7/2014

COMMERCIAL ZONING DISTRICTS	Lots				Setbacks				Standards				Notes, and References
	Minimum Lot Area (Square feet)	Minimum Frontage (feet)	Minimum Lot Area/ Dwelling Unit (Square feet)	Maximum Lot Coverage (%)	Minimum Front (Feet)	Maximum Front (Feet)	Minimum Side (Feet)	Minimum Rear (Feet)	Maximum Number of Stories	Minimum Number of Stories	Maximum Height (Feet)	Minimum Height (Feet)	
DOWNTOWN COMMERCIAL (DC)													
All Uses	4,000	40	500	-	10	40	10 ¹	15	5	2	-	20	See Section 42.19(B)(8) Density Rings
OFFICE COMMERCIAL													
All Uses	10,000	80	5000 ²	75	10	-	10 ¹	25	3	-	-	-	See Section 42.19 - Dimensional Standards
HIGHWAY COMMERCIAL													
All Uses	20,000	100	5000/7500 ²	85	20	-	10 ¹	25	3	-	-	-	See Section 42.19 - Dimensional Standards and 42.19(B) (8) Density Rings
GRANITE RIDGE													
All Uses	-	50	-	-	-	-	-	-	-	-	-	-	

Note 1: For lots that adjoin a residential district, the side setback on the side adjoining the residential district shall be the larger of the required side setback in the subject commercial zone or the adjoining residential zone.

Note 2: For lots without both water and sewer, 10,000 square feet of lot area is required per additional dwelling unit beyond one.

Note 3: For lots without City sewer, the New Hampshire Division of Environmental Services (NHDES) requires minimum lot sizes which may be larger than those shown here.

Note 4: See Setbacks for DTC Zone Section 42.6 C.3 B.1

Commented [MM1]: Commercial see Section 42.6 C 3 B
 i
 Add to refer to note 4

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 19-C DIMENSIONAL STANDARDS - INDUSTRIAL DISTRICTS 8/7/2014

INDUSTRIAL DISTRICTS	Lots			Setbacks			Height	Standards, Notes, and References
	Minimum Lot Area (Square Feet)	Minimum Frontage (Feet)	Maximum Lot Coverage (%)	Minimum Front (Feet)	Minimum Side (Feet)	Minimum Rear (Feet)	Maximum Height (Feet)	
GENERAL INDUSTRIAL (GI)								
See Below								See Section 42.19 - Dimensional Standards
RECYCLING INDUSTRIAL (RI)								
See Below								See Section 42.19 - Dimensional Standards
For GI and RI DISTRICTS								
All uses with no water or sewer	40,000	100	75	25	20 ¹	25	55	
All uses with water or sewer	30,000	100	75	25	20 ¹	25	55	
All uses with water and sewer	20,000	100	75	25	20 ¹	25	55	

Adopted by the City Council: 4-22-14
 Certified by the Codes and Ordinances Committee: 8-7-14

TABLE 19-D DIMENSIONAL STANDARDS - SPECIAL DISTRICTS 8/7/2014

SPECIAL DISTRICTS	Lots			Setbacks		Standards, Notes, and References
	Minimum Lot Area (Square feet)	Minimum Frontage (Feet)	Maximum Lot Coverage (%)	Minimum to any Street	Minimum to any Lot Line	
HOSPITAL SPECIAL (HS)						
All uses (other than single family)	<u>none</u>	<u>none</u>	85	none	side-10 rear-25	
Single family	<u>none</u>	<u>none</u>	-	none	side-10 rear-25	
AIRPORT SPECIAL (AS)						
All uses	none	none	none	35	50	See Aviation Overlay District (AOD)

City of Rochester Downtown Density Update

Summary of Recommendations

Report Section	Topic	Report Recommendation	Code Section
2.04 Chapter 42	Density & Uses Process	•To promote 4 and 5 story mixed-use buildings, eliminate the “density limit.”	•Table 19B •42.19.b.8
2.05 Chapter 42		•Eliminate single-family and duplex uses as a permitted use in the DC. Explore options for legalizing existing uses.	•Tables 18A-D •42.22.a.8
2.05 Chapter 42		•Allow multi-family use (as a single use of the property) as a permitted use on DC properties which do not front a major commercial street. •Define/depict applicable street frontages.	•42.20.b.11
2.05 Chapter 42		•To promote a hotel downtown, lower the lot size requirement and eliminate the parking requirement for a hotel fronting a major commercial street. •Define/depict applicable street frontages.	•42.20.b.7 •42.21.d.7



01/03/2019

City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

Amend Various Zoning Ordinance Chapters regarding zoning and development standards for development of lands within the Downtown Commercial Zone District.

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	January 8, 2019		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	December 31, 2018		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	15

COMMITTEE SIGN-OFF

COMMITTEE	Planning Board
CHAIR PERSON	Nel Sylvain

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

The Municipal Technical Assistance Grant grant award of \$10,000, made through Plan NH's Municipal Technical Assistance Grant program, has funded consultant BendonAdams to study the impact of the City of Rochester's current zoning ordinances on downtown development and how the current ordinances can be revised to increase density and assist with downtown redevelopment in the downtown.

Several recommended ordinance changes are proposed as a result of this study, public outreach, and Planning Board comment.

Please refer to the attached supporting documents and proposed amendments.

The Planning Board unanimously supports this proposed language.

42.2 (b); 42.19 (b) 8; 42.20(b) 7; 42.20 (b) 11; 42.20 (b) 14; 42.21 (d) 7; 42.21 (d) 10; 42.21 (d) 11

RECOMMENDED ACTION

Support and adopt the amended language.

*Intentionally
left blank...*

City Clerk's Office

HISTORIC OVERLAY DISTRICT (HOD)

Article XI of the City of Rochester Zoning Ordinance

****DRAFT****

A. Table of contents

<u>A. Table of contents</u>
<u>B. Purpose and intent</u>
<u>C. Applicability</u>
<u>D. Historic District Commission</u>
<u>E. Definitions</u>
<u>F. Designation of the Historic District</u>
<u>G. Identification of the Historic District</u>
<u>H. Delineation of the Historic District</u>
<u>I. Effect of inclusion in the Historic District</u>
<u>J. Development involving property within the Historic District</u>
<u>K. Historic District Demolition Permit</u>
<u>L. Historic District Relocation Permit</u>
<u>M. Determination of hardship</u>
<u>N. Demolition by neglect</u>
<u>O. Appeals</u>
<u>P. Enforcement</u>

B. Purpose and intent. This ordinance is established by the Rochester City Council pursuant to and in accordance with NH RSA's 673:4 and 674:44a through 674:50. The purpose of the Rochester Historic Overlay District is to promote the general welfare of the community by:

1. Safeguarding the cultural, social, political, and economic heritage of the City;
2. Fostering the preservation, restoration, and rehabilitation of structures and places of historic, architectural, and community value;
3. Fostering civic pride in the beauty and noble accomplishments of the past;
4. Furthering the attractiveness of the City of Rochester to home buyers, tourists, visitors, and shoppers, thereby providing economic benefit to the City;
5. Conserving and improving the value of property in the District; and
6. Enhancing opportunities, where applicable, for financial benefits for owners of historic properties through grants, low interest loans, tax credits, and other tax benefits.

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 1 of 34

New construction is an essential process in a vital community, representing the current phase of an evolution that has been ongoing since the settlement of Rochester. There are a number of ways of designing new buildings and additions that will meet the objectives of this Section. State of the art contemporary architecture is appropriate – and encouraged - provided that it is respectful of the historic fabric of the District.

