



**Rochester City Council Public Hearing
February 5, 2019
Council Chambers
7:00 PM**

Agenda

- 1. Call to Order**
- 2. 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 P. 9**
- 3. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Historic Overlay District P. 29**
- 4. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Conservation Overlay Districts P. 63**
- 5. 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*) P. 65**
- 6. Adjournment**

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City Clerk's Office

**Regular City Council Meeting
February 5, 2019
Council Chambers
*Immediately Following Public Hearing***

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Regular City Council Meeting: January 8, 2019
consideration for approval P. 67**
- 6. Communications from the City Manager**
 - 6.1 Employee of the Month Award P. 87**
 - 6.2 City Manager's Report P. 89**
- 7. Communications from the Mayor**
- 8. Presentation of Petitions and Council Correspondence**
- 9. Nominations, Appointments, Resignations, and Elections**
- 10. Reports of Committees**
 - 10.1 Community Development P. 103**
 - 10.2 CTE Joint Building Committee – *minutes forthcoming***
 - 10.2.1 Construction Progress P. 113**
 - 10.3 Public Safety P. 133**
 - 10.3.1 *Committee Recommendation:* To Deny "Slow Children" sign at Monarch School
consideration for approval P. 134**

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City Clerk's Office

- 10.3.2 **Committee Recommendation:** To eliminate one parking spot on South Main Street due to line of sight concerns ***consideration for approval*** P. 136

10.4 Public Works

- 10.4.1 **Committee Recommendation:** Approve a camera to be installed on the Dewey Street side of the pedestrian bridge as recommended by the Department of Public Works ***consideration for approval*** P. 141

10.5 Tri-City Mayors' Task Force on Homelessness P. 145

11. Old Business

- 11.1 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. ***Discussion Only*** P. 9
- 11.2 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Historic Overlay District ***Discussion Only*** P. 29
- 11.3 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Conservation Overlay District ***Discussion Only*** P. 63
- 11.4 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*) ***Discussion Only*** P. 65
- 11.5 Codification Project – ***Refer to Public Hearing February 19 and Planning Board February 25***

12. Consent Calendar

13. New Business

- 13.1 Resolution Granting Discretionary Preservation Easement to the Property Located at 60 Leonard

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Street under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and adoption* P. 153

13.2 Resolution Granting Discretionary Preservation Easement to the Property Located at 15 Evans Road under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and adoption* P. 169

13.3 Resolution Granting Discretionary Preservation Easement to the Property Located at 83 Meaderboro Road under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and adoption* P. 182

13.4 Memorandum of Understanding (MOU) - Police Compression Pay Adjustments P. 199

14. Non-Meeting/Non-Public Session

15. Non-Public Minutes from the Regular City Council Meeting: November 13, 2018 *consideration to unseal*

16. Other

17. Adjournment

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City Clerk's Office

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]

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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

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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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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.

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- 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 Section Reference
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	
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	- 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	
A " - " means there is no dimensional standard for this item.						
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	<ul style="list-style-type: none">•To promote 4 and 5 story mixed-use buildings, eliminate the “density limit.”	<ul style="list-style-type: none">•Table 19B•42.19.b.8
2.05 Chapter 42		<ul style="list-style-type: none">•Eliminate single-family and duplex uses as a permitted use in the DC. Explore options for legalizing existing uses.	<ul style="list-style-type: none">•Tables 18A-D•42.22.a.8
2.05 Chapter 42		<ul style="list-style-type: none">•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.	<ul style="list-style-type: none">•42.20.b.11
2.05 Chapter 42		<ul style="list-style-type: none">•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.	<ul style="list-style-type: none">•42.20.b.7•42.21.d.7



01/31/2019

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 FORMRESOLUTION 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.

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left blank...*

City Clerk's Office

**Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding
the Historic Overlay District**

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 (changes in ~~colored~~):

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HISTORIC OVERLAY DISTRICT (HOD)

Article XI of the City of Rochester Zoning Ordinance

****DRAFT****

A. Table of contents

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

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;

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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.

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.

c. 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.

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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

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.

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~~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.

D. Historic District Commission

Commented [MM1]: Moved from section G

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.

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- 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 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.

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- 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

The following definitions apply to this Section only.

Commented [MM2]: Moved from section F

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

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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.

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

Commented [MM3]: Moved from Section h

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

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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;
- 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.

Commented [MM4]: Moved in document

[Surveys, Maps and Historic Context Papers. The Planning Director or designee shall](#)

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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 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.

Commented [MM5]: Moved from Appendix
No changes to district boundaries

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.

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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).

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.

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~~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.
- 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.

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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.

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.

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- 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.
 - 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.~~

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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.

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.

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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;~~

~~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:~~

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- ~~_____ 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:~~

- ~~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 façade 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).~~

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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~~
- ~~_____ 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~~

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_____ 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,~~
- ~~_____ 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~~

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~~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/>)~~

~~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.

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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.

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~~

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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 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.

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 thorough 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.~~

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~~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.~~

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~~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.~~

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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

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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;

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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.

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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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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.

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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:

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- 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.

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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.

Commented [MM6]: This was changed from hearing officer at the PB.

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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

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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

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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.

Amendments to take effect upon passage.

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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

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

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Varney
Councilor Walker
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
City Attorney Terence O'Rourke

MEMBERS EXCUSED

Councilor Gates
Councilor Torr

Minutes

1. Call to Order

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

2. Opening Prayer

Mayor McCarley requested a moment of silence.

3. Presentation of the Colors

Mayor McCarley led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, took the roll call. All Councilors were present except for Councilors Gates and Torr, who had been excused. Councilor Keans

arrived at 7:07 PM.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: December 4, 2018 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of December 4, 2018. Councilor Bogan seconded the motion. Councilor Walker made the following correction to the minutes:

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. Mayor McCarley called for the vote on the motion as amended the **MOTION CARRIED** by a unanimous voice vote.

5.2 Special City Council Meeting: December 18, 2018 ***consideration for approval***

Councilor Walker **MOVED** to **ACCEPT** the Special City Council meeting minutes of December 18, 2018. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 Employee of the Month Award

City Manager Cox invited Brandon Turcotte, Department of Public Works – Waste Water Treatment Facility and Commissioner Nourse to come forward. City Manager Cox read the nomination letter written about Mr. Turcotte. He announced that Mr. Turcotte has been selected as the Employee of the Month for January, 2019.

6.2 City Manager's Report

City Manager Cox referred to the following report found in the City Council Packet:

Contracts and Documents:

- City Manager
 - Connectivity Point Contract – Server Upgrade Project

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

Other Documents:

- Computer Leases

- Aucoin, J – PD
 - Knox, N – PD
- Tuition Reim
 - Libby, J – BZLS
 - Parker-Wright, K – Library
- Other Docs
 - NH Department of Transportation – Safety Improvements Letter
 - NH Department of Transportation – Safety Improvements – Horizontal Curve Signs

Standard Reports:

- City Council Request & Inquiry Report - none
- Monthly Overnight Travel Summary - none
- Permission & Permits Issued
- Personnel Action Report Summary

7. Communications from the Mayor

Mayor McCarley invited the Council members to forward her any “focus” ideas for the City Council to address in the coming year.

Mayor McCarley requested that if any members of the City Council had concerns/question about the codification project (Schedule – A), they should submit those questions in writing to the City Clerk’s office no later than February 6, 2019.

8. Presentation of Petitions and Council Correspondence

8.1. Presentation: Wastewater Treatment Plant Permitting Process Update

Mayor McCarley invited Attorney Young to come forward and address the City Council.

Attorney Young, from Rath, Young and Pignatelli provided a presentation on the status of pending Environmental Protection Agency’s National Pollution Discharge Elimination System (NPDES) permit for the Waste Water Treatment Facility. After the presentation had been given, she noted that further discussion (confidential) would take place during the Non-meeting Session of this agenda.

9. Nominations, Appointments, Resignations, and Elections

9.1 Appointment: Jonathan Shapleigh – Chair of the Rochester Economic Development Commission

Mayor McCarley appointed Jonathan Shapleigh as the Chair of the Rochester Economic Development Commission.

10. Reports of Committees

10.1. Appointments Committee

10.1.1 Re-appointment: Steven Maimes – Library Trustee Ward 2, Term to Expire 1/2/2022

Councilor Keans reviewed the Committee's recommendation to re-appoint Steven Maime to the Library Trustee (Ward 2). Mayor McCarley nominated Steven Maimes to serve on the Library Trustee for Ward Two with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Maimes. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

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)

Councilor Keans reviewed the Committee's recommendation to appoint Brett Johnson as a Regular member of the Trustees of the Trust Fund. Mayor McCarley nominated Brett Johnson as a Regular member of the Trustees of the Trust Fund with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Johnson. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans reviewed the Committee's recommendation to appoint Brett Johnson as a Regular member of the Trustees of the Trust Fund. Mayor McCarley nominated Brett Johnson as a Regular member of the Utility Advisory Board with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease

and that the Clerk cast one ballot for Mr. Johnson. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.1.3 Re-appointment: Robert Brown – Recreation & Arena Commission, Term to Expire 1/2/2022

Councilor Keans reviewed the Committee's recommendation to re-appoint Robert Brown as a Regular Member to the Recreation and Arena Commission. Mayor McCarley nominated Mr. Brown to serve as a regular member of the Recreation and Arena Commission with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Brown. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans requested that all department heads be reminded to ensure their relative Boards/Commission members be notified of any terms to expire.

10.2. Community Development

Councilor Lauterborn reviewed the Committees recommendation to support the Rochester Museum of Fine Arts – Public Sculpture Project and to support the funding of this project, which is \$4,000. The funding has been set aside within the Economic Development Department's budget. She said the proposal is to erect the artwork (metal sculpture) on city owned land, along Route 125, which is one of the City's gateways.

Councilor Lauterborn **MOVED** to approve the project as stated above and support the cost of the project, which is \$4,000. Councilor Bogan seconded the motion.

Councilor Hamann asked if the City would be purchasing this artwork. Councilor Lauterborn replied yes, there is an artist from Barrington, NH, who sells this type of artwork.

Jenn Murphy-Aubin, Economic Development, said each year the City chooses a different art project to be on display throughout the City. This year's project is the placement of a metal sculpture along Route 125 in Rochester. Councilor Hamann questioned why and how this artist has been selected. He question if anyone could have approached the City to sell their own artwork. It was clarified by Ms. Murphy Aubin, that each year the City approves an Art Project, which enhances the downtown area. This has been a successful

program, which draws many folks, including, neighboring communities into the downtown area of the City of Rochester. This is a program supported by the Economic Development Department, Rochester Main Street, and the Rochester Museum of Fine Art. The Arts and Culture Commission is tasked with making recommendations to the City. Anyone can make a proposal to submit or partake in the yearly art project. The proposed projects are vetted through the Commission and brought to the Economic Development Committee with a final recommendation for the City Council to vote upon.

Councilor Varney questioned when the City approved this purchase. Ms. Murphy Aubin confirmed that there are no commitments to purchase this art. This project has been reviewed by the City Manager's office and through the Community Development Committee. The City Council has final say on whether or not this project can be approved or not.

She provided photos of the proposed location for the artwork along with additional photos of similar artwork in other communities. Councilor Varney asked which line item this falls under in the Economic Development Department's budget. City Manager Cox replied that it is not an individual line item; however, there is funding in place for this year's art project. Councilor Keans expressed her support for the yearly art displays. She recalled the "shoe" art project, which generated a lot of interest for the City of Rochester. Normally, these projects are displayed for about four to five months; however, in this case, it seems the City will end up with a permanent public art sculpture.

Councilor Walker voiced his support of the past art projects, which only lasted for about four to five months. He expressed concerns that the art work would be permanently placed on Route 125. Councilor Lauterborn noted that once the summer project ends the public display could be moved to a new, more fitting location, if necessary. Mayor McCarley called for a vote on the motion. The **MOTION CARRIED** BY a 7 to 4 show-of-hands vote.

Councilor Lauterborn gave information about the Farmer's Market. The original founders of the Farmer's Market made a three-year commitment, which is now ended. The City needs to come up with a new plan, if it intends to keep the Farmer's Market to continue. The Committee will be discussing if the City can be involved in some way in order to keep this program going. She encouraged the Council to come up with some ideas and/or attend the next Community Development Committee meeting to discuss this issue.

Councilor Varney questioned what costs would be involved with having this program continue. Councilor Lauterborn said the original Farmers Market

had been volunteer-based; however, since the three-year commitment has ended it is likely that someone will need to manage the program moving forward. She added that the Farmer's Market "pays for itself"; however, there will be an additional cost if the City hires a manager for the Farmers Market.

Mayor McCarley expressed her support of keeping the Farmers Market. Councilor Lauterborn mentioned that the location of the Farmers Market shall also be discussed at the next Committee meeting.

10.3. Finance Committee

Mayor McCarley reviewed the Finance Committee report and the following action items:

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*

Mayor McCarley reviewed the Finance Committee report and said that there is only one action item remaining, which is the City sponsoring the 4th of July fireworks. Mayor McCarley **MOVED** to **APPROVE** the Committee's recommendation to approve the City sponsoring the 4th of July fireworks display in 2019. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 7 to 4 show of hands vote.

10.4. Public Safety

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*

Councilor Walker said there seems to be a problem with some residents not yielding at the Wakefield Street/Union Street Intersection. This is to further delineate the required to yield.

Councilor Walker **MOVED** to **APPROVE** the Committee's recommendation to paint markings on the pavement at the Wakefield/Union Street Intersection, including the word "yield", the "shark tooth" triangle

symbols, and dashed lines. Councilor Hamann seconded the motion.

Councilor Keans asked if there is a sign in place. Councilor Walker replied yes; however, this would enhance what is already in place. Councilor Varney asked Commissioner Nourse if this would fulfill the standard safety requirements. Commissioner Nourse replied this would be an enhancement to what is already there. The **MOTION CARRIED** by a unanimous voice vote. It was noted that the paint would not be completed until the spring-time.

10.5. Public Works

10.5.1. Committee Recommendation: Adoption of the paving list *motion to adopt*

Councilor Varney **MOVED** to **APPROVE** the proposed paving list, which has been recommended by the Public Works Committee. Councilor Walker seconded the motion. Mayor McCarley requested if the proposed paving list had been uploaded to the City's website. City Manager Walker replied that it was not yet available online; however, once the paving list is approved it can be posted on the City's website.

Councilor Gray questioned if Academy Street was on the paving list. It was indicated that it was not on the list; however, the Department of Public Works did place an over-lay (pavement) on Academy Street earlier this summer. The **MOTION CARRIED** by a unanimous voice vote.

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*

Councilor Varney **MOVED** to **APPROVE** the Committee's recommendation to work with Roger Allen Park Association to bring a proposal back to the City Council for discussion in regards to developing a proposed "exit" road, which is beyond the property for the new Department of Public Works facility; however, the condition would be that the road not interrupt or detract in any way with the new DPW facility. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.6. Tri-City Mayors' Task Force on Homelessness

Councilor Hutchinson gave a report on the Tri-City Mayors' Task Force.

Councilor Hutchinson noted that the Mayor should fill one vacancy on the Task Force previously held by TJ Jean. Mayor McCarley indicated that she is aware of the vacancy and is working to fill it soon.

Councilor Hutchinson said the Task Force is in the final development stages of the Master Plan. He noted that the next meeting is scheduled for January 17, 2019, at the Rochester Community Center. Once the plan is completed, the next step will be to send the proposed plan to the respectful Legal Departments and schedule a meeting for public input.

11. Old Business

11.1. Planning Board Recommendation:

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*

Councilor Lachapelle **MOVED** to read the Amendment for a second time by title only and to refer the matter to a public hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment by title only as follows:

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.

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*

Councilor Lachapelle **MOVED** to read the Amendment for a first time by title only and to refer the matter to a public hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment by title only as follows:

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 party 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.**

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***

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

**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.

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

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*

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

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.

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

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*

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

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.

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*

**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.

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***

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

**Resolution Accepting Donation from St. Anselm's College to the
Recreation and Arena Department and Approving a 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.

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

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

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*

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

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.

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

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

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

Councilor Lachapelle **MOVED** to read the Amendment for a first time by title only and to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for a first time.

See addendum A.

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*

Councilor Lachapelle **MOVED** to read the Amendment for a first time by title only and to refer the matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for a first time as follows:

See addendum B.

14. Non-Meeting/Non-Public Session

15. Other

Councilor Keans recalled that the Building, Zoning, and Licensing Services Department was supposed to provide a list of recent complaints/citations.

Councilor Keans questioned if the City would have outdoor skating rinks this winter. It was noted that some of the larger cities are able to have the outdoor rinks because there is some type of refrigeration provided underneath the rink; however, it has not yet been cold enough this year for the City to provide the service as in years past.

16. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 7:52 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

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City Clerk's Office

EMPLOYEE OF THE MONTH NOMINATION FORM

EMPLOYEE'S NAME Nicholas Alexander

DEPARTMENT Police

Provide examples of how the employee has performed actions that were above and beyond those normally expected for the employee's position. The more examples you can give adds to the strength of the nomination. If more room is needed, please use reverse side.

PROFESSIONALISM AND COMMITMENT BEYOND WHAT IS EXPECTED FOR THE EMPLOYEE'S POSITION

(Example: He/she gives extra hours to the job when necessary to get the job done.)

For several months we have been very short handed in the dispatch center due to vacancies. This has caused many employees to either volunteer or be ordered to meet staffing levels. Nick Alexander, a patrol officer, has been one the few officers who have volunteered to be trained as a police dispatcher. Since being trained, Officer Alexander has been filling dispatch positions on a regular basis to lessen the ordered overtime in the center. Many of the shifts he volunteers for are midnight shifts that normally are difficult to fill. Weather it is in advance or last minute Officer Alexander always comes through to help. Just recently we had a last minute open dispatch shift on New Year's Eve that was going to require ordering a dispatcher to work. Out of the 17 people eligible to work, Officer Alexander was the only person who volunteered and it was on this normal day off.

Officer Alexander not only fills shifts, but also provides excellent customer service. During his time in the dispatch center Officer Alexander took a call from a victim that had been shot. Officer Alexander stayed calm and handled the situation like a veteran dispatcher, getting help to the victim.

For the above reason Officer Alexander has gone above and beyond what is required of him and should be recognized. He understands the burden of unwanted overtime on others in the dispatch center and does what he can to help.

Thank you for the consideration.

YOUR NAME: Sergeant Eric Babine DATE: 01-01-19

PLEASE NOTE: You may use either this form or a letter, whichever is more convenient for you. Thank you for your time and interest in the Employee of the Month Program!

*ANY OF THE ABOVE ITEMS IS ENOUGH TO NOMINATE AN EMPLOYEE.

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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 February 5, 2019

The Employee of the Month is: Nicholas Alexander – Police Department P. 87

Contracts and documents executed since last month:

- Department of Public Works
 - Colonial Pines Sewer Extension Proj. – CWSRF Loan Agreement Document P. 90
 - Community Center Alarm Project – Change Order #1 P. 91
 - Drainage Easement – Franklin Street P. 92
 - Round Pound – Topography Survey P. 93
 - Strafford Square – Consolidated Communications Contract P. 94
- IT
 - Docking Station estimate – for Mobile Device Terminal P. 95
- Police Department
 - Animal Service Shelter Agreement – Coheco Valley Humane Society P. 96
 - Wrecker Service Agreements P. 97
- Recreation Department
 - Central Maine Pyrotechnics – Fireworks Contract P. 98

The following standard reports have been enclosed:

- City Council Request & Inquiry Report - **none**
- Monthly Overnight Travel Summary P. 99
- Permission & Permits Issued P. 100
- Personnel Action Report Summary P. 101



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

01/31/2019



INTEROFFICE MEMORANDUM

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

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

DATE: January 3, 2019

SUBJECT: CWSRF 330122-14 Colonial Pines Sewer Extension
Loan Agreement Documents \$3,000,000.00

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

Attached please find two copies of the original loan agreement documents for signature. The authority to apply for and to execute documents in regards to this CWSRF Loan were authorized by the City Council at the Regular Meeting held on November 13, 2018. The funds are appropriated and available in the following Sewer Fund CIP account lines.

55026020-771000-18534 = \$1,597,268.82
55026020-771000-19542 = \$2,000,000.00
Total Available \$3,597,268.82

Note: Loan document asking for both City Manager and Finance Director signature.

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



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PUBLIC WORKS DEPARTMENT
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01/31/2019



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: January 17, 2019

SUBJECT: Community Center Alarm Project
Scarponi Electric Changer Order #1 \$3,618.59

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

Attached please find 1 copy of the change order associated with the Community Center Fire Alarm. This change is for additional materials and work not included in the original bid and scope of services.

There is sufficient funding in the Community Center Alarm System Project Account as follows:

15011090-772000-19551 = \$3,618.59

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 distribution.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

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CITY OF
Rochester
Received
JAN 17 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Date: January 16th, 2019
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Drainage Easements, Franklin Street Project
CC: Michael Bezanson, City Engineer

Please see the attached Drainage Easements for the work associated with the new cross culvert on Western Avenue that was completed as part of the Franklin Street Restoration project.

If you have any questions please let me know, if not, please **SIGN** the two documents and **RETURN** to **PUBLIC WORKS**.



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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(603) 332-4096
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01/31/2019



INTEROFFICE MEMORANDUM

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

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

DATE: January 17, 2019

SUBJECT: Round Pond Dam Expansion Project
Topographic Survey \$19,000

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

Attached please find the Wright Pierce Scope of services document for signature. This work is associated with Round Pond Dam Expansion project for the Water Treatment Plant.

There is sufficient funding in the Project Account as follows:

55016010-771000-13523 = \$19,000

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

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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01/31/2019



INTEROFFICE MEMORANDUM

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

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

DATE: January 8, 2019

SUBJECT: Strafford Square Project
Consolidated Communications Utility Contract \$365,247.00

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

CITY OF
Received
JAN 10 2019
City Manager
ROCHESTER

Attached please find 2 contracts for signature related to the Consolidated Communications work to be completed for the Strafford Square Project.

1. Contract #1 – Washington / North Main Street proposal to install communications fault at the intersection and to move aerial facilities underground. \$265,263.00.
2. Contract #2 – North Main Project area cost to remove aerial facilities and install pedestals to feed existing homes. \$99,984.00.

These are contracted cost estimates for work not considered suffrage. Any overage payments for actual work performed will be refunded and any additional cost incurred will be billed.

Funds totaling \$365,247.00 will be expensed from CIP 15013010-771000-16531

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 distribution.

Roland Connors, Interim Finance Director



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

31 Wakefield St • Rochester, NH 03867

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CITY OF
Received
JAN 18 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

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

FROM: Sonja Gonzalez, Chief Information Officer

DATE: January 17, 2019

SUBJECT: PatrolPC
Docking station - \$801.00

CC:

Attached please find one copy of the estimate for a docking station for a Mobile Device Terminal. There is sufficient funding in the FY19 Hardware Replacement CIP Account 15011020-773800-19502.

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



PAUL R. TOUSSAINT
Chief of Police

ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127
FAX (603) 330-7159
www.rochesterpd.org

"Dedication, Pride, Integrity"

01/31/2019

POLICE COMMISSION

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



January 25, 2019

TO: Blaine Cox
City Manager

FROM: Paul R. Toussaint
Chief of Police

RE: Animal Services Shelter Agreement

Dear Mr. Cox:

The attached Animal Services Shelter Agreement between Cocheco Valley Humane Society and the Police Department (for the City) has been in place for a number of years. The purpose of the agreement is to establish guidelines for acceptance of stray dogs and cats, as well as holds/impoundment for infractions of State law (other than for dog at large).

The agreement sets forth the fees to be paid by the City to Cocheco Valley for this service.

I am asking for your signature on this document as the City representative.

Thank you for your consideration. Please let me know if you need further from me in this regard.

Sincerely Yours,

Paul R. Toussaint
Chief of Police

01/31/2019

ROCHESTER POLICE DEPARTMENT

POLICE COMMISSION

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"Dedication, Pride, Integrity"



PAUL R. TOUSSAINT
Chief of Police



January 02, 2019

CITY OF
Received
JAN 10 2019
City Manager
ROCHESTER

TO: Blaine Cox
City Manager

FROM: Paul R. Toussaint
Chief of Police

RE: Wrecker Service Agreements

Dear Mr. Cox:

Per City Ordinance, Chapter 67, the City enters into wrecker service agreements with up to six providers for a two-year period. Attached are service agreements with the companies who bid and met the requirements of the bid. Those companies are:

- Bob's Auto
- Dave's Tri City
- Doug's Towing
- Matt Scott's
- Rochester Tire

Along with an authorized person of the wrecker company, the licensing board members sign these agreements as well. Would you please sign the five agreements attached, and return them to my office for distribution to the services.

Please let me know if you have any questions in this regard.