~~b. Identification of the Historic District. A Zoning Map of the Rochester Historic District, as amended, which shows the Historic Overlay District, is hereby incorporated as part of this Section, and is on file with the City Clerk. The Zoning Map and all the notations, references, district boundaries, and other information shown thereon, shall be as much a part of this Section as if all were fully described therein. See the Appendix which lists properties in the district by Assessor's Map and Lot numbers.~~

~~e. Purview of Commission. The primary responsibility of the Commission is to review applications for Certificates of Approval for development within the Historic District (see subsection 42.4 g, 2 for full list of Commission responsibilities).~~

- ~~1. Intent. It is the intent of this Section to limit review primarily to the building itself and those elements of the building reasonably considered to be key to the architectural integrity of the building.~~
- ~~2. Building Permits. No building permits may be issued and no physical development activity nor significant ground disturbance may occur for activities subject to review herein until a Certificate of Approval has been issued by the Commission for the proposed activity.~~

~~In cases where an applicant seeks to do work: a) on the exterior of a building which is subject to review and b) on the interior of a building, a separate building permit may be issued for the interior work, thus allowing that work to proceed independently from review of the exterior work. A separate building permit, however, may not be issued for any interior work (such as changes to window sizes) which is integrally related to the design for the exterior work, which is subject to review.~~

- ~~3. Activity Subject to Review. Approval is required only when the subject activity or a portion of the subject activity would be visible from a public way. Approval from the Historic District Commission is required for the following activities:~~
 - ~~a. Any activity affecting the exterior architectural appearance of a building within the District that is not exempted by Subsection 4) Activity Exempt from Review. Activities subject to review include the erection of new buildings; additions to existing buildings; alterations to existing buildings; renovation or restoration of existing buildings; demolition of existing buildings or portions of existing buildings; reconstruction of damaged or destroyed buildings; and the relocation of any building into, out of, or within the District~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 2 of 34

~~b. Signage. The purpose of this review is to promote signage that is creative, distinctive, attractive, pedestrian oriented, reasonably low key, and harmonious with the character of the historic district. See Section 42.29 Signage, of this ordinance for dimensional and other sign standards.~~

~~i. The following sign components are subject to review:~~

~~(a) Size~~

~~(b) Shape~~

~~(c) Location/placement~~

~~(d) Colors — see Section 42.14 d, K Color, herein, as a reference Illumination — see (iii), below~~

~~(f) Materials — see (iv), below~~

~~(g) Typefaces~~

~~ii. The following sign components are not subject to review:~~

~~(a) Text~~

~~(b) Logos~~

~~(c) Graphic messages~~

~~iii. Illumination.~~

~~(a) If the sign is to be illuminated, use of exterior illumination is strongly encouraged (with light that does not shine toward pedestrian or vehicular ways).~~

~~(b) Internal illumination is discouraged. If a sign is to be internally illuminated, the text should be light colored or white and the background/field should be a darker color.~~

~~(iv) Materials. Use of wood, urethane, other solid materials, or metal is preferred. Plastic signs are strongly discouraged.~~

~~C. Carts, wagons, trailers, and other vehicles that are intended for the sale of goods, products, or services and which are permanently or temporarily situated in place on the ground~~

~~For the purposes of this provision, “temporarily” means for more than three consecutive days or for more than five individual days in a calendar year.~~

~~D. Fences and walls. Use of chain link fencing is strongly discouraged. See Section 42.23 Accessory Uses on fences, of this ordinance for other fence/wall standards.~~

~~E. Light fixtures attached to buildings (but light fixtures attached to single or two family houses are exempt from review).~~

~~F. Color of materials and paint and stain colors. However, color of materials, paint, and stain for single family houses and two family houses is exempt from review. See Section 42.14 d, K Color, herein, as a reference.~~

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C. Applicability. This Chapter applies to all properties located within the boundaries of the Historic Overlay District.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 3 of 34

D. Historic District Commission

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1. Membership

- a. Composition. The Historic District Commission shall consist of seven (7) regular members and up to five (5) alternate members. Two (2) seats among the regular members are designated for one member of the City Council and one member of the Planning Board, respectively. Likewise, two (2) seats among the alternate members are designated to one member of the City Council and to one member of the Planning Board, respectively, which two (2) alternate members may only sit for the regular City Council and Planning Board members, respectively. All Commission members shall be appointed in accordance with the provisions of Section 74 of the Rochester City Charter.
- b. Qualifications. All members shall be residents of the City of Rochester. In reviewing the qualifications of a candidate for the Commission, the Council/Planning Board shall consider his/her demonstrated interest and experience in, and knowledge of, historic preservation and his/her ability to administer this Section consistent with its purpose and intent. To the extent that such persons are available the Council/ Planning Board shall seek members with backgrounds or interest in the fields of Architecture, Planning, Historic Preservation, History, Archaeology, Anthropology, Engineering, Construction, Real Estate, and Law. At least one member shall live or work in the Historic District.
- c. Appointments. The members of the Historic District Commission shall be appointed for terms of three years. Initial appointments shall be staggered so that subsequent terms will not be coterminous.

2. Powers and Duties. The Historic District Commission shall have the following powers and duties:

- a. Applications. Reviewing and approving, approving with conditions, or denying applications for Certificates of Approval.
- b. Consultation. Calling upon City staff, citizens, abutters to applicants, and professionals, as it sees fit, for input, consultation, and recommendations on matters before the Commission.
- c. Surveys. Conducting small area or community-wide surveys of historic, architectural, and cultural resources.
- d. National Register. Nominating structures and districts for listing in the National Register and reviewing all proposed National Register nominations within the City; keeping a record of all properties which are

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18Approved by HDC on 10/10/18

Page 4 of 34

included in the local historic districts, listed in the National Register, and determined eligible for National Register listing.

- e. Planning. Preparing historic resources components of local master plans and insuring that historical resources are considered at every level of local decision-making.
- f. Advice and Advocacy. Advising other agencies of local, state, and federal government regarding, and advocating on behalf of, the identification, protection, and preservation of local historic, architectural, archaeological, and cultural resources.
- g. Liaison. Acting as a liaison between local government and individuals or organizations concerned with historic preservation.
- h. Other Applications. Commenting on applications for site plan/subdivision approval, zoning amendments, variances, special exceptions, and other approvals affecting property in the Historic District or other historic resources.
- i. Amendments. Investigating and recommending to the Planning Board and City Council amendments to this Section and appropriate areas for designation as historic districts.
- j. Education. Educating individual members of the Commission, municipal officials, property owners, and the public about the historic district and historic preservation.
- k. Signage and Recognition. Developing and administering a system of markers and monuments recognizing individual properties and the district and acknowledging special contributions toward historic preservation by members of the community.
- l. Budget. Developing and submitting an annual request for funds to the City Council if desired. Subject to the availability of funds, the Commission may retain consultants.
- m. Rules and Regulations. Adopting, and from time to time amending, Rules and Regulations which are consistent with the intent of this Section and appropriate state statutes.
- n. Other. Undertaking any other appropriate action or activity necessary to carry out its mission as embodied in this Section.

E. Definitions

Historic Overlay District Ordinance
Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 5 of 34

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The following definitions apply to this Section only.

Building. Any structure having a roof and intended for the shelter, housing, or enclosure of persons, animals, or personal property.

Contributing property (structure or site). Also known as a historic property. A property that contributes positively to the Historic Overlay District's architectural quality and integrity as a result of its location, design, history, condition, quality, age, materials, workmanship, feeling, and/or association.

Exterior Architectural Appearance. This encompasses the building itself and those individual elements which are integral to the building and are visible on the exterior. It includes colors, materials, texture, arrangement, architectural detailing and trim, the roof, windows, doors, foundation, steps, ramps, porches, decks, awnings, hardware, and light fixtures.

Hardship. A situation where denial of the applicant's request to perform particular work upon a specific property that is not in conformance with the standards of this Section would cause substantial difficulty for the applicant due to significant financial expense, loss of use of the property, diminution in the usability of the property, or impairment of the ability of an existing business to function effectively. *(Note that this definition is different from the concept of hardship used elsewhere in this Ordinance regarding applications for variances.)*

Historic Overlay District. Also known as Historic District and District. An overlay zone district as described in this Chapter.

Massing. The shapes, sizes, and arrangement of the three dimensional forms that compose a building.

Noncontributing property. A property which - due to its recent vintage (generally less than 50 years), incompatible design, incompatible and irretrievable alterations, or deteriorated condition - would not be considered to contribute to that character or quality of the District which the City seeks to preserve.

Proportion. The relation of one dimension to another, such as the height of a window compared to its width. Proportion affects visual order through coordination of such elements as height, width, depth, and spacing.

Public Way. A road, sidewalk, footpath, trail, park, or navigable waterway owned by the City of Rochester or another governmental agency and intended to be accessible to the public.

Scale. The perception of the size of a building or building element relative to the human body or other buildings or objects in the vicinity.

Historic Overlay District Ordinance

Final Version

[Approved by Planning Board on 10/22/18](#)

[Approved by HDC on 10/10/18](#)

Page 6 of 34

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground. Examples include buildings, fences, walls, signs, and light fixtures.

Traditional. Sensitive to, evocative of, or harmonious with any particular style of architecture established prior to 1950 or the prevailing patterns, forms, or styles of architecture dating from the original settlement of the United States up to 1950.

F. Designation of the Historic District

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1. Procedures for Designation. The Rochester Historic District functions as a zoning overlay district. It is the role of the Historic District Commission to evaluate properties within the overlay district and to designate specific properties as contributing properties. -The District boundaries may be amended and new historic districts may be designated and delineated following the Amendment Procedure described in this Zoning Ordinance with the provision that:
 - a. The Historic District-Commission may initiate such amendments;
 - b. The Historic District-Commission shall have an opportunity to comment on any such proposed amendments prior to enactment by the Codes and Ordinances Commission and by City Council; and
 - c. The Historic District Commission designate individual lots or parcels of land -may by itself be designated as a historic district upon determination of worthiness under this Section. within the overlay district as contributing property upon determination by the Historic District Commission that the criteria for designation within this section are met.
2. Criteria for Designation. Any building, group of buildings, site, property, group of properties, or area (collectively referred to herein as "site") proposed for inclusion in the Rochester Historic District should generally (but not necessarily) be at least fifty (50) years old and possess one or more of the features listed below. These criteria should be considered when the Commission, Planning Board and/or City Council deliberate the enlargement or reduction of an existing district or the creation of a new district. In any district which contains multiple properties or structures, not every property or structure need meet these criteria; rather the district overall should embody a meaningful degree of continuity, cohesiveness, integrity, and a prevailing conformance with one or more of the criteria.
 - a. The site embodies distinguishing characteristics of, or high quality in, design, detailing, materials, craftsmanship, or a particular architectural style;

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 7 of 34

- b. Its antique age, good condition, and special features make it worthy of preservation.
- c. Its unique location and characteristics make it an established and appreciated element or visual landmark for the community.
- d. The site is identified as the work of a master builder, designer, architect, engineer, or landscape architect whose individual work was influential in the development of the City of Rochester, region, state, or nation.
- e. The site contributes to the visual continuity of the District.
- f. One or more significant cultural, social, political, economic, or military events in the history of the City of Rochester, region, state, or nation occurred at the site.
- g. The site is identified with a person or persons of historic significance;

G. Identification of the Historic District. This district may be referred to as the Historic Overlay District, HOD, or Rochester Historic District. A Zoning Map of the Rochester Historic District, as amended, which shows the Historic Overlay District, is hereby incorporated as part of this Section, and is on file with the City Clerk. Within the District are contributing and noncontributing buildings as identified by the Historic District Commission and on file with the City of Rochester Planning Department. The Zoning Map and all the notations, references, district boundaries, and other information shown thereon, shall be as much a part of this Section as if all were fully described therein. See the Appendix which lists properties in the district by Assessor's Map and Lot numbers.

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Surveys, Maps and Historic Context Papers. The Planning Director or designee shall conduct or cause to be conducted such preliminary surveys, studies or investigations as deemed necessary or advisable to adequately inform Historic District Commission of those properties located within the City which represent Rochester's history. The Planning Director or designee shall memorialize the results of surveys, studies and investigations in a series of historic inventory forms, maps and/or historic context papers. Said inventory forms, maps, and context papers shall be maintained by the Planning Department and shall be made available for public inspection at all reasonable times.

These resources shall be referenced by the Historic District Commission when reviewing applications for changes or boundary adjustments within the Historic Overlay District.

H. Delineation of the Historic District. The Rochester Historic District is defined as that area made up of the lots listed below as delineated on the Rochester Tax Maps. Unless

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No changes to district boundaries

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 8 of 34

otherwise noted or shown on the map, all of the land composing each lot shall be considered to lie within the District. The District also includes all City property necessary to make a contiguous District. (Note that in the case of discrepancy between the Zoning Map and this list of lots, the Zoning Map shall be determining.) Lots in the district include: Tax Map 116, Lots 156-162, and 201-204; Tax Map 120, Lots 322-324, 332-340, 342, 342-1, 343, 346, 347, 351, 352, 354, 355, 358-367, 379-381, 383-390, 392-408, and 419-422; Tax Map 121, Lots 9-18, 28, 29, 361-364, 366-368, 368-1, 369-400; and Tax Map 125, Lots 1, 181, 182, and 202-204.

I. Effect of inclusion in the Historic District.

1. Approvals required. Any development involving properties included within the boundaries of the Historic Overlay District, unless determined exempt, requires the approval of a Certificate of No Negative Effect or a Certificate of Approval before a building permit or any other work authorization will be issued by the City.
2. Design Guidelines.
 - a. The Historic District Commission has adopted design guidelines, hereinafter referred to as "the guidelines." These guidelines set forth the standards necessary to preserve and to maintain the historic and architectural character of the Historic Overlay District. The standards apply to the exterior features of properties within the District and are intended to offer assistance to property owners undertaking construction, rehabilitation, alterations, or other exterior changes. The guidelines will be periodically reviewed by the Historic District Commission and amended at a public hearing as needed.
 - b. The guidelines will be used in the review of requests of Certificate of no negative effect or Certificates of appropriateness. Conformance with applicable guidelines is strongly recommended for the approval of any proposed project.
 - c. The guidelines effectively replace the Architectural Regulations under the Site Plan Regulations for properties located within the Historic Overlay District. The Architectural Regulations and Site Plan Regulations and associated reviews do not apply.
3. Special Consideration for contributing and noncontributing buildings within the Historic District. To preserve and maintain the historic and architectural character of the District, the Historic District Commission or City Council may approve variations from the requirements set forth in the Land Use Code and may make recommendations to the Chief Building Official who has the authority to grant certain exceptions from the International Building Code (IBC) through the provisions of the International Existing Building Code (IEBC).

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 9 of 34

To the extent practicable and appropriate, as determined by City staff and the Commission, applicants may file applications for various permits - to the Planning Board, Zoning Board of Adjustment, Building Department, etc. – simultaneously, or in any appropriate order, in order to save time. This provision, however, shall not be construed in a manner which would prevent the Commission from conducting a thorough review, as it sees fit.

All City authorities, including the Historic District Commission and City Council, are authorized to grant economic and developmental benefits to historic properties within the Historic District.

In cases where the Historic District Commission has purview, the Planning Board shall not have jurisdiction over architectural design. The Architectural Regulations under the Site Plan Regulations shall not apply. Nonetheless, the Planning Board shall review all other elements of a site otherwise subject to its review.

4. Property owned by the City of Rochester shall be subject to review and approval by the Commission in like manner to all other property in the City situated within the district, provided, however, that a vote by 2/3 of the total membership of the Rochester City Council may override any vote of the Commission pertaining to land or property owned by the City of Rochester.

J. Development involving a property within the Historic District. No building, structure, significant ground disturbance or sign may be constructed, altered, repaired, relocated or otherwise improved within the boundaries of the Historic Overlay District until sufficient information is submitted to the City of Rochester Planning Office and approved in accordance with the procedures established within the Municipal Code.

1. ~~Activity Exempt from Review~~ *Exempt activity.* A Certificate of appropriateness or Certificate of no negative effect shall not be required for the following activities. A project may be subject to other requirements within the Zoning Ordinance.