Sincerely Yours:

Paul R. Toussaint
Chief of Police

cc: Chief Klose

Date: January 22, 2019

To: Blaine Cox
Acting City Manager

From: Chris Bowlen - *CJB*
Director of Recreation & Arena

RE: July 3rd Fireworks Agreement-Contract w/ Central Main Pyrotechnics

As authorized by the city council at the January 2019 regular meeting, please find attached a contract with Central Maine Pyrotechnics in the amount of \$10,000 for the Fireworks show to take place on July 3, 2019. The rain date for this show is July 5, 2019. As we have discussed, Central Maine Pyrotechnics has agreed to conduct the same show as they did in 2018 and keep their pricing the same for the next three years.

Kindly provide your signature of approval on the attached page and return to my office. If you have any questions please do not hesitate to contact me.



MONTHLY DEPARTMENT TRAVEL SUMMARY

01/31/2019

[illegible]

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
1/4/2019	1/4/2019	TAG	RMS - Cheer Team	1/5-6/2019
1/4/2019	1/4/2019	TAG	RYFL	8/23-25 & 10/12-13/2019
1/3/2019	1/29/2019	EVENT/BOXING	Opera House - Midget Wrestling	2/6/2019
1/4/2018	1/10/2019	TAG	SHS - Ski Team	1/11/2019
1/16/2019	1/28/2019	EVENT	Rock Maple Racing	2/23/2019
1/18/2019	1/28/2019	EVENT	National Day of Prayer	5/2/2019
1/16/2018	1/28/2019	SOLICIT	Atlantic Broadband - Dowd, O'Brien, Clark, Zwinger	90 days

ELECTRONIC MESSAGE BOARD REQUESTS

1/5/2019		MESSAGE	Elks - Chili & Chowder Fest	1/19/2019
1/10/2019		MESSAGE	Elks - Open House	1/29/2019
1/16/2019		MESSAGE	Rochester Rockets - Comedy Night at the Elks	2/9/2019
1/16/2019		MESSAGE	Rochester Rockets - Pancake Breakfast	1/27/2019
1/28/2019		MESSAGE	Blueberry pancake breakfast - 1st Church Congregational	2/9/2019

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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, January 14, 2019	
Members Present:	Tom Abbott Donna Bogan James Gray Jeremy Hutchinson Elaine Lauterborn	Members Absent: None
Guests/Staff:	Jennifer Marsh, Rochester Economic Development Specialist Chris Bowlen, Director of Recreation Department Susan Ford, My Friend's Place Pamela Becker, Community Partners Martha Hewitt, Tri-City Co-op Rachel Sanchez, Gafney Home John Bozak, Gafney Home Tracey Donaldson, Dover Adult Learning Center Vanessa, Dover Adult Learning Center Donna Marsh, New Generation Amy Michaels, New Generation Bob Arnold, Community Action Partnership of Strafford County Betsey Andrews Parker, Community Action Partnership of Strafford County Zach Puopolo, Community Action Partnership of Strafford County Sarah Varney, Community Action Partnership of Strafford County Sue Silsby, EasterSeals NH Jean Lanciano, EasterSeals NH Julie Reynolds, Cornerstone VNA John Burns, SOS Recovery Center Laurie Eastwood, Strafford Nutrition Meals on Wheels Anne Grassie, Rochester Child Care Center Richard Bickford, Rochester Child Care Center Julie Perron, Bridging the Gaps/Seacoast Youth Services Martha Stone, Cross Roads House Allie Joseph, MY TURN Laurie Basham, MY TURN John McLain, East Rochester Public Library Kathy Beebe, HAVEN Kathleen Levesque, Homeless Center for Strafford County Tracy Hardekopf, Homeless Center for Strafford County Mike Hagan, Homeless Center for Strafford County	

Councilor Lauterborn called the meeting to order at 7:00 p.m. Motion was made by Councilor Bogan and seconded by Councilor Hutchinson to approve the December 10, 2018 minutes. The minutes were approved unanimously.

PUBLIC INPUT	There was no public input.
ROCHESTER FARMERS MARKET	<p>Ms. Jennifer Marsh stated she has met with the Recreation Department to gauge its interest in taking over the Rochester Farmers Market. She added that she will be meeting with the Legal Department in the near future to discuss the necessary financial details.</p> <p>Mr. Bowlen stated that his department has seasonal employees but that they are currently occupied with their current job duties. Councilor Lauterborn asked if this means that the current seasonal employees would need additional hours or an additional employee would be needed. Mr. Bowlen confirmed that this is the case. He added that the Recreation Department is happy to play a role but cannot be the only department involved.</p> <p>Councilor Lauterborn asked if the current \$5,000 available would get the market through the first year. Ms. Marsh stated that it would. Councilor Gray asked if the account holding the \$5,000 is in a private account or city account. Ms. Marsh stated that the money is held in a private account owned by Rochester Main Street, the current fiscal agent for the market. Councilor Lauterborn asked where the \$5,000 came from, and Ms. Marsh replied that it is from the last three years' of sponsorships.</p> <p>Councilor Gray suggested increasing the City's annual financial contribution to Rochester Main Street in exchange for Main Street's continuing to run the market. Councilor Lauterborn asked if Rochester Main Street has any paid employees, and Ms. Marsh replied that the only paid employee is the executive director.</p>
FY 2019-2020 GRANT APPLICATION PRESENTATIONS	Ms. Ford from My Friend's Place stated that the My Friend's Place homeless shelter has served more Rochester residents this year than from all other municipalities combined. Ms. Ford added that My Friend's Place has already exceeded its goal for the fiscal year and that funding for My Friend's Place provides savings in the Rochester Welfare Office budget. Ms. Ford also added that for next year My Friend's Place is also requesting public facilities funding for

a back-up generator and that such funding is also being requested from the City of Dover.

Councilor Lauterborn asked why My Friend's Place is serving so many Rochester residents. Ms. Ford replied that it's largely because residents are priced out of Dover. Councilor Hutchinson asked if My Friend's Place is a low, medium, or high barrier shelter, and Ms. Ford replied that it is a low barrier shelter.

Ms. Becker from Community Partners provided an overview of its rental assistance program for clients with mental illness or developmental disabilities who are homeless or at risk of homelessness. Ms. Becker mentioned that high rental rates and client reliance on SSI and SSDI mean that housing is beyond the financial means of many Community Partners clients.

Councilor Lauterborn asked how the requested funding amount was arrived at, and Ms. Becker replied that it is anticipated to serve 15 individuals/families. Councilor Bogan asked about other municipalities' contributions, and Ms. Becker replied that the City of Dover contributes about \$7,000. Councilor Bogan asked if Dover and Rochester funding supports the other municipalities, and Ms. Becker replied that Dover funding is spent only on Dover residents and Rochester funding is spent only on Rochester residents.

Ms. Hewitt from Tri-City Co-op stated that Tri-City Co-op provides peer to peer mental health supportive services. Most clients are from Rochester, but services are available to all Strafford County residents. Councilor Bogan asked if CDBG funding funds all Strafford County, and Ms. Hewitt replied that funding serves all clients.

Ms. Sanchez from the Gafney Home stated that the Gafney Home, an assisted living facility, is requesting funding for roof replacement. Ms. Sanchez mentioned that most of the Gafney Home's residents are low income and that Strafford County has an aging population. She added that the Gafney Home is the only non-profit assisted living facility in Rochester. Mr. Bozak stated that previous phases of renovations were supported by the Gafney Home's endowment but that the endowment cannot support further renovations.

Councilor Lauterborn asked how many residents the Gafney Home has, and Ms. Sanchez replied that the Gafney Home has twenty bed. Councilor Lauterborn asked if most Gafney Home residents were Rochester residents prior to entering the Gafney Home, and Ms. Sanchez replied that about forty percent were. Councilor Abbott asked about the roofing material, and Mr. Bozak replied that most of the roof is shingling.

Ms. Donaldson from Dover Adult Learning Center (DALC) stated that the Rochester location of the Dover Adult Learning Center has seen an increase in enrollment. Ms. Donaldson stated that DALC has increased focus on post-education employment targeting specific industries. This has included partnerships with Great Bay Community College. Vanessa, a DALC student, shared that she has been working on her HiSET with DALC since 2014, with pauses to work, and has appreciated how DALC has remembered her specific situation and needs.

Councilor Lauterborn asked Vanessa what her next step is, and Vanessa replied that she would like to continue her schooling to become an ultrasound technician.

Ms. Donna Marsh from New Generation stated that New Generation is located in Greenland and serves homeless women who are pregnant or have children. Services include shelter and case management. Ms. Marsh stated that New Generation has seen a recent increase in calls from Rochester. New Generation has also seen an increase in clients with substance use disorders.

Councilor Lauterborn asked how Rochester residents are referred to New Generation. Ms. Marsh replied that some calls come through 211 and some from Hope on Haven Hill after they have completed Hope on Haven Hill's program. Councilor Lauterborn asked how long clients can stay at New Generation. Ms. Marsh replied that clients can stay as long as they need but the average stay is 160 days.

Ms. Andrews Parker from Community Action Partnership of Strafford County (CAP) stated that CAP is requesting additional funding for its weatherization assistance program due to increasing need for these services and partnerships that make it possible for CAP to increase its program capacity. Mr. Arnold stated that 63

Rochester homes were weatherized last year. He added that CAP has seen increasing heating system failures due to extreme cold. Also, Eversource funding sources are being used on a Rochester Housing Authority project at Cold Springs Manor.

Councilor Lauterborn asked if they are able to find contractors in the current employment market. Mr. Arnold replied that there have been difficulties as lots of contractors are retiring, which results in a thirty to sixty delay in starting projects. Ms. Andrews Parker added that CAP has a preference for local contractors and is working with local educational and vocational institutions to help build up the local energy efficiency industry workforce.

Councilor Lauterborn asked about the non-CDBG funding request. Ms. Andrews Parker replied that this funding is used for all other CAP programs, such as food assistance, employment assistance, and Head Start.

Ms. Silsby from EasterSeals/The Homemakers stated that the Homemakers and EasterSeals have merged due to the Homemakers' financial difficulties, reducing overhead costs. The EasterSeals merger has allowed the expansion of services into Strafford County to a greater extent. Services include home care and adult "day out" services. In the last year 195 Rochester residents were served. Ms. Silsby added that most funding is through Medicaid reimbursement, but this reimbursement doesn't cover the full costs of services.

Councilor Lauterborn asked what has changed since the EasterSeals merger. Ms. Lanciano replied that there has been a stabilization in organizational leadership and that EasterSeals/The Homemakers is now looking to grow.

Ms. Reynolds from Cornerstone VNA stated that Cornerstone VNA provides home health care services, including palliative care and telehealth services. Other programs include a perinatal program, pediatric services, and services for Alzheimer's patients.

Councilor Lauterborn asked if the funding request is determined by formula. Ms. Reynolds replied that is determined by per capita.

Mr. Burns from SOS Recovery Center stated that for next year SOS Recovery Center is requesting both CDBG and general city funding to support its substance use disorder recovery programming. This year SOS Recovery Center has served over 200 Rochester residents, 181 of those residents served at the Rochester location specifically. Mr. Burns added that SOS Recovery Center is also receiving referrals from the police to help reduce recidivism. He also stated that recent years have seen reductions in overdose calls to the police, which Mr. Burns believes is attributable to SOS Recovery Center's services.

Councilor Gray asked about Hepatitis B and C rates among residents with substance use disorders. Mr. Burns replied that, as SOS Recovery Center is a non-medical model, he doesn't have that data. Councilor Gray asked about the implementation of a regional "hub and spoke" model, and Mr. Burns replied that SOS Recovery Center is working with local hospitals to coordinate and reduce duplicative efforts.

Ms. Eastwood from Strafford Nutrition Meals on Wheels stated that their meal assistance program serves all of Strafford County but the requested CDBG funds would be used only for Rochester residents. Current state and federal funding does not cover all of the costs of the program.

Councilor Lauterborn asked if Meals on Wheels receives county funding. Ms. Eastwood replied that Meals on Wheels receives \$2,500 per month from the Strafford County. She added that Meals on Wheels does not deliver on Wednesdays due to budget restrictions. Councilor Lauterborn asked if there is any private funding, and Ms. Eastwood replied that Meals on Wheels can request donations from clients but cannot require clients to pay.

Ms. Grassie from Rochester Child Care Center stated that fire codes have changed since the building was first built and that fire sprinkler upgrades are required. She added that the center provides year-round child care services, including before and after school care, and serves about over 100 children. A large percent of the center's clients are low-income and receive free or reduced lunch.

Mr. Bickford stated that the current fire marshal suggested that Rochester Child Care get an independent consultant to review the building's code upgrade needs. The fire sprinkler system was identified as the top priority. Other needed work include fire doors for egress and for the classrooms. The Rochester Child Care Center is hoping to not need a design consultant for the work.

Ms. Grassie mentioned that the CDBG request is only for about 35% of the project costs. Councilor Lauterborn asked where the remainder of the funding is coming from, and Ms. Grassie replied that it will be coming from the center's capital reserves.

Ms. Perron from Bridging the Gaps/Seacoast Youth Services stated that Bridging the Gaps is a youth prevention program that is seeing the end of its ten-year Drug Free Communities federal grant. Bridging the Gaps has entered into a relationship with Seacoast Youth Services to continue the program. The program is looking at the former Hair Excitement building (39 S. Main St.) to use as a teen center, in partnership with Frisbie Memorial Hospital.

Councilor Lauterborn asked if Ms. Perron would be the only Rochester-based employee, and Ms. Perron said she would be, at least initially. She added that there would be intern support. Councilor Lauterborn asked what the CDBG funding would be supporting, and Ms. Perron replied that it would support the center's utilities costs. Councilor Bogan asked if the center will be open just between 3 p.m. and 6 p.m. Ms. Perron replied that this will be true only for the afterschool programming but that day programming is also anticipated, such as for out-of-school suspended students.

Councilor Lauterborn asked Mr. Long to compile information on Seacoast Youth Services for the Community Development Committee members. Mr. Long stated he would do so.

Ms. Stone from Cross Roads House stated that Cross Roads House provides homeless shelter services for the Greater Seacoast area. She added that this past year was the first year the shelter served more clients from Strafford County than from Rockingham County. She stated that Cross Roads House is the largest and lowest barrier shelter in the region and that two-thirds of the agency's funding comes from private donations.

Councilor Lauterborn asked if the shelter receives funds from welfare departments. Ms. Stone replied that Cross Roads House does not receive funds from the Rochester Welfare Office. Councilor Hutchinson asked Ms. Stone to expand on the meaning of low barrier. Ms. Stone replied that the only persons ineligible for entry are sex offenders and arsonists. Persons with substance use disorders can be admitted.

Ms. Joseph of MY TURN stated that the agency is a youth workforce development agency. She added that MY TURN has partnered with Spaulding High School students in the ATEC program and has expanded its focus on the manufacturing industry. MY TURN also receives Workforce Innovation and Opportunity Act funding through the U.S. Department of Education. Ms. Joseph added that they see a lot of parents, homeless persons, and persons with substance use disorders among their clients.

Councilor Lauterborn asked if the Rochester location is still on Hanson Street. Ms. Joseph replied that the office has moved to Winter Street, next to the Walgreen's. Ms. Basham added that MY TURN has placed seven interns with EasterSeals/The Homemakers, as well as clients placed with Rochester Child Care Center.

Mr. McLain from the East Rochester Public Library gave a brief overview of the library's history and stated that the library building needs considerable renovation work. He stated that the City of Rochester once gave the library \$15,000 per year but that recent funding has dropped to \$5,000 per year. The library is requesting general city funds to support a reinstituted children's literacy program and CDBG funding for building renovations. Mr. McLain added that many of the library's patrons do not or cannot use the main Rochester library due to transportation issues or due to discomfort with a larger library.

Councilor Bogan left the meeting at 9:02 p.m.

Councilor Lauterborn asked if the building wouldn't also be eligible for historic preservation grants. Mr. McLain replied that the library has explored such funding as well as other grant opportunities but have not received any word back yet.

	<p>Ms. Beebe from HAVEN stated that HAVEN is the result of a merger between A Safe Place and Sexual Assault Support Services and now the largest provider of services for sexual assault and domestic violence survivors in the region. Since the merger, HAVEN has seen an increase in demand for services and has created a Housing First program for its clients. Ms. Beebe added that HAVEN has served 545 Rochester residents.</p> <p>Ms. Hardekopf from the Homeless Center for Strafford County (HCSC) stated that the shelter is seeking funds for a new location as its current lease with Waste Management ends in 2021. Ms. Levesque added that Waste Management is reconfiguring its property. Ms. Hardekopf stated that HCSC is seeking to increase its current capacity in finding its new location. She added that HCSC has a unique two-generation approach that provides specific services for homeless children.</p> <p>Councilor Lauterborn asked if HCSC is seeking a new location that is still in Rochester. Ms. Hardekopf stated that they are. Councilor Lauterborn asked if they are considering downtown. Ms. Hardekopf replied that they have focused on properties that are in areas zoned to allow homeless shelters to avoid neighbor resistance.</p> <p>Councilor Hutchinson asked what barrier level the HCSC is. Ms. Hardekopf replied that they serve a wide range of clients but must receive a substance test prior to entry and be substance free. She added that she would classify HCSC as low to medium barrier. Councilor Hutchinson asked if HCSC bills the municipalities for background checks or substance tests. Ms. Hardekopf stated that HCSC does not bill the municipalities for these costs.</p>
FY 2019-2020 CDBG ANNUAL ACTION PLAN – Review of Draft	<p>Mr. Long presented a brief overview of the draft action plan for FY 2019-2020. As the City of Rochester has not yet received its FY 2020 grant allocation, Councilor Lauterborn suggested that the Community Development Committee make contingency plans for funding in case the city ultimately receives less funding or more funding than the current estimated funding level.</p>
PROGRAMS REPORT – CDBG Projects, Other Grant Projects	<p>Mr. Long stated that the Rochester Housing Authority permanent supportive housing project on Charles St. is being placed on hold due to a continued funding gap but that he is working with the housing authority to see if other funding can be located. Mr. Long also mentioned that he has resigned as the Rochester</p>

	representative to the COAST board of directors. City Manager Blaine Cox remains as the Rochester alternate representative. Mr. Long added that he has made suggestions to Mr. Cox for potential replacements to the COAST board.
OTHER BUSINESS	There was no other business.

The meeting was adjourned at 9:35 p.m.

Next Meeting – Monday, February 11, 2019 at 7:00 p.m. in Isinglass Conference Room in City Hall Annex (33 Wakefield Street)

Topics – FY 2019-2020 CDBG Annual Action Plan, Projects Program Report, JOB Loan Program Report

CONSTRUCTION PROGRESS

January 28, 2019



RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION UPDATE

Phase 3 New Front Addition



Gym steel connection underway
Exterior framing West side (EWA-1)
Brick East side (EWA-2)
Roofing underway
Exterior curtainwall and panels follow
Summer 2019 completion scheduled

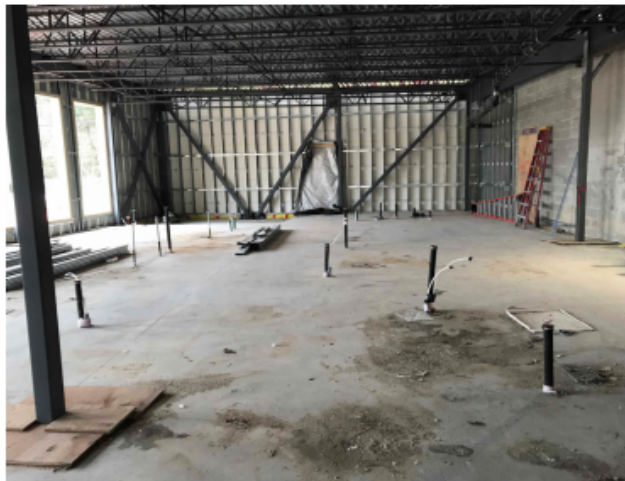


RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION UPDATE



Boiler 1 replacement
ongoing

Attic sprinkler nearing
completion



CONSTRUCTION UPDATE



View from lobby up ramp towards gym entry



Views from admin office area



RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION UPDATE

Phase 4 1st Floor Engineering

Space turned
over during
December
holiday vacation



RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION UPDATE

Phases 5 Maker Space

Demo masonry wall complete

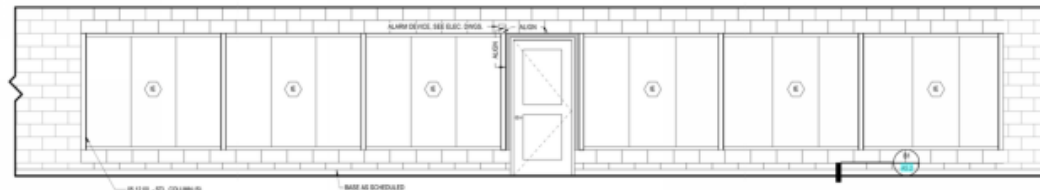
Masonry infill at CIC office

MEP rough in continues

Corridor shoring work – first bay
being considered for February
vacation

Room finishes follow

Room turnover at end of school
year



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LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION UPDATE

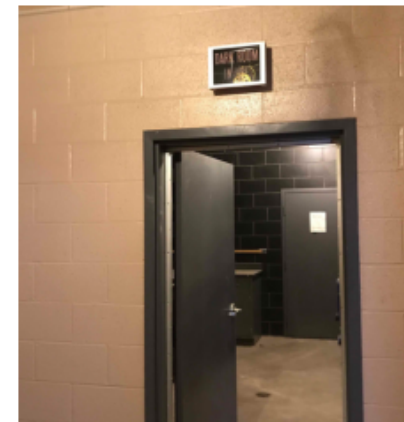
Phases 6 Graphic Arts

Demo completed

MEP rough in underway

Room finishes follow

Room turnover at end of
school year



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LAVALLEE | BRENSINGER ARCHITECTS

CONSTRUCTION PHASING

Phase 8 and 8a 1st Floor Lab Renovations & Auto Addition

June through August

HVAC, Machine, Millwork, Auto
Labs

Automotive Masonry Addition
June through end of September

1st floor corridor ceilings, paint
and flooring



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CONSTRUCTION PHASING

Phase 8 Small Wonders

June through August

Controls upgrades

Masonry Infill old entry door

Millwork

Playground Allowance



CONSTRUCTION PHASING

Phase 9 2nd Floor Criminal Justice

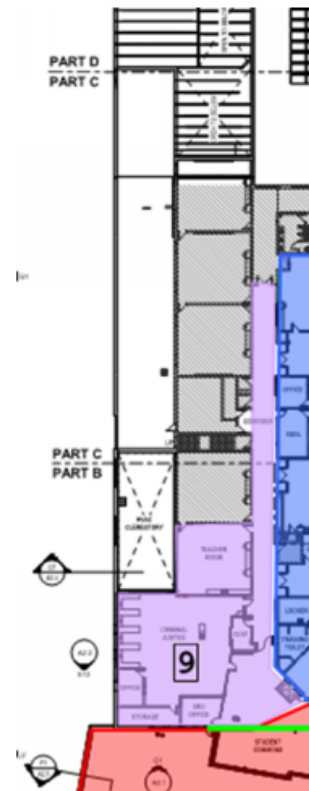
Current Classroom relocates to temporary space when school gets out

Current Culinary moves into new space

Demo will be done during the summer

September through December 2019

2nd floor corridor upgrades – will work on with phase 8



CONSTRUCTION PHASING

Phase 9 1st Floor Photo / Video Lab/Environmental Science

Current Photo/Video Classroom
relocates to temporary space
when school gets out

Current Financial Services moves
into new space

Demo will be done during the
summer

September through December
2019

Temporary Swing Space for Photo
Studio and Video Lab to be
reviewed



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LAVALLEE | BRENSINGER ARCHITECTS