~~Structures which are not buildings as defined in this Section (such as light poles and street furniture).~~

- a. Work completed on a single family or duplex building within the Historic Overlay District.
- b. Structures which are not buildings as defined in this Section (such as light poles, street furniture, and ~~fences~~)
- c. Work performed on the interior of buildings that does not effect the exterior appearance.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 10 of 34

- d. Land uses. Land uses are not be regulated through this Section herein nor by the Commission. Permitted uses are set forth elsewhere in this Zoning Ordinance. However, in cases where the applicant is unable or unwilling to develop a design which conforms to the guidelines and requirements herein because of unusual constraints in the nature of the proposed use the Commission is by no means required to issue a Certificate of Approval simply to accommodate that permitted use. (Example: A gasoline station might be permitted in the historic district but if no design is presented for which the appearance of the canopy and the pump stations which meet the standards of this Section then the application should be denied, even though this specific permitted use may thereby be precluded.)
- e. Elements which are appurtenant to a building but which are not integral to the building including antennas, satellite dishes, flagpoles, mailboxes, window air conditioning units, and similar elements ~~on the rear portions of buildings or where they will be least noticeable from any public way.~~
- ~~e. Minor maintenance and repair which does not involve any significant change in materials, design, or the outward appearance of the building~~
- f Installation or removal of any plants.
- g. ~~G. Color of materials, paints and stains for single family houses and two family houses. Color of paint or stain of wood siding with the condition that the paint color or stain is from an approved historic paint color palette. Refer to the City of Rochester Planning Staff for approved historic paint color palettes.~~
- h. Installation of pavement or other impervious or semi-impervious material in an already established parking area. ~~or driveway area. However, the Commission has purview over the location and position of new construction and additions (which could affect other site conditions).~~
- i. Minimally intrusive work that does not adversely affect the historic character of the property or District as determined by Planning Staff.
- ~~I. Lighting treatment, i.e. wattage and types of bulbs and light fixtures attached to single and two family houses. However, light fixtures attached to buildings (other than single and two family houses) are subject to review.~~
- ~~J. Modifications to the site which do not affect buildings.~~
- ~~K. Any temporary emergency repairs provided that review and conformance with the guidelines of this Section will be required afterward. As part of that review, the HDC may impose appropriate requirements, including establishing a timeframe in which proper repairs must be completed.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 11 of 34

~~L. Items which are not explicitly addressed in this subsection but for which the proposed work clearly:~~

- ~~i. would not have any meaningful negative impact;~~
- ~~ii. would be barely noticeable, if at all, from any public way; and~~
- ~~iii. would be consistent with the intent of this Section, all as reasonably determined by the Planning Department.~~

2. *Certificate of no negative effect.* An application for a Certificate of no negative effect may be made to the City of Rochester Planning Department for approval of work that has no adverse effect on the physical appearance or character defining features of a property located within the Historic Overlay District. An application for a Certificate of no negative effect may be approved by the Planning Director or designee with no further review if it meets the requirements set forth below:

a. The Planning Director or designee shall issue a Certificate of no negative effect within fourteen days after receipt of a complete application if:

- 1) It is determined that the activity is an eligible work item and meets the City Historic Preservation Design Guidelines; and,
- 2) Any modifications to the proposed work requested by the Planning Director or designee are agreed to by the owner/applicant; and,
- 3) The proposed work will not diminish, eliminate or adversely affect the significant historic and/or architectural character of the subject property or Historic District in which it is located.

b. An application for a Certificate of no negative effect shall include the following:

- 1) Elevations or drawings of plans not less than 1/8 inch showing the proposed work.
- 2) Photographs, building material samples and other exhibits, as needed, to accurately depict location, extent and design of proposed work.
- 3) Demonstrated compliance with applicable design guidelines.

c. The following work shall be considered for a Certificate of no negative effect:

- 1) Replacement of architectural features which creates no change to the exterior physical appearance of the building or structure.
- 2) Installation of awnings on historic properties.
- 3) Signs.
- 4) Alterations to noncontributing buildings within the Historic Districts that have no adverse effect on its historic or architectural character.

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 12 of 34

- 5) Alterations to non-street facing facades on contributing buildings within the Historic District that have no adverse effect on its historic or architectural character.
- 6) Small structures or additions of 250 sf or less in size.
- 7) Installation of site improvements, such as walkways, patios, decks, or similar significant features.

d. In the event that the Planning Director or designee determines that the issuance of a Certificate of no negative effect is not appropriate or the design guidelines are not met, the owner may apply for a certificate of appropriateness from the HDC.

5. Other Terms

~~A. A Certificate of Approval is required for all work within the purview of the Commission whether or not such work requires a building permit or any other permits issued by the City or other authorities. A Certificate of Approval shall not be required for any construction, alteration, or demolition of any structure or element of a structure which the Director of Building, Zoning, and Licensing Services, certifies as being required for public safety. However, the Director shall give the Commission an opportunity to comment upon any such action unless a time emergency precludes it.~~

~~B. A Certificate of Approval is only required for new activities which the property owner initiates/proposes after adoption of this ordinance. The Commission does not otherwise initiate any review except in response to such proposals/activities by the property owner. Thus, property owners are not required to bring any existing conditions into "conformity" with this ordinance, except in cases where improving certain existing conditions may be integrally related to a proposal presented by the applicant.~~

~~C. Property owned by the City of Rochester shall be subject to review and approval by the Commission in like manner to all other property in the City situated within the district, provided, however, that a vote by 2/3 of the total membership of the Rochester City Council may override any vote of the Commission pertaining to land or property owned by the City of Rochester.~~

~~D. The Commission may, after majority vote of the Commission, coordinate with, or defer to, other City boards, regarding review of items which might also be subject to review by those boards.~~

~~d. Guidelines for Review. The following guidelines shall be used by the Historic District Commission in reviewing applications for Certificates of Approval. Recognizing that every property, every proposal, and every situation is unique, the Commission shall utilize its reasonable judgment, and is granted a fair degree of flexibility, in applying these guidelines, consistent with other requirements and limitations of this Section.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 13 of 34

~~1. General Principles. The following general principles are adapted from the U.S. Secretary of the Interior's Standards for Rehabilitation:~~

~~A. Every reasonable effort shall be made to minimize alteration of the significant features of the building.~~

~~B. The distinguishing original qualities or character of the building shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided where possible.~~

~~C. All buildings shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.~~

~~D. Changes that may have taken place in the course of time are evidence of the history and development of the building. These changes may have acquired significance in their own right, and this significance should be recognized and respected.~~

~~E. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building should be treated with sensitivity.~~

~~F. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other structures.~~

~~G. Contemporary design for alterations and additions to existing buildings should not be discouraged when such designs do not destroy significant historical, architectural, or cultural material, and when those designs are compatible with the size, scale, color, material, and character of the property, neighborhood, and environment.~~

~~H. Whenever possible, new additions or alterations to structures should be done in such a manner that if those additions or alterations were to be removed in the future, the essential form and integrity of the building would be unimpaired.~~

~~2. Elements of Design. The following principles also apply:~~

~~A. Harmony with surrounding buildings. Proposals should be harmonious with the existing building (in the case of additions and alterations) and with contributing neighboring buildings and other buildings within the District, as appropriate, in respect to:~~

~~i. mass;~~

~~ii. width;~~

~~iii. height;~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 14 of 34

~~iv. proportion;~~

~~v. spacing;~~

~~vi. setback, and~~

~~vii. all of the other elements of design discussed herein.~~

~~B. Sitting of building. Most buildings are oriented parallel or perpendicular to the street. Those in the downtown are traditionally placed very close to the street if not right up to the sidewalk. This pattern reinforces the streetscape. Buildings should not be oriented at odd angles to the street.~~

~~C. Scale. Every effort should be made to provide an appropriate scale to new buildings both in their overall size and in their details~~

~~i. It is important in downtown areas for buildings to be multistory in order to reinforce the sense of enclosure of the street. Alternatively;~~