CHANGE ORDERS

6 Subtotal - Construction Costs			\$13,857,485	\$13,808,670	GMP Contract with Harvey Constuction		
7 TOTAL- Soft costs and Construction Costs			\$16,090,224	\$16,098,164			
8 Owners Construction Contingency			\$500,000	\$600,000	Initial Contingency Amount	\$447,060.00	\$152,940
Alternates to come out of contingency					Notes		
1	ADD Concrete Slab Moisture Barrier System for Resilient Flooring - \$163,355- Tabled by JBC 04/30/18				Recommended by LBA, JBC Decision Pending JBC Decision Pending JBC Decision Pending Declined - JBC to re-evaluate at a later date		
2	ADD - Change to LVT Flooring \$47,817 -Tabled by JBC 04/30/18 - Revised via Proposal request (Presented 8/8/2018)						
3	ADD - Change to Stained concrete floor finish at corridors- \$71,092 - Tabled by JBC 04/30/18						
7	ADD- New paving Overlay - \$29,388, Declined by JBC 4/30/18						
Change Orders / Change Proposals to Date							
Change Order 1				\$ (32,450.33)		-\$24,178.74	-\$8,272
Change Order 2				\$ 14,703.76		\$10,955.77	\$3,748
Change Order 3				\$ (106,692.16)		-\$79,496.33	-\$27,196
Change Order 4				\$ (173,095.73)	Change Order	-\$128,973.63	-\$44,122
					Local Only Expense		\$0
Misc PCO's-Pending Change Order				\$ (21,000.00)	Approximate	-\$15,647.10	-\$5,353
Remaining Contingency				\$281,466		\$209,719.97	\$71,745.57
Rebates through Electric Company				-\$30,000	Subject to availability	-\$22,353.00	-\$7,647
9 Total Project Estimate			\$16,560,224	\$16,668,164			
Likely State Funded Portion			\$12,023,793	\$11,814,572	Assuming 75% Maximum applied to Applicable Expenses - Capped Per Budget Request	\$11,814,572.35	\$4,785,048.68
Likely Community Funded Portion			\$4,536,431	\$4,785,049	Costs for renovations related to Improvements for High School Areas and Sitework		Plus \$18542.97 Funded from Previous Budgets (not bonded)

Remaining contingency assuming all pending items are accepted



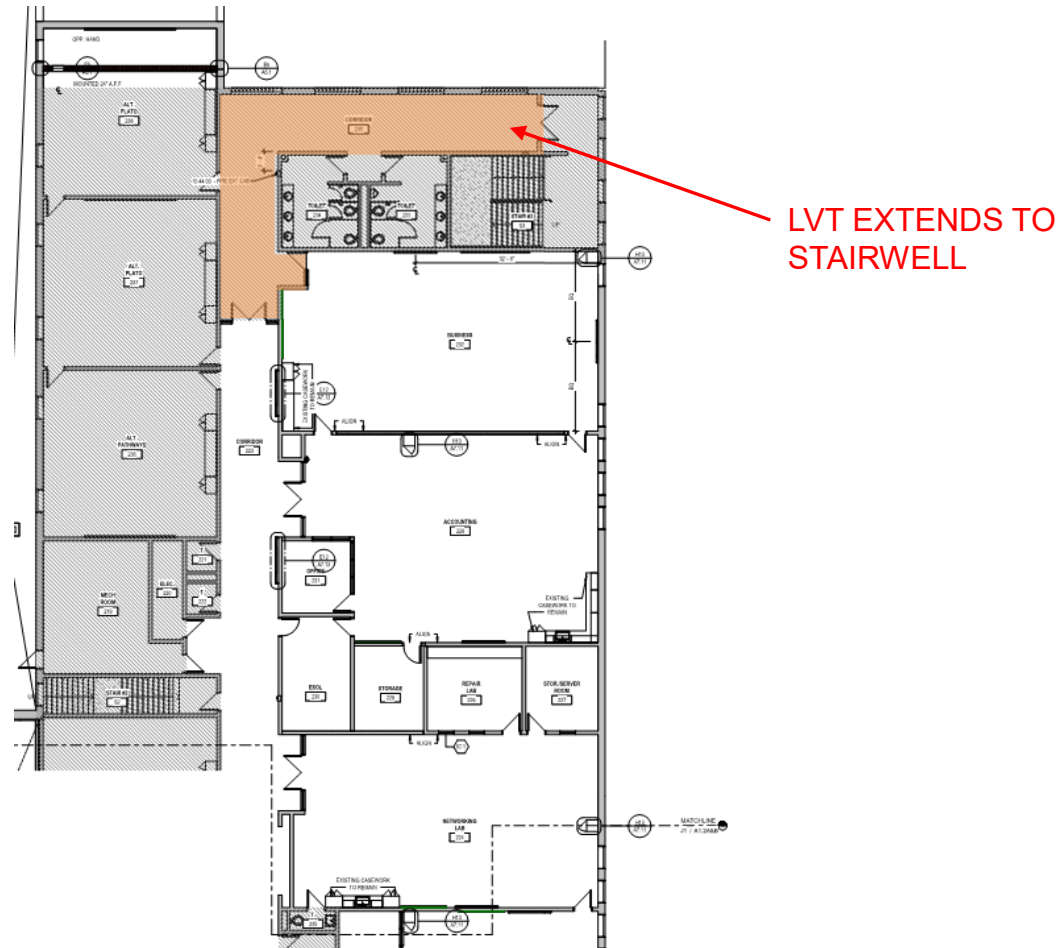
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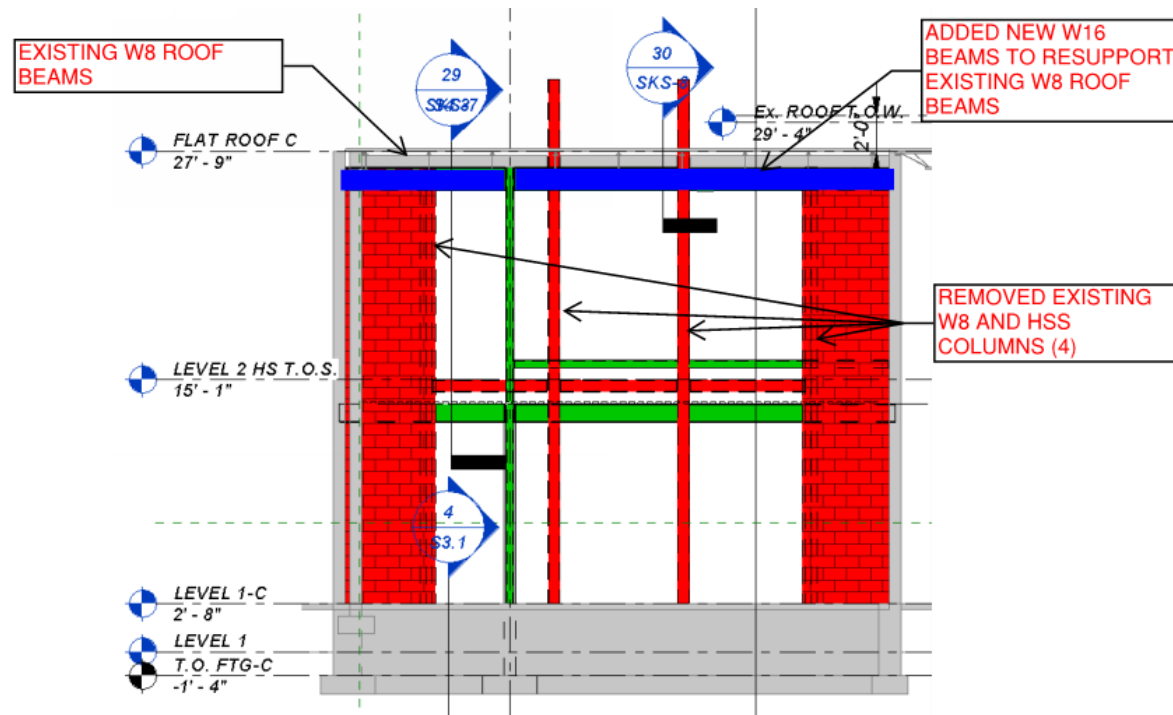
EXTENDED LVT FLOORING SCOPE

PCO #52



GYM ENTRY STRUCTURE

PCO #55



BLUE BEAMS WERE ADDED AS PART OF DISCOVERY CONDITION.

GREEN BEAMS WERE PART OF ORIGINAL CDS

EXISTING & NEW
STRUCTURAL CONDITION AT
GYM ENTRY



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LAVALLEE BRENSINGER ARCHITECTS

PROGRESS REPORT

ADDITIONAL STORAGE

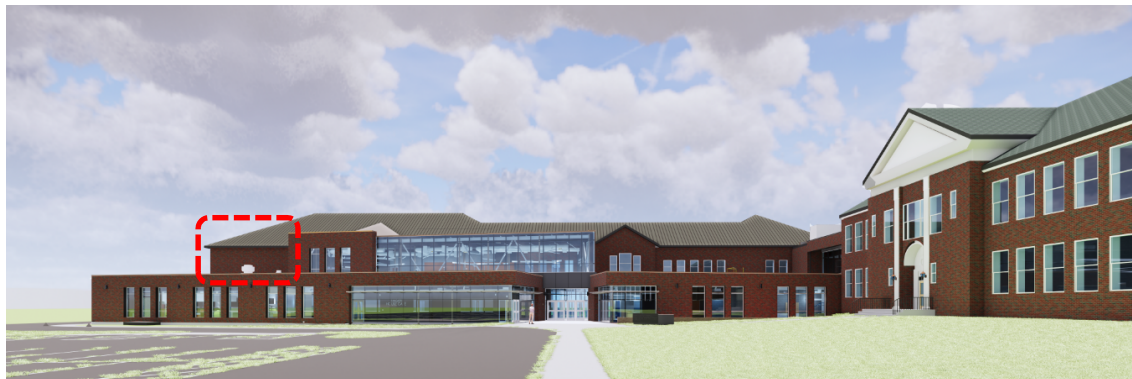
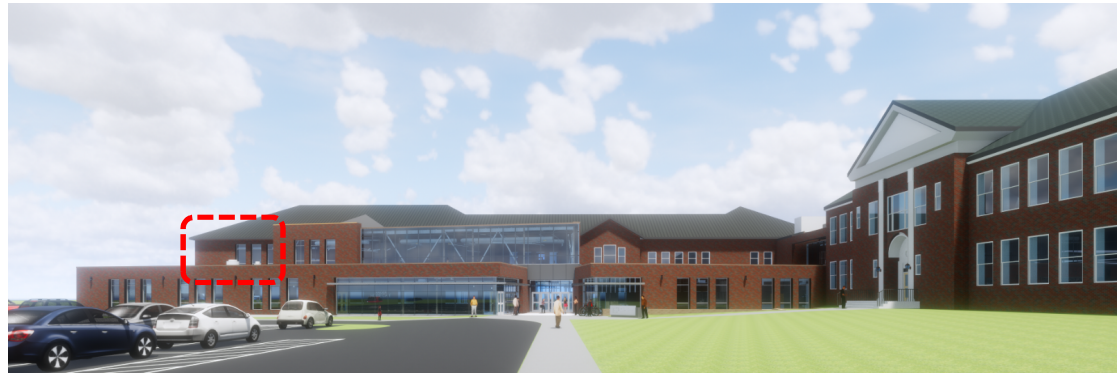


STORAGE CLOSET

- Estimated to cost about \$50,000
- Needed by the school district
- Absorbed by the CTE project budget (75% state funded)
- Cost offset by using some funds from escalation



PROGRESS REPORT SOUTH ADDITION FACADE



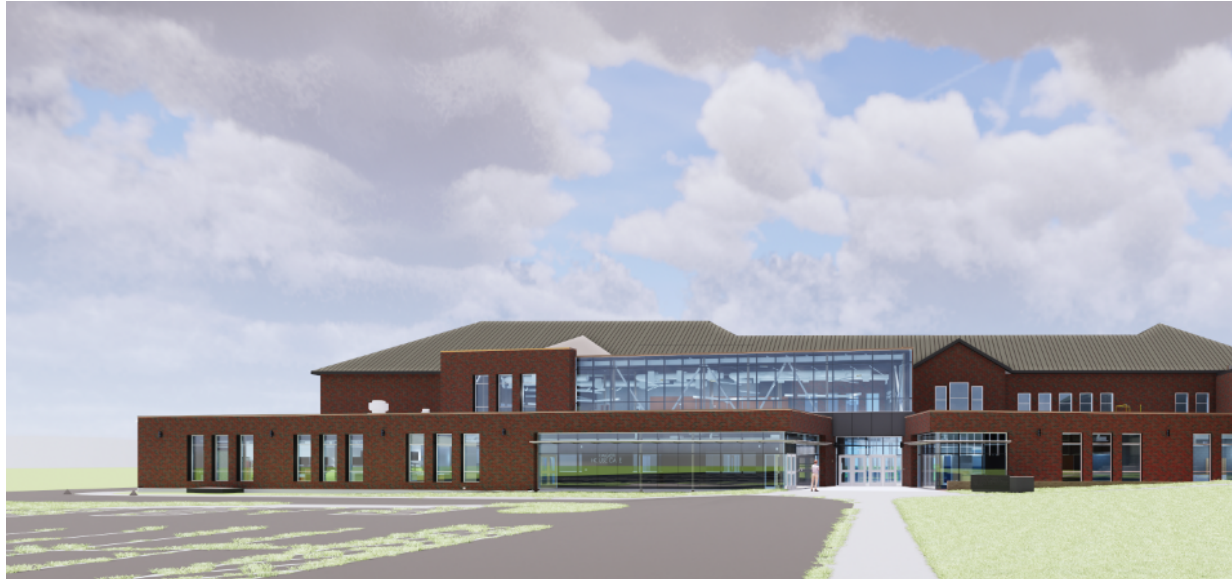
RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

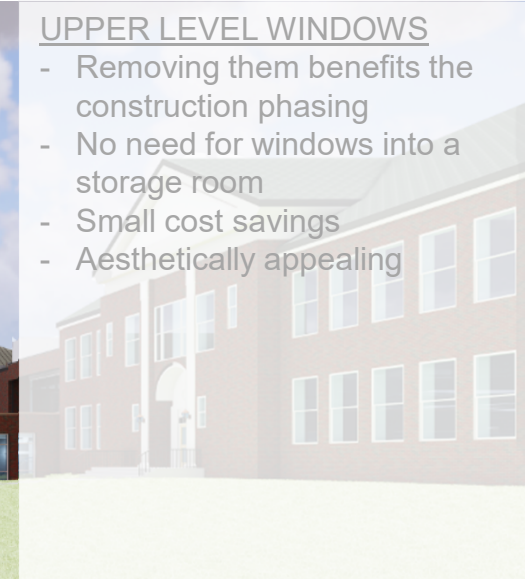
PROGRESS REPORT

SOUTH ADDITION FACADE



UPPER LEVEL WINDOWS

- Removing them benefits the construction phasing
- No need for windows into a storage room
- Small cost savings
- Aesthetically appealing



PROGRESS REPORT

COMPRESSOR SCOPE

Option 1:

- New compressor
- Vibration isolation at existing compressor
- New dryer

Option2:

- New Compressor
- New dryer for existing
- Relocate existing to first floor

Option 3:

- Eliminate new compressor
- Use existing only
- Relocate existing to first floor



NEXT MEETING?



RW CRETEAU TECHNOLOGY CENTER



LAVALLEE | BRENSINGER ARCHITECTS

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City Clerk's Office

Public Safety Committee
Council Chambers
January 16, 2019
7:00 PM

MEMBERS PRESENT

Councilor David Walker
Councilor Robert Gates
Councilor Geoff Hamann
Councilor Peter Lachapelle

MEMBERS ABSENT

Councilor Jeremy Hutchinson

OTHERS PRESENT

Michael Bezanson, PE, City Engineer
Gary Boudreau, Deputy Police Chief
Mark Klose, Fire chief
Dan Camera, GIS Asset Mgmt. Technician
Peter Tiews, Walnut Street

Minutes

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

1. Public Input

Peter Tiews of Walnut Street was present to discuss the issue with the new lines from Union Street to Parson Main. He said the parking spaces on the right hand side heading to town are 10' 4" wide and on the left hand side they are 7" 11" wide. He stated it is difficult to park a pick-up truck in the parking spaces on the left side. When the doors are open on the vehicles it is even more difficult because the left lane there is 7' 8" and the right lane is 10' 2". Mr. Tiews also wanted to know why the parking spots were marked out and not block parking since the area is not metered. Councilor Walker said the divided lines actual give you more parking spaces, vehicles tend not to park close together when there is block parking. Mr. Tiews also has a concern about the crosswalk near Lilac City Grill, since it has been moved towards the bridge where there is only one streetlight further away instead of the two at the crosswalk that were there before. Councilor Walker said that the crosswalk was moved to areas where there are curb cuts. Councilor Lachapelle said that one of the reasons the crosswalk on North Main Street by the Lilac City Grill was moved is because it went across driveways.

Councilor Walker said they are looking for options for lighting the crosswalks and one of the options are solar lights. He said this crosswalk was dear to his heart because he was hit in it.

2. Slow Children Signage-Monarch School

Councilor Walker summarized the issue. ***Councilor Lachapelle made a motion to deny “slow children” sign. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.*** Slow children signs are not an approved sign for the City of Rochester in accordance with the most recent MUTCD standards.

3. E911 Update

Councilor Walker summarized the issue. Deputy Chief Boudreau said that the E911 committee met last week and their main concern was the public hearings for the two Main Streets (East Rochester and Gonic). The tentative dates are March 4 and 5th which are a Monday and Tuesday night. He said they didn't discuss which one was first but it will probably be the same as last time with East Rochester first and then the Gonic public hearing. Councilor Lachapelle said the first Tuesday of the month is not good because depending on what ward Councilors live in, they will have to miss it. He asked what time they are at and Deputy Chief Boudreau said 6 or 6:30 PM but the notices have not been sent out yet so he can bring it back to the committee to see if maybe they can do a Monday and Thursday night. Councilor Lachapelle also said that the residents were discussing that the street get changed to Pickering Road from Rt. 125 to the Dover line. Deputy Chief Boudreau said there is one business in the area that would be affected by it and it can be costly to a business. He said he talked to the state's 911 committee and that they are fine with changing it at the bridge. Deputy Chief Boudreau said that is not ideal, that the changes should be from start to finish, regardless the road needs to be renumbered. Felker Street in Gonic was addressed at the meeting. At the end of Felker near Church Street, residents are using three separate building numbers and should be only be using two. The third number should be for the next building. They are trying to do the renumbering as voluntary at this time.

4. Emergency Management update

Councilor Walker summarized the issue. Fire Chief Klose said they got the final approval from the state for the Hazard Mitigation Plan now it is at the City Managers office for signatures and then the City Clerk's office. It is good until 2024 then they will have to update it again. Any plans that come in for Homeland Security and Emergency Management are covered under the Hazard Mitigation Plan. This past weekend the county opened the cold weather shelter at the county complex. He said Rochester plays a role in the shelter. They have some of the operational trailers that are at the Public Works Department and when they are over their 28 bed limit, they call the city for one of the trailers, but they were unable to bring one due to wiring issues and one of the jacks was broken. The shelter knew that ahead of time. In worse case they could have hired a tow-truck to bring it down to the shelter. Fire Chief Klose said they are monitoring the upcoming storms this weekend along with the Public Works Department.

5. Portland Street Speeding Concern (kept in committee)

Councilor Walker summarized the issue. Mr. Bezanson looked at the area and said that there is an extensive school zone in the area it goes for about half a mile, bigger than first thought. There are a few different crosswalks in the school zone. Chamberlain Street crosswalk is one of them. He said they could split the school zones into 2 zones or can move signage closer. There are updates to the signs that should be made. MUCTD stated in the manual that a crosswalk has to be 200 feet or more before advanced warning sign like the 20 mph with the school on it. Mr. Bezanson said there are a number of recommendations that they can go over. There are "speed limit" signs near Signal Street, but they are much further away than DPW recommends. Mr. Bezanson said there is a difference between "end school speed limit" signs and "end school zone" signs. According to the latest MUCTD standards the "end school speed limit" signs should be used. Mr. Bezanson states there are no signs at the crosswalk and they are required. There are other possible signs that are optional and should be considered. The fluorescent signs are now yellow green specific to school zones. Councilor Lachapelle said that if the "speed limit" signs are already existing on Signal Street then they can be moved closer if needed. Councilor Walker asked Mr. Bezanson if the two speed limit signs were already up. Mr. Bezanson said yes they define that zone. Councilor Hamann said he hasn't seen anyone stop and read the signs with the small lettering. He said he thinks the signs in the middle of the crosswalk are more effective. Councilor Walker said they should shorten up the school zone. Mr. Bezanson said if Council is not ready to upgrade to the florescent yellow signs maybe move the existing signs. Councilor

Lachapelle made a motion to move the speed limits signs 300 feet either way at the discretion of the Public Works Department, install two of the new required pentagonal yellow-green school signs at the crosswalk and install two of the end school speed limit. The motion was seconded by Councilor Gates. Motion passed 3 to 1 with Councilor Hamann opposed. Councilor Hamann said if they change the signs for one school, they should do all schools. Councilor Walker said this work won't happen until spring. They will review one school at a time. He said that East Rochester is all set it's a new school, Brock Street is also all set. They will need to review Maple, Gonic and William Allen Schools. He said they would take the next month to review each school.

6. South Main Street parking Space Concern (kept committee)

Councilor Walker summarized the issue. Mr. Bezanson said he looked into the RSA to see if it mentions any compact cars, they don't define the size, limit or what it means to have a compact car. Deputy Chief Boudreau said it is unenforceable because it would be by judgement only and they could dispute it in court. ***Councilor Hamann made a motion to eliminate the one parking spot due to line of sight concerns. The motion was seconded by Councilor Lachapelle. Unanimous voice vote carried the motion.*** Councilor Hamann asked if there was anything they could do so it doesn't look like an eye sore that would be good.

7. Other

Four Rod Road- Speeding Issues

Councilor Gates said he was at the RUN meeting for ward 5 and Officer Benjamin was there. Some of the residents in the area are concerned regarding speeding in the area. Councilor Gates asked if they could have the speed trailer in the area of the boat launch or Woodside Drive. Councilor Walker said that the speed trailer is put away until spring time. Deputy Chief Boudreau said he believes the speed trailer was out in this area last summer, he will get the data report and bring it to next month's meeting.

Lane Issues-Union/Parson Main Area

Councilor Hamann said going back to the gentleman that was present for public input with lane size issues by Union and Parson Main. He said he was going to

bring this up closer to spring time when the restriping takes place, but he said the gentleman was right. The left lane is smaller. Councilor Walker asked if it was the one with the bike lane and Councilor Hamann said no. He stated he will bring it up again in March. Councilor Walker asked Mr. Bezanson why it would be skinnier. Mr. Bezanson said it was probably not laid out properly because it wasn't planned that way. He said they would look at it when they are restriping the area.

Windhaven Drive

Mr. Bezanson said that last month it was brought to the committee's attention that there were two signs on Windhaven, one reads "Drive" and the other "Road". The city clerk's records shows "Drive" as does Assessing. He said that the Windhaven sign that says road, he will have the r and d reversed to correct the issue.

Road Safety Audit Application for Old Dover Road/Tebbetts Road Intersection

Mr. Bezanson said that during previous meetings it was mentioned about the road safety audit. Strafford Regional Planning Commission has made contact with NHDOT and was told it was accepted and will be working on assessing the location. Councilor Walker asked what this entails. Mr. Bezanson said NHDOT will bring in a consultant to talk about solutions, research the area and bring in a list of recommendations, costs and fees. Councilor Walker asked what the time frame would be. Mr. Bezanson said probably in nicer weather this year. He will keep the committee updated on the process.

Columbus Avenue Traffic Lights

Mr. Bezanson said they brought a consultant in to look at the 4 traffic signals on Columbus from Brock to Lowell. First thing they looked at was the timing and if it is up to code. They found it was not up to code for pedestrian traffic. They have upgraded the timing. They have also have upgraded timing for phases and are tracking the vehicle speed in the area to see how many can make it through the light. They have programed in an optimization program that they will implement on Tuesday (January 22nd). This should make the traffic flow more smoothly. It may affect some of the side streets but they won't know until they implement the program.

Mutual Aid to Somersworth Mill Fire

Chief Klose said last week they sent mutual aid to Somersworth for the Mill Fire. They spent a couple of days down there. They had 3 command staff officers there. Assistant Chief Wilder had his own division to the North, Deputy Chief Dube assisted the commander at the command post. Chief Klose was the water supplier to the South. While they were there, a medical emergency came in from the GE Plant, a cardiac arrest. Someone inside the plant came out to get assistance from the engine that was at the hydrant. They took the equipment off the truck to help.

Councilor Gates made a motion to adjourn the meeting at 7:48 PM. Councilor Lachapelle seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Laura Miller, Secretary II.