~~ii. A single-story building should have a relatively steep roof or a high parapet.~~

~~D. Proportion. Buildings and their details should be well proportioned in accordance with commonly accepted design principles so as to create a sense of order and balance.~~

~~E. Massing. Large structures should be broken into smaller masses to provide human scale, variation, and depth. These smaller masses should have a strong relationship to one another and, ideally, each smaller mass will have an integrity of form.~~

~~F. Roof. As a design element the roof has a significant effect on the building's character. The lack of a roof often promotes a feeling of boxiness. The taller the building the less necessary is a pitched roof.~~

~~i. Multistory buildings in downtown rarely included a pitched roof. Extensive areas of visible roof should be broken up with:~~

~~_____ dormers;~~

~~_____ cross gables;~~

~~_____ cupolas;~~

~~_____ chimneys, parapets, balustrades, and~~

~~_____ towers.~~

~~ii. Where flat roofs are used there should be a distinct cornice and/or parapet to emphasize the top of the building.~~

~~G. Building façade. Much attention should be given to create an attractive building façade. Broad expanses of blank walls are inappropriate. Traditionally, the parts of a façade that might be embellished, or at least articulated in some fashion include:~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 15 of 34

~~i. the horizontal base where the building meets the ground (such as a different treatment for the foundation or a water table) ii. the horizontal top where the building meets the sky (such as a projecting cornice with brackets)~~

~~iii. a horizontal section in between (such as a belt course between stories)~~

~~iv. the vertical corners on the left and right sides (such as corner boards or quoins)~~

~~v. vertical articulation in the middle (such as pilasters)~~

~~vi. the area around the door/entry (such as a portico)~~

~~vii. the areas around the windows (such as window surrounds) In addition, depth may be created for the facade through use of porches, projecting or recessed sections, bay windows, or arcades.~~

~~H. Windows. Windows are an integral part of a building and should be incorporated on front facades, and preferably side facades to humanize the building. It is desirable that the windows along with the door establish a coherent, orderly pattern and rhythm.~~

~~i. Shape. It is preferable that windows be vertical (except for retail uses, below). Horizontally shaped windows are discouraged. Where horizontal windows are sought a series of contiguous vertical windows with mullions in between should be used arranged in a horizontal "band".~~

~~ii. In the downtown use of large picture type windows for retail uses on the first floor is strongly encouraged.~~

~~iii. Shutters. Shutters are generally not used traditionally on commercial buildings but, where appropriate, should be sized properly for the window opening (approximately one half the width of the opening).~~

~~iv. Preservation of original wood windows is strongly encouraged but not required. Where windows are replaced use of true divided light windows is encouraged but not required. Use of false mullions may be stipulated where appropriate.~~

~~I. Entrance. The entrance is an important element in defining a building. i. Articulation of the entrance is encouraged through use of:~~

- ~~_____ a portico;~~
- ~~_____ a canopy;~~
- ~~_____ an awning;~~
- ~~_____ sidelights;~~
- ~~_____ a surround, or~~

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 16 of 34

~~_____ another device.~~

~~ii. Generally, there should be an entrance, if not the primary entrance, located on the front facade.~~

~~J. Siding materials. Materials should be high quality and durable, especially in the core downtown areas, where masonry is preferred.~~

~~i. Use of the following natural materials is strongly encouraged:~~

~~_____ wood (clapboard and shakes);
 _____ brick;
 _____ stone;
 _____ fiber reinforced stucco;
 _____ textured block; and
 _____ terra cotta~~

~~However, fabricated materials which effectively imitate the character of these materials is acceptable.~~

~~i. Conventional vinyl siding is discouraged, especially on front facades. However, it is less of a concern on side or rear facades. Where used, it should be arranged in a horizontal pattern resembling wood clapboard.~~

~~iii. Use of the following materials is inappropriate:~~

~~_____ sheet plastic;
 _____ sheet fiberglass;
 _____ T-111 plywood;
 _____ flaky "fish shack style" wood shingles;
 _____ simulated brick;
 _____ "salvage style" brick with multiple colors;
 _____ highly reflective plastic or metal;
 _____ prefabricated metal wall panels;
 _____ undressed cinder block; and
 _____ other materials similar to these~~

~~K. Color. Appropriate color selection is guided by the following: i. Main building color/large areas and signage. The following color palettes are encouraged for the main building color/large areas and signage:~~

~~_____ nature
 _____ blending;
 _____ earth tone;
 _____ neutral; and
 _____ pastel~~

~~ii. Main building color/large areas. The following color palettes are discouraged for the main building color/large areas:~~

~~_____ bright colors;~~

Historic Overlay District Ordinance

Final Version

Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18

Page 17 of 34

- ~~primary colors, and~~
 - ~~Metallic colors~~
- iii. ~~Building accent areas and signage. The following color palettes are acceptable for building accent areas and signage:~~
 - ~~bright colors,~~
 - ~~primary colors,~~
 - ~~metallic colors~~
- iv. ~~The following color palettes are prohibited:~~
 - ~~high intensity colors and~~
 - ~~fluorescent colors~~
- v. ~~For brick, use of deep, dark traditional reds is desirable and may be required.~~

2. ~~Other Principles~~

A. ~~New construction. Traditional style architecture is certainly desirable provided that it is skillfully designed in accordance with the objectives of this section.~~

B. ~~Visibility. Generally, the less visible or prominent a structure or facade the less stringent the standards/review.~~

C. ~~Demolition or Removal. Demolition or removal of structures may be denied at the discretion of the Commission.~~

i. ~~Contributing Structures. Demolition or removal from the District of a contributing structure is strongly discouraged. No such application should be approved until a detailed redevelopment plan for the site has been approved by the Commission and/or Planning Board, as appropriate.~~

ii. ~~Noncontributing Structures. In many cases, demolition or relocation of a noncontributing structure is entirely appropriate, if not desirable, depending upon how the site will be developed afterward.~~

D. ~~Relocation within the District. Relocation of a contributing structure from its site is discouraged. The Commission may approve such a relocation if it determines that there are compelling reasons to do so after conducting a rigorous review of the request.~~

E. ~~Noncontributing Buildings. Significantly less stringent review is in order for "noncontributing" buildings.~~

4. ~~References. The Commission may also use the following as references (all of these documents are available in the Planning Department for public review):~~

A. ~~The Secretary of the Interior's "Guidelines for Historic Preservation". (website: <http://www.nps.gov/history/hps/TPS/tax/rhb/>)~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 18 of 34

- ~~B. The National Register Nomination form for the Rochester Commercial and Industrial Historic District~~
- ~~C. 1999 survey of Rochester conducted to assess impacts of the proposed Exit 10 project.~~
- ~~D. Rochester Times series on architecture of Rochester (2002-2003).~~
- ~~E. Any other appropriate general architectural manuals or manuals about Rochester.~~

3. Certificate of Approval. An application for a Certificate of Approval shall be submitted to the Rochester Historic District Commission through the Planning Department, no fewer than ten (10) days prior to a Commission meeting. However, upon an affirmative vote of at least four (4) members of the Commission this deadline may be reduced on a case by case basis for good cause.

a. Intent.

It is the intent of this Section to make the review process as simple and pleasant as practical. The applicant need only submit those materials which the Commission reasonably determines are necessary to conduct an appropriate review. On small or straightforward projects submission of the application, a letter of intent, a verbal description, and/or one or more sketches drawn by the applicant may suffice.

In the case of more elaborate proposals or those potentially having a significant impact upon sensitive properties any or all of the materials listed below may be required as the Commission sees fit. While the use of an architect is not required under this Section, there will be many situations where it will be difficult to provide appropriate drawings and to meet the objectives of this Section without the use of an architect, particularly where new construction or additions are involved.

Applicants are encouraged to speak with the Planning Department prior to preparing an application package to get a preliminary sense of which of the items below might not be needed.

b. Application requirements.

The application package may include any or all of the items listed below as stipulated by the Historic District Commission:

1. A completed application form as provided by the City shall include:

- a. the purpose of the proposed project
- b. the nature and scope of the work to be performed

2. Site plans drawn to scale clearly depicting existing conditions and proposed work.

3. Elevation drawings to scale of each affected facade of the building clearly depicting existing conditions and proposed work.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 19 of 34

4. Detail drawings of appropriate elements (such as the balustrade for a handicapped ramp).

5. Photographs of each impacted side of the building.

6. Sample, swatch, and/or manufacturer's cut sheet of materials to be used (such as a brick), as appropriate.

7. A written description of how the project meets the applicable design guidelines.

8. Any other items which the Commission may reasonably need to conduct its review.

9. No fees of any kind shall be charged for applications to the Commission or to cover any of the costs of reviewing the application.

c. Procedures for Review of the Application.

~~Application. An application for a Certificate of Approval shall be submitted to the Rochester Historic District Commission through the Planning Department, no fewer than nine (9) days (or 8 days if the deadline falls on a holiday) prior to a Commission meeting. However, at the discretion of the Chair this deadline may be reduced on a case-by-case basis for good cause. In no case shall the review be scheduled more than 30 days from the application filing date.~~

~~It is the intent of this Section to make the review process as simple and pleasant as practical. The applicant need only submit those materials which the Commission reasonably determines are necessary to conduct an appropriate review. On small or straightforward projects submission of the application, a letter of intent, a verbal description, and/or one or more sketches drawn by the applicant may suffice.~~

~~In the case of more elaborate proposals or those potentially having a significant impact upon sensitive properties any or all of the materials listed below may be required as the Commission sees fit. While the use of an architect is not required under this Section, there will be many situations where it will be difficult to provide appropriate drawings and to meet the objectives of this Section without the use of an architect, particularly where new construction or additions are involved.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 20 of 34

~~Applicants are required to meet with the Chief Planner, or designee, prior to preparing an application package to get a preliminary sense of which of the items below will be needed. The application package may include any or all of the items listed below as stipulated by the Chief Planner and the Historic District Commission:~~

- ~~A. A completed application form as provided by the City stating the purpose of the proposed project and identifying the nature and extent of the work to be performed.~~
- ~~B. Site plans drawn to scale clearly depicting existing conditions and proposed work.~~
- ~~C. Elevation drawings to scale of each affected facade of the building clearly depicting existing conditions and proposed work.~~
- ~~D. Detail drawings of appropriate elements (such as the balustrade for a handicapped ramp).~~
- ~~E. Photographs of each impacted side of the building.~~
- ~~F. Sample, swatch, and/or manufacturer's cut sheet of materials to be used (such as a brick), as appropriate.~~
- ~~G. Any other items which the Commission may reasonably need to conduct its review.~~
- ~~H. There is no fee for the basic application review~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 21 of 34

~~2. Review of the Application~~

~~A. Appropriateness. In deliberating whether to grant (with or without conditions) or deny a Certificate of Approval the Historic District Commission shall make a determination as to whether or not the proposal conforms with the provisions of this Section.~~

~~B. Scheduling and Completeness. The Historic District Commission will consider all applications that were received by the application deadline at its next scheduled meeting. At that time a determination shall be made whether the application under consideration is complete in terms of the list of required items, above, such that the Commission can adequately review the application.~~

~~C. Public Meetings. Meetings of the Historic District Commission are not public hearings and notice need be made only for public meetings in accordance with RSA Chapter 91-A. The Commission may hold a public hearing on any application if it deems appropriate. All regular meetings shall be posted on the City's website.~~

~~D. Professional Advice. The Commission may seek advice from such professional, educational, cultural, or other resources as is deemed necessary.~~

~~E. Recommendations:~~

~~i. Applicants are encouraged to meet with the Commission prior to developing projects for an informal discussion about proposed plans.~~

~~ii.) The Commission may make non-binding recommendations to the applicant on elements outside of its purview such as on parking lot layout or planting materials.~~

~~F. Architectural Regulations and Planning Board review. In cases where the Historic District Commission has purview, the Planning Board shall not have jurisdiction over architectural design, i.e. the Architectural Regulations under the Site Plan Regulations shall not apply. Nonetheless, the Planning Board shall review all other elements of a site otherwise subject to its review.~~

~~3. Action on an Application~~

~~A. Recognizing that a lengthy approval process can be costly to landowners, developers, and business owners, the Commission shall seek to take final action at its earliest reasonable opportunity, which in many cases will be at the first regular meeting of the Commission at which the application is presented. To the extent practicable and appropriate, as determined by City staff and the Commission, applicants may file applications for various permits—to the Planning Board, Zoning Board of Adjustment, Building Department, etc.—simultaneously, or in any appropriate order, in order to save time. This provision, however, shall not be construed in a manner which would prevent the Commission from conducting a through review, as it sees fit. Final approval of any permits from other City departments, for projects under the Commission's purview, cannot precede the Certificate of Approval from this Commission.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 22 of 34

~~B. The Historic District Commission shall take action on—i.e. to approve, approve with conditions, or deny—all applications within forty five (45) days after the filing of a complete application for a certificate of approval. This time frame may be extended either by consent or request of the applicant or upon formal request from the Commission to, and written authorization from, the City Council for an additional period not to exceed forty five (45) calendar days.~~

~~C. The Commission shall notify the applicant of its decision within 72 hours. When an application is rejected as being incomplete or denied the reason(s) for the decision shall be conveyed to the applicant and clearly stated in the record of proceedings of the Commission.~~

~~D. Failure by the Commission to act within the period of time specified above (with or without extensions) shall be deemed to constitute approval of the application as submitted. A Certificate of Approval shall be effective for one year after the date of approval. The applicant must secure a building permit and substantially commence work within this one year timeframe or the Certificate shall lapse. Likewise, where no building permit is involved, the applicant must substantially commence work within this one year timeframe or the Certificate shall lapse. The Commission may grant extensions as it reasonably determines appropriate.~~

~~4. Hardship. Upon the request of an applicant, the Commission may approve an application, based upon hardship, even if it deems the proposed work does not meet the standards specified in this Section. Approval based on hardship requires, at a minimum, a determination by the Commission that all of the criteria below are met. The Commission may solicit any additional information necessary to make this determination.~~

~~A. Denial of the application or an element of the application would cause an undue hardship for the applicant as defined in this Section;~~

~~B. The hardship is unusual and peculiar to the applicant's property or situation;~~

~~C. The proposal would not have a significant adverse impact upon the Historic District;~~

~~D. Approval would not constitute a significant derogation of the intent and purpose of the ordinance;~~

~~E. There is no simple or inexpensive alternative approach which would be effective; and F. In the case of an application for demolition, severe deterioration of the property was not due to negligence or irresponsibility on the part of the owner.~~

~~5. Appeals. Any applicant, person, or organization aggrieved by a decision of the Historic District Commission may appeal the decision to the Rochester Zoning Board of Adjustment in accordance with RSA 674:33 and any appeal procedures specified in the City Ordinances. In its review of any appeals the Zoning Board shall be guided by the provisions of this Section and other applicable law.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 23 of 34

~~6. Enforcement. This Section shall be enforced as provided for in the Rochester Zoning Ordinance.~~

~~7. Variances and Appeals. If any applications are submitted to the Zoning Board of Adjustment for variances or appeals under the Historic District Ordinance, the HDC shall be notified by the Planning Department of those applications at least ten days in advance of the meeting.~~

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 24 of 34

Recognizing that a lengthy approval process can be costly to landowners, developers, and business owners, the Commission shall seek to take final action at its earliest reasonable opportunity, which in many cases will be at the first regular meeting of the Commission at which the application is presented.