Public Works and Buildings Committee
Meeting Minutes
January 17, 2019
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
Sonja Gonzales, Chief Information Officers

MINUTES

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

1. **Approve minutes from the December 20, 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 December 20, 2018 Public Works & Building Committee meeting. The motion was seconded by Councilor Hamann. The Motion passed unanimously.
2. **Public Input** - None
3. **Colonial Pines Update**
Mr. Nourse stated that the bids were received for the Colonial Pines project on the 10th. He stated that there were four bids received and the average of the four would be \$4,185,759. He further stated that SUR's was 3,198,710. Mr. Nourse stated that this phase of the project is within budget. He stated that this phase of the sewer extension project includes Juniper, Towel, Vinewood, Susan, Hickory and a portion of Hillside. Councilor Varney asked if there would be a public meeting in the spring. Mr. Nourse stated that there would be meeting in the spring and that constructions will start in the spring.
4. **202A Water Main Extension Project**
Mr. Nourse stated this is the project that would extend water cross country to Rt. 202A (Walnut St). The preliminary estimates for this project were \$7.6 million. He stated there are several funding sources. He stated that there is a grant for \$3.8 from the Trust

Fund, \$1.3 is a Trust Fund Loan, \$2.3 is a MTBE Grant and the remainder was proposed in the grant application to come from private contributions. Mr. Nourse stated that staff will prepare an Agenda Bill for the next City Council Meeting detailing the funding as we need to gross appropriate the funds now in order to meet the NHDES submission deadlines. There was discussion about the private contributions from the development within the project. Mr. Nourse stated that there has been some discussion of a land contribution of a lot at the top elevation that is about 480 feet. He stated that this is the ideal location, but if the developer prefers a lower elevation lot, it may be a contribution of both land and funds as the water tower would need to be built to the same elevation which increases the cost. The Committee discussed concerns for aesthetics impacts to the development. Mr. Nourse explained that the development needs to have additional pressure /flows. Without a tank, a booster station would be necessary and the cost for the developer to have a private booster station would be high and another booster station to serve just this development is not in the best interest of the City. He stated the tank is the best option for the City and the Developer. Councilor Walker stated that the developer did put up a contribution for the pump station. Mr. Nourse stated that after 10 years the developer has just now started paying that contribution toward the pump station, and is aware that he will need some form of additional water flow/pressure in order to proceed. Councilor Torr stated that the original plan for the development did include a tank, but somewhere along the way that plan was discarded. Mr. Nourse stated that he needed the Councilor input on seeking the private contribution. The Committee consensus was to start the discussion taking into account the aesthetic impacts to the development.

5. Airport Drive Water Main Extension

Mr. Nourse stated that the project is to install approximately 5000 feet of water main from Whitehall down Shaw drive out to the Granite State Business park on Airport Drive and the design is at about 75% completion. He stated we still need to coordinate with Albany International for the actual location of the tie in as there is an impact to there back parking area. Mr. Nourse stated that we also need to submit our drawings to the railroad company. He stated that the railroad is requiring us to run the pipe under the railbed by jacking the pipe as we did under the Spaulding for the Colonial Pines Project. He stated that to get a good cost comparison we will be bidding the pipe with 3 different materials. Those materials are ductile iron, poly and pvc. He stated the ductile iron is preferred but is also most expensive. Mr. Nourse stated that we are on track for construction this year.

6. DPW Facility Update

Mr. Nourse stated the City purchased the 213 Chestnut Hill Road property that is the adjacent property to the new facilities site at 209 Chestnut Hill Road. He stated that the department would move quickly to demolish the existing structure. He stated that the project is continuing on schedule. He displayed a couple of concepts for the possible Roger Allen Park easement and the future possibility of a future fire substation. Mr. Nourse stated he will be working with the Park on the right of way issue. Mr. Nourse

displayed a spreadsheet detailing expenses to date spent on the finding the right site, property acquisitions and engineering (see attached). He reviewed these expenses and he expressed concerns for the overall budget due to the some of these unanticipated costs and due to the construction cost index escalation of approximately 12% in the past 18 months. Councilor Varney suggested sending this information to the finance committee to discuss.

7. Dewey Street Bridge Camera (s) Update

Mr. Nourse explained the cost and work associated with the putting one camera up on the Dewey Street side of the pedestrian bridge and the cost and obstacles to putting a second one on the Hanson Pines side. He stated that he recommending the one camera on the Dewey Street side of bridge at a cost of \$7200. Councilor Varney asked about funding availability. Mr. Cox stated this could come from Contingency. Councilor Keans expressed concerns for picture quality and suggested getting vendor assistance with recommendations for products to be used. Ms. Gonzales explained that they have a vendor recommendation for the anticipated use of this camera. Councilor Keans stated concern that the current cameras at the Hanson Pines Pool Area are not working and she expressed concern for the camera program in general. Ms. Gonzales stated that her department has completed the inventorying of the City's several different camera systems. They been working on the camera systems at the Library, City Hall and Revenue Building, the will be working next year at the PD, FD and the City Hall Campus. She stated that these systems will all tie back to the same head end and the footage will all be available in the same way.

Councilor Walker made a motion to recommend that the full council approve the Camera to be installed on the Dewey Street side of pedestrian bridge as recommended by the DPW. The motion was seconded by Councilor Varney. The motion passed with Councilors Varney, Keans, Walker and Torr voting to approve. Councilor Haman opposed.

8. WWTP Biosolids/Sludge Dewatering and Carbon Storage Buildings

Mr. Nourse stated that last year we had our consultant in to explain the additional cost that will be incurred due to the necessity of pilings under these buildings. He stated we will be going out to bid this winter for construction this year. He stated that he expects a funding short fall due the pilings but that cost will be compounded by the CWSRF requirement that we buy American steel. He stated he believes that the American steel is a better product but it will have significant cost impacts. Mr. Nourse stated that the CWSRF is more costly for engineer administration, Davis Bacon wage rates and this buy American requirement, but the CWSR 10% principal forgiveness normally helps with the cost and CWSRF allows the City to be reimbursed monthly during the project which assists the City with cash flow. He also reminded the Committee of the previously discussed escalating constructions cost index that is up 12% in the past 18 months.

Councilor Varney asked Mr. Nourse to put this information in a memo for the full Council to be kept up to date.

9. **OTHER**

Strafford Square – Letters went out to abutters explaining that they would be contacted in reference to temporary access and permanent easements. These letters explain their rights to due process and compensation under the Uniform Act. Mr. Nourse stated that we will be having a public meeting again soon. He further stated that we finally have the scope of services for Consolidated (formerly Verizon) and we are proceeding with the utility design and construction work. Mr. Nourse stated that he had previously informed the Committee about the need for some sewer repairs while under construction. He stated that the issue has been looked at and the cost is estimated at \$280,000. He stated that the Council will see the request for funding in the FY2020 Sewer CIP.

Sidewalk Tractor – Councilor Walker asked why the sidewalk tractor might be out on his street at the very beginning of a storm. He stated school was closed for the 2” ice storm recently and he notice the sidewalk tractor on his road when it had first started storming. Mr Nourse stated he would get back to him.

Councilor Walker made a motion to adjourn at 7:59 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.

NEW DPW FACILIY FUNDS & EXPENSES											
PO#	Weston & Sampson 78773	PO Amount	Spent	Balance	Funds approved			Org Appro	Spent/enc	Remaining	
6821	Study FY2014 PO# 6821	\$41,500.00	\$41,502.36	\$0.00	15013010	772000	14515	\$75,000.00	\$75,000.00	\$0.00	
4517	Amend #1 Comparable City's	\$3,800.00	\$3,800.00	\$0.00	15013010	771000	16526	\$75,000.00	\$75,000.00	\$0.00	
4030	Amend #2 & 3 Phase 1&2 Environ & bldgAssess(\$65,480.00	\$46,506.30	\$0.00	15013010	772000	17524	\$150,000.00	\$150,000.00	\$0.00	
2165	Amend #4 Geot Tech feasibility at dpw loc	\$31,790.00	\$32,414.22	\$0.00	55016010	772000	17524	\$150,000.00	\$150,000.00	\$0.00	
7766	Design build-canceled this po deleted		\$0.00	\$0.00	55026020	772000	17524	\$150,000.00	\$150,000.00	\$0.00	
7987	209 Site & Conceptual	\$19,500.00	\$19,500.00	\$0.00	15013010	772000	18526	\$9,000,000.00	\$1,020,111.44	\$7,979,888.56	
2472	209 Geo Tech	\$15,500.00	\$15,500.00	\$0.00	55016010	772000	18526	\$4,500,000.00	\$510,055.72	\$3,989,944.28	
3372	Design Bidding and Const Admin	\$1,867,000.00	\$20,562.72	\$1,846,437.28	55026020	772000	18526	\$4,500,000.00	\$510,055.72	\$3,989,944.28	
2772/3198	Property Purch 209	\$400,000.00	\$100,000.00	\$300,000.00							
R5707	213Property Purchase	\$184,000.00	\$184,000.00	\$0.00							
pending	Demolition Estimated \$30,000.	\$30,000.00	\$0.00	\$30,000.00							
		\$2,658,570.00	\$463,785.60	\$2,176,437.28				\$18,600,000.00	\$2,640,222.88	\$15,959,777.12	
										Remaining Budget for Construction	
\$124,222.88	Funds Spent on Various locations considered not 209										
\$614,000.00	Unforseen Property Expenses										
\$738,222.88	Total spent on other properties and unanticipated property purchases										
\$1,902,000.00	209 Chestnut Hill-Total Cost Prelim, Design & Const Eng		10% of total funds		12% of remaining construction budget						

W&S PO Design Bidding and CA**PO 3372 \$1,867,000.00**

Invoice #	Date	Amount
1-488876	12/24/2018	20,562.72

 Total to date 20,562.72

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City Clerk's Office



Tri-City Joint Mayors' Task Force on Homelessness
Rochester Community Center, Conference Room 1
150 Wakefield Street
Rochester, NH 03867
January 17, 2019
6:00 PM

MAYORS

Chairman
 Jeremy Hutchinson

Mayor Caroline McCarley
 Mayor Karen Weston
 Mayor Dana Hilliard

Vice Chair
 Marcia Gasses

Rochester Members

Kila Downum

 Rev. Eliza Tweedy

 Jeremy Hutchinson

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	Others Present
Marcia Gasses	Randy Heller, Rochester Elks Lodge
Todd Marsh	human, Rochester resident
Andrew Howard	George Maglaras, County Commissioner
	Dave Carpenter, Dover Planning Department
	Tory Jennison
	Don McCullough, Rochester
	Paige Farmer, GSCTEH

MINUTES**1. Call to Order**

Chairman Hutchinson called the meeting to order at 6:11 PM.

2. Roll Call

Cassie Givara, Rochester Deputy City Clerk, took the roll call. The following members were present: Kila Downum, Laura Hogan, Todd Marsh, Rick Michaud, Terra Stewart. Eliza Tweedy, Phyllis Woods, Jeremy Hutchinson, Mayor Weston, and Mayor Hilliard

The Following members were excused/absent: Betsey Andrews-Parker, Dina Gagnon, Andrew Howard, Lindsey Williams, Mayor McCarley.

Chairman Hutchinson welcomed the newest member of the Task Force, Kila Downum from Rochester. Ms. Downum is a Capacity Building Specialist at SOS Recovery as of October 1, 2018.

3. Clergy Remarks – Rev. Eliza Tweedy

Reverend Eliza Tweedy of the First Church Congregational gave opening remarks. The Reverend inquired how, after almost a year following the inception of the Task Force and working towards a solution for homelessness, how this may have changed the thought process of the members; if it brings about a greater awareness of what our homeless residents face every day in the frigid temperatures.

Terra Stewart spoke about the large amount of donations which she had received after a supply list had been distributed at the last Task Force meeting. There is currently a discussion regarding obtaining a storage unit as a central location to store overflow and where organizations needing items can go gather supplies.

There was a brief discussion regarding other locations where donations and supplies could be picked up for those in need. Mayor Weston inquired if there was a drop-off location in Somersworth. It was noted that there was a one-time event at the high school in Somersworth, but not a permanent drop-off location,

4. Update: Current Statistics on Homelessness in Strafford County

A report was given by both Todd Marsh of Rochester Welfare and Tory Jennison of the Strafford County Commissioners updating the statistics on those in the Tri-City area awaiting housing or shelter. It was noted that Cross Roads House is on overflow at this point, and those being accepted are using available floor space.

Terra Stewart inquired about the sheltering of homeless residents who own dogs. Ms. Stewart related that having a dog which is not allowed in shelters is a deterrent to accepting shelter herself. Kila Downum agreed that when she was homeless, the inability to find a service which would accept her dog was a barrier for her in accepting shelter.

Ms. Jennison stated that there are organizations which partner with Cochecho Valley Humane Society to provide temporary shelter for pets of homeless residents while they are unable to care for them. There was a reticence expressed by some in Committee at leaving a beloved pet in the care of a shelter and having concerns that the pet could be mistakenly adopted out. Mr. Marsh stated that those is welfare hear this frequently; homeless residents who are reluctant to accept shelter or turn it down due to pet restrictions.

5. Public Input (3-minute maximum and/or submit a statement)

Chairman Hutchinson invited members of the public to address the Commission.