1. The Planning Director or designee shall review the application materials submitted for Certificate of appropriateness approval and request additional information as necessary.
2. Staff shall review the submittal material and prepare a report that analyzes the project's conformance with the design guidelines and other applicable Land Use Code sections. This report will be transmitted to the HDC with relevant information on the proposed project and a recommendation to continue, approve, disapprove or approve with conditions and the reasons for the recommendation. The HDC will review the application, the staff analysis report and the evidence presented at the hearing to determine the project's conformance with the design guidelines.
3. The Historic District Commission shall take action - i.e. to approve, approve with conditions, or deny - on all applications within sixty five (65) days of the meeting at which the Commission accepts the application as complete. This time frame may be extended either by consent or request of the applicant or upon formal request from the Commission to, and written authorization from, the City Manager for an additional period not to exceed sixty five (65) days.

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Failure by the Commission to act within the period of time specified above (with or without extensions) shall be deemed to constitute approval of the application as submitted. A Certificate of Approval shall be effective for two years after the date of approval. If an applicant has not secured a building permit within that time frame, or has not substantially commenced work in cases where no building permit is required, the Certificate shall lapse. The Commission may grant extensions as it reasonably determines appropriate.

4. Meetings of the Historic District Commission are public meetings and may require notice to the public as specified in New Hampshire State

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 25 of 34

Statute and the City of Rochester Municipal Code. The public is encouraged to attend. When notice is required the Planning Department shall process notices for public hearings.

5. The Commission may seek advice from such professional, educational, cultural, or other resources as is deemed necessary.

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6. The HDC may approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny. The Commission may make non-binding recommendations to the applicant on elements outside of its purview such as on paint color of wood, parking lot layout, or planting materials.

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The Commission shall notify the applicant of its decision. When an application is rejected as being incomplete or denied the reason(s) for the decision shall be conveyed to the applicant and clearly stated in the record of proceedings of the Commission. Any steps recommended to remedy deficiencies or flaws in the proposal shall also be conveyed to the applicant.

7. A monitoring committee comprised of two representatives from the Commission shall be assigned to the approved project to oversee and approve amendments that may arise during construction.

4. Amendments. There are two processes for amending plans approved pursuant to a Certificate of appropriateness. All requests for amendments must be in writing and accompanied by drawing(s) and elevations as specified below.

a. Insubstantial amendments.

Insubstantial amendments are minor modifications to HDC approved plans that:

1. Address circumstances discovered in the course of construction that could not have been reasonably anticipated during the approval process, or;
2. Are necessary for conformance with building safety or accessibility codes and do not materially change the approved plans, or;

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 26 of 34

3. Approve specific building materials, finishes, design of ornamental trim and other such detail not provided in the HDC approved plans, or

4. Change the shape, location or material of a building element or feature but maintains the same quality and approximate appearance of that found in the approved plans.

The Planning Director or designee and the monitoring committee may authorize amendments to approved plans. Decisions of the Planning Director or designee or monitoring committee are binding.

b. Other amendments.

The Planning Director or designee or monitoring committee may determine that the proposed changes do not meet the design guidelines and remand the matter to the HDC for a decision by the Commission.

Approval of amendments by the Planning Director or designee and the monitoring committee shall be reported to the HDC at their regularly scheduled meetings.

K. Historic District Demolition Permit. It is the intent of this Chapter to preserve the historic and architectural resources that contribute to the history of Rochester. Consequently no demolition of any properties within the Historic Overlay District shall be permitted unless approved by the HDC in accordance with the standards set forth in this Section.

1. Exempt Activity.

a. Demolition of a single family or duplex building within the Historic Overlay District.

b. Demolition of structures which are not buildings as defined in this Section (such as light poles, street furniture, and fences)

c. Demolition work performed on the interior of buildings that does not effect the exterior appearance.

d. Demolition of elements which are appurtenant to a building but which are not integral to the building including antennas, satellite dishes, flagpoles, mailboxes, window air conditioning units, and similar non-historic elements.

2. Procedures for demolition of properties within the Historic Overlay District.

a. Application.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 27 of 34

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An application for a historic district demolition permit for properties within a Historic District will be filed with or referred to the Planning Director or designee by the Director of Building, Zoning, Licensing, Services. The applicant will be provided a written response within fourteen (14) days of the request for a demolition permit describing the submittal materials needed for consideration. An application for demolition approval shall include:

1. Written documentation that the Director of Building, Zoning, Licensing, Services has determined the building an imminent hazard that cannot be repaired; or,
2. Narrative text, graphic illustrations or other exhibits that provide evidence that the building, structure or object is of no historic or architectural value or importance.
3. The staff shall review the submittal material and prepare a staff report that analyzes the request relative to the criteria for approval.

b. Review Procedures.

1. The HDC shall review the application, the staff report and hear evidence presented by the property owners and parties of interest to determine if the standards for demolition approval have been met. Demolition shall be approved if it is demonstrated that the application meets any one of the following criteria:

- a. The property has been determined by the City to be an imminent hazard to public safety and the owner/applicant is unable to make the needed repairs in a timely manner; or,
- b. The structure is not structurally sound despite evidence of the owner's efforts to properly maintain the structure; or,
- c. The structure cannot practically be moved to another appropriate location in Rochester; or,
- d. No documentation exists to support or demonstrate that the property has historic, architectural, archaeological, engineering or cultural significance.

Additionally, for approval to demolish and to grant a historic district demolition permit, all of the following criteria must be met:

- e. The structure does not contribute to the significance of the Historic Overlay District; and,
- f. The loss of the building, structure or object would not adversely affect the integrity of the Historic Overlay District or its historic, architectural or aesthetic relationship to adjacent historic properties; and,
- g. Demolition of the structure will be inconsequential to the historic preservation needs of the area.

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Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 28 of 34

2. The HDC shall approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to consider the demolition request.

3. If the demolition request is denied because it does not meet the aforementioned standards, the applicant may request demolition approval based upon approval of a determination of hardship as set forth below.

4. Before a demolition permit will be issued, a Certificate of approval for the redevelopment as described above, must be approved. When a demolition permit must be issued because the building is an imminent hazard or because of the issuance of a determination of hardship, the permit may be received prior to the receipt of a Certificate of Approval.

L. Historic District Relocation Permit.

The intent of this Chapter is to preserve historic properties in their original locations within the Historic Overlay District. However, it is recognized that occasionally the relocation of a property may be appropriate as it provides an alternative to demolition or because it only has a limited impact on the attributes that make it significant. All properties within the Historic Overlay District are subject to this Section.

1. Exempt Activity.

a. Relocation of a single family or duplex building.

b. Relocation of structures which are not buildings as defined in this Section (such as light poles, street furniture, and fences).

c. Relocation of elements which are appurtenant to a building but which are not integral to the building including antennas, satellite dishes, flagpoles, mailboxes, window air conditioning units, and similar non-historic elements.

2. Application.

An application for relocation shall include:

a. A written description and/or graphic illustrations of the building, structure or object proposed for relocation.

b. A written explanation of the type of relocation requested (temporary, on-site or off-site) and justification for the need for relocation.

c. A written report from a licensed engineer or architect regarding the soundness of the building, structure or object, its ability to withstand the physical move and its rehabilitation needs, once relocated.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 29 of 34

d. A conceptual plan for the receiving site providing preliminary information on the property boundaries, existing improvements and site characteristics and the associated planned improvements.

e. If the applicant does not own the receiving site, proof from the site's property owner of the willingness to accept the relocated building, structure or object.

f. Evidence that the applicant has or is seeking the necessary approvals to place the building on the identified receiving site.

g. Evidence of the financial ability to undertake the safe relocation, preservation and repair of the building, structure or object; site preparation and construction of necessary infrastructure through the posting of bonds or other financial measures deemed appropriate.

h. Supplementary materials to provide an understanding of the larger context for the relocated property and its impact on adjacent properties, the neighborhood or streetscape.

i. Additional information may be requested by the Historic District Commission as needed to complete the review.