Randy Heller, Rochester Elks Lodge, spoke about the "Vouchers For Veterans" program (vouchersforveterans.org). This seasonal program provides military veterans, regardless of their housing status, with \$20 vouchers to be used at local farmer's markets on fresh produce and meats.

human, Rochester resident, thanked the Strafford County Commissioners for stepping in and opening up a shelter for the recent cold weather and snow.

6. Approval of Minutes

6.1 Tri-City Mayors' Joint Task Force Meeting December 6, 2018 *consideration for approval*

Chairman Hutchinson **MOVED** to approve the minutes from the December 6, 2018 meeting of the Tri-City Mayors' Task Force. Eliza Tweedy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Communications from the Mayors

Mayor Weston spoke about the warming shelter which the County Commissioners had opened at the Strafford County Complex on January 12. Mayor Weston stated that on her visit, the shelter appeared very well-organized and well-staffed.

Mayor Hilliard stated that the Mayors from the three cities had discussed with Commissioner Maglaras a plan to meet regularly with the County. It was discussed how the Cities can move forward and try to take the lead on dealing with homelessness with the support of the Commissioners and how other communities can follow the lead

George Maglaras, Strafford County Commissioner, reported that the shelter had gone very smoothly. There were some minor hiccups with transportation, but overall everything went very well.

Commissioner Maglaras emphasized the need for the Tri Cities to have a serious conversation about long-term solutions and opening their own shelters. He suggested that these shelters could essentially be warming centers in existing facilities which are already being heated 24/7, such as community centers. The shelters do not have to provide additional services. This would provide an opportunity for the homeless population to receive food and warmth as a short-

term solution during cold weather emergencies and without much cost to the cities. Commissioner Maglaras said that the County would be willing to assist with training of volunteers. The County would also be willing to provide support to the Municipalities if they do coordinate and develop a plan to open a temporary shelter.

7.1 Discussion: Nomination of Task Force member for vacant Rochester position.

No Discussion

8. Communications from the Task Force Chairs

Chairman Hutchinson stated that he had reached out to the Rochester City Council, Mayor and City Manager and urged that the issue of homelessness and a seasonal shelter be kept as an item of highest level of priority for this fiscal year.

The Chairman suggested that it would be helpful for citizens in all communities to reach out to their elected officials to express support for the Master Plan and the efforts the Task Force is trying to spur on in the Cities to combat homelessness. The Chairman reported that he has asked Rochester to identify at least one of their vacant City-owned properties which could be used as a temporary shelter. The proposed Salvation Army Shelter does not appear to be a viable option currently.

There was a discussion held in Committee regarding the next Task Force workshop and the draft Master Plan. The workshop meeting will take place at Community Action Partnership at 577 Central Avenue, Suite 10, Dover NH on Thursday January 31 at 6:00 PM to finish workshopping the remaining strategies and filling in the gaps.

Dave Carpenter gave an update on the progress being made on the Transportation strategy of the Master plan and the research and work being done with service agencies to fill in the gaps on this strategy.

The Chairman suggested that the next regular meeting of the Task Force be focused on planning the draft Master Plan legal review for each City and the subsequent public input, then finally the presentation which will need to be made to each City Council.

It was questioned whether or not the Draft Master plan was a public document. Chairman Hutchinson stated that the draft is not intended to represent decisions or actions of the commission and in its current form it is not a public document. It is a work in progress to stay in committee until it is in a form suitable for release. It was stated that, where needed, outside assistance can be brought in for editing and formatting.

There was a discussion in Committee on the timeline for preparing the draft master plan and getting it to the Councils for approval. The final strategies will be workshopped on January 31. Following the workshop, the final edits can be done leading up to the February 8 regular Task Force meeting. The second draft can then be sent to a legal review for 7-10 days in mid-February and then scheduled to go to the three Councils in early March for their first review. Ideally the Master Plan can then come back to each Council for second reading and adoption in late March 2019.

Mayor Hilliard suggested that Chairman Hutchinson make a presentation to each Council and that all three Mayors appear at each meeting to show support for the presentation. There was a discussion regarding how the Master Plan could be adopted after changes had been recommended by each respective Council and how the three cities can move forward collaboratively.

Mayor Hilliard recommended that the Task Force start considering what the "post" Master Plan Commission will look like; if the Commission is asking for money, then they will need the Mayors to appoint a body to oversee the expenditures and ensure the fidelity of the Master Plan. The Mayors can consider appointing members to oversee this portion of the plan moving forward. Mayor Hilliard suggested structuring this aspect directly into the Master Plan.

Mayor Hilliard stated his intention to have a separate workshop meeting with Somersworth Councilors focusing solely on the Master Plan and to answer any questions and address concerns before it goes to a formal meeting. He suggested that the other two cities consider doing something similar.

9. Update: Strafford County Extreme Cold Weather Shelter - Tory Jennison

Ms. Jennison gave an update on the temporary cold weather shelter which had been opened on the Strafford County Complex from January 12th through January 14th.

The shelter housed 7 Rochester residents, 7 Dover residents, 2 Somersworth residents and 1 resident from Portsmouth.

Mr. Marsh reported that Rochester Welfare had two homeless residents re-engage after a lapse in service following the closing of the shelter.

The shelter was said to have been very welcoming and friendly. The temporary residents were treated with empathy and compassion and the process ran very smoothly.

Mayor Weston reported that she had shared the announcement of the Shelter opening on Facebook and her post was then shared over 20 times. There was a discussion about starting a Task Force group Facebook page as a central location for disseminating information to not only the members, but the public and City officials.

10. Review: Draft Master Plan

10.1 Additional Strategy for Master Plan: "Engaging the Community to End Homelessness" *consideration for approval*

Chairman Hutchinson **MOVED** to adopt the additional strategy to be added to the Master Plan "Engaging the Community to End Homelessness." Mayor Hilliard seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

There was a brief discussion regarding ways to engage the community to get more people involved. The emergency cold weather shelter which was opened in Rochester last winter was due in large part to community involvement; volunteers, donations, supplies.

This additional strategy will be workshopped and filled out more at the January 31 workshop meeting at CAP in Dover.

The Committee discussed potential ways to engage the community, such as community events downtown and family events.

Ms. Jennison pointed out that the addition Strategy will contain the multiple definitions of "community." The housing experts are a community, the residents themselves are a community, etc. There will be a couple recommendations workshopped on how to convene and engage the different types of communities.

11. Report from Cold Weather Shelter subcommittee – Meeting January 10, 2019.

Todd Marsh reported that the Cold Weather subcommittee had met on January 10. There were staff members from SOS Recovery, Tri-City Co-Op, My Friend's Place, and City of Rochester Community Development. Discussed at this meeting was a tentative general plan for a seasonal low-barrier shelter primarily for homeless single individuals. The sub-committee discussed a potential collaboration with the County to provide the facility for such a shelter, but to be managed and overseen financially and operationally by an existing organization or shelter.

The County Commissioners office indicated they would be receptive to discussing the prospect of such a shelter.

Mr. Marsh stated that providing a shelter for homeless single residents would free up needed space in existing shelters for families who are often housed at motels at the cost to the municipalities.

Mr. Marsh said that initially, the Tri Cities would be the primary funding source for this proposed shelter, but not the sole funders. The shelter could serve as a model for other shelters, but not a long term solution. Due to the municipal budget timelines and potential appropriations, the shelter plan would need to move forward quickly.

Mr. Marsh indicated that the next meeting of the cold weather shelter sub-committee would be Wednesday January 24, 2019 at Tri-City Co-Op.

Mr. Marsh stated that as the Rochester Welfare director, he has proposed to the Rochester City Manager and Council the approval for \$20,000 in the welfare budget for shelter operations and encouraged other municipalities to do the same.

12. Affordable Housing Strategy

Terra Stewart expressed that what she felt is missing in the area are dorm-like boarding houses for those who can't afford other types of housing. There could be room and board in

exchange for maintenance and cleaning of the boarding house for those who do not have any other income.

Commissioner Maglaras addressed the idea of boarding houses as someone with experience on planning boards and with experience in housing for many years, The Commissioner stated that the municipalities have zoned themselves out of allowing boarding house type establishments over time. To address this and to allow for more affordable housing, there would need to be adjustments/amendments to current ordinances. The Commissioner spoke about the cities potentially developing into their master plans a stipulation that a percentage of their housing stock would be affordable and define what affordable means. The Commissioner also expanded upon Section 8 and supportive Housing and how the definition of affordability has evolved over the past 30 years.

Paige Farmer, Greater Seacoast Coalition to End Homelessness, addressed the difference between affordable housing for those with low income and “deeply affordable” housing for those with little to no income.

13. Other

No Discussion

14. Closing Public Input

The floor was re-opened for the commission to accept public comment.

Terra Stewart inquired when the Strafford County Complex would reopen their shelter. The forecast is calling for a significant amount of snow and very cold temperatures in the upcoming week. Ms. Jennison stated that the County Commissioners were planning to meet the following day to determine if and when they would re-open the shelter at the County Complex.

A resident inquired if it would be possible for the attorneys of all 3 municipalities to work on the Master Plan legal review together to expedite the process.

human, Rochester resident, suggested that the draft Master Plan be released to the public prior to its first appearance at each City's Council meeting to allow time for review and comment while there was still adequate time for amendments to be made prior to the presentation to the Councils. He also expressed concern that 3 separate legal reviews with different methods may cause confusions when the Master Plan goes to the Councils. If the attorneys were able to work on the legal review together it would be ideal.

Don McCullough, Rochester, thanked Commissioner Maglaras and Ms. Jennison for the work they did opening the shelter on the County Complex. Mr. McCullough also asked the Task Force to stay mindful of the need for shelter and think of the homeless residents in the extreme cold.

Mr. Jennison announced that the County Commissioners would be hosting a Training on Wednesday January 23, 2019 from 6:00 – 8:30 PM for anyone interested in working as shelter

staff. This training is not on the basics and logistics of running a shelter, but rather a conversation on how to work with vulnerable populations requiring a little more TLC during a time of need.

The next regular meeting of the Tri-City Mayors' Task Force will take place on Friday February 8, 2019 and 6:00 PM in the Somersworth Middle School Media Room. This will be an abbreviated meeting lasting one hour.

15. Adjournment

The meeting was **ADJOURNED** at 8:05 PM.

Respectfully Submitted,

Cassie Givara,
Deputy City Clerk
Rochester

Resolution Granting
Discretionary Preservation Easement to the Property Located at 60 Leonard Street
Under the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 60 Leonard Street property in Rochester is/are desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 60 Leonard Street Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed preservation for the so-called 60 Leonard Street property contemplated by the owner's Discretionary Preservation Easement application, to wit:

- (1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 60 Leonard Street property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-D:1; and
- (2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 60 Leonard Street property project; and
- (3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:
 - I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and
 - II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors
- (4) The specific public benefit is preserved through a discretionary preservation easement

pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; and

(5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 60 Leonard Street Historic Barn to the City of Rochester.

FORM

PA-36-A

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

DISCRETIONARY PRESERVATION EASEMENT APPLICATION

STEP 1 PROPERTY OWNER(S)

PLEASE TYPE OR PRINT	LAST NAME	SPREEMAN		FIRST NAME	Cathryn	
	LAST NAME			FIRST NAME		
	STREET ADDRESS					
	60 Leonard Street					
	STREET (continued)					
TOWN/CITY		Rochester		STATE	NH	
				ZIP CODE	03867	

STEP 2 PROPERTY LOCATION OF LAND AND HISTORIC AGRICULTURAL STRUCTURE BEING CLASSIFIED

PLEASE TYPE OR PRINT	STREET					
	60 Leonard Street					
	TOWN/CITY			COUNTY		
	Rochester			Strafford		
	NUMBER OF ACRES	MAP #	LOT #	BOOK #	PAGE #	
2.0	117	99	4496	0804		
CHECK ONE:						Tax Year
Original Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/>						2018

STEP 3 REASON FOR DISCRETIONARY PRESERVATION EASEMENT APPLICATION

Describe how the Historic Agricultural Structure meets one of the tests of public benefit per RSA 79-D:3. Submit additional sheets, if necessary.

The structure meets RSA 79-D:3 II(a) and II(b). See attachments and maps.

How many square feet will be subject to the easement? 1,885

STEP 4 SIGNATURES OF ALL PROPERTY OWNERS OF RECORD

TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
Cathryn Spreeman	Cathryn Spreeman	3/13/18
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE

FORM

PA-36-A

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION
 (CONTINUED)

STEP 5 TO BE COMPLETED BY THE LOCAL ASSESSORS

<