2. Procedures for the review of historic district relocation permit.

a. The Planning Director or designee shall review the application materials submitted for relocation approval. Upon determination of a complete application, the project shall be scheduled before the HDC.

b. Staff shall review the submittal material and prepare a report that analyzes the project's conformance with the standards for relocation approval set forth below, the City Historic Preservation Design Guidelines and other applicable Land Use Code sections. This report will be transmitted to the HDC with relevant information on the proposed project and a recommendation to continue, approve, disapprove or approve with conditions and the reasons for the recommendation. The HDC will review the application, the report and the evidence presented at the hearing to determine if the standards for relocation have been met.

c. The HDC shall approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny.

3. Standards for relocation.

Relocation for a building will be approved if it is determined that it meets any one of the following standards:

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 30 of 34

- a. It does not contribute to the overall character of the historic district or parcel on which it is located and its relocation will not have an adverse impact on the Historic District or property; or
- b. The owner has obtained a Determination of hardship; or
- c. The relocation activity is demonstrated to be an acceptable preservation method given the character and integrity of the building and its move will not adversely affect the integrity of the Historic District in which it was originally located or diminish the historic, architectural or aesthetic relationships of adjacent designated properties; and

Additionally, for approval to relocate and to grant a historic district relocation permit all of the following criteria must be met:

- d. It has been determined that the building, structure or object is capable of withstanding the physical impacts of relocation;
- e. An appropriate receiving site has been identified; and
- f. An acceptable plan has been submitted providing for the safe relocation, repair and preservation of the building, structure or object including the provision of the necessary financial security.

M. Determination of hardship.

It is the policy of the City to respect private property rights. The City recognizes, therefore, that there may be some circumstances in which the operation of this Chapter could create an undue economic hardship. This provision is created to provide property owners with a means of demonstrating that such a hardship may exist and that they should be allowed to demolish a property within the historic overlay district because of that hardship. It is the intent of this provision to insure that no private property is taken without just compensation.

1. *Standard of review.* The standard of review for a determination of economic hardship will be whether refusing to allow the property owner to demolish the property would result in a violation of the prohibitions of the U.S. and New Hampshire Constitutions against taking of private property for public use without just compensation as those prohibitions are interpreted by the courts of New Hampshire and the United States. In applying the standards, the economic benefits of financial, developmental and technical assistance from the City and the utilization of any federal and state rehabilitation tax credit programs may be considered.

2. Application Requirements.

- a) Upon receiving a request for a certificate of economic hardship, the Planning Director or designee shall provide a written response within fourteen (14) days as to the submittal materials required.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 31 of 34

b) Within five (5) days after receipt of an application for a certificate of economic hardship, the Planning Director or designee shall determine whether the application is complete. If he or she determines that the application is not complete, the Director shall notify the applicant in writing of the deficiencies. The Director shall take no further steps to process the application until the deficiencies have been remedied.

c) The application fee shall be set to defray all costs of the review process, including the fees of an independent hearing officer.

3. Review process.

a) When the application is complete, the Planning Director or designee will refer the application to the Historic District Staff member and the City Attorney for review. The Historic District Staff member and City Attorney shall jointly prepare a report setting forth the City's response.

b) In the event the City response concludes that the application does not demonstrate a case of economic hardship, the application can apply for an Administrative Appeal before Zoning Board of Adjustment.

c) The Zoning Board of Adjustment will be contracted by the City to conduct an impartial quasi-judicial hearing on the question of economic hardship. If deemed necessary, the ZBA may hire, at the applicant's expense, a consulting professional(s) with sufficient legal and technical experience to conduct a fair hearing on the matter. The application, all support materials and the consultants/City's report shall be provided to the ZBA in advance of the hearing. At the hearing, the applicant will be provided with an opportunity to present their application and may be represented by counsel. The City position will be presented by the City Attorney/consultant.

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4. Appeal. An applicant may appeal the decision of the hearing officer to District Court.

N. Demolition by neglect.

It is the intent of this Section to address the range of circumstances that affect the preservation of the community's significant historic and architectural resources. It is further recognized that many historic buildings and structures are lost because of deterioration from lack of maintenance. Whether this occurs unintentionally or through deliberate decisions, the result is the same: the loss of community assets that cannot be replaced. Consequently, it is declared that the exterior features of any designated building or structure shall be preserved against decay and deterioration and kept free from structural defects. The designated structures shall receive reasonable care, maintenance and upkeep appropriate for their preservation, protection, perpetuation and use.

1. Standards for reasonable care and upkeep.

The owner or such other person who may have legal possession, custody and control thereof of a designated property shall, upon written request by the City, repair the following exterior features if they are found to be deteriorating or if their condition is contributing to deterioration such that it is likely to compromise the building's structural integrity or as to

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 32 of 34

create or permit the creation of any hazardous or unsafe condition to life, health or other property. These features include, but are not limited to:

- a. Deterioration of exterior walls, foundations or other vertical supports that causes leaning, sagging, splitting, listing or buckling.
- b. Deterioration of flooring or floor supports or other horizontal members that causes leaning, sagging, splitting, listing or buckling.
- c. Deterioration of external chimneys that cause leaning, sagging, splitting, listing or buckling.
- d. Deterioration or crumbling of exterior plasters or mortars.
- e. Ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors.
- f. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint or weathering due to lack of paint or other protective covering.
- g. Rotting, holes and other forms of decay.
- h. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings ornamental trim and other architectural details that cause delamination, instability, loss of shape and form or crumbling.

2. Enforcement procedures.

a. The HDC or Planning Director or designee may file a petition listing specific defects, in accordance with Section N.1 above, with the Director of Building, Zoning and Licensing, Services, requesting that the official act under the following procedures to require the correction of the defects or repairs to designated properties.

b. Whenever a petition is filed, Director of Building, Zoning, Licensing and Services shall attempt to make direct personal contact with the owner or other such persons having legal possession or custody and/or his representative. If personal contact cannot reasonably be accomplished, then written notification of the specific defects purported by the HDC and a request to inspect the property within ten (10) days will be mailed to the owner and other such persons having legal possession, custody and control and will be posted at a conspicuous location appropriate to the identified defects. In the written notification the Chief Building Official shall document the nature of the specific defects and the corrective action ordered.

c. After receiving agreement from the owner, his representatives or other such persons having legal possession, custody and control of the property for an inspection, the Chief Building Official and the HDC Officer shall within ten (10) working days conduct an investigation and prepare a written report determining whether the property requires work to address conditions set forth in Section N.1 above.

d. If the property is found to contain conditions needing correction, the owner, his representative or other such persons having legal possession, custody and control of the

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 33 of 34

property will be served within fourteen (14) days with a complaint identifying the property deficiencies and providing notice that a hearing will be held the City Council within forty-five (45) days. The purpose of the hearing is to:

1. Receive evidence concerning the charge of deterioration and
2. Develop a plan and schedule for making the needed repairs in a timely fashion, such that the building is stabilized and the deterioration is arrested and
3. Ascertain whether the owner or other parties intend to make application for financial assistance from the City to correct the building defects.

e. Following such notice and hearing, City Council will make a determination if there are any corrections required pursuant to Section N.1 above and shall state in writing the findings of fact in support of that determination. If it is determined that the building or structure is undergoing deterioration or if its condition is contributing to deterioration, the owner or other parties of interest will be served an order to repair those defective elements of the structure within a reasonable specified time frame.

f. If the owner fails to make the necessary repairs within the identified time frame, the City may undertake the work to correct the deficiencies that create any hazardous and unsafe conditions to life, health and property. The expense of this work will be recorded as a lien on the property.

O. Appeals. Any applicant, person, or organization aggrieved by a decision of the Historic District Commission may appeal the decision to the Rochester Zoning Board of Adjustment in accordance with RSA 674:33 and any appeal procedures specified in the City Ordinances. In its review of any appeals the Zoning Board shall be guided by the provisions of this Section and other applicable law.

P. Enforcement. This Section shall be enforced as provided for in the Rochester Zoning Ordinance.

Historic Overlay District Ordinance
Final Version
Approved by Planning Board on 10/22/18

Approved by HDC on 10/10/18
Page 34 of 34



01/03/2019

City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE		
DEPT. HEAD SIGNATURE		
DATE SUBMITTED		
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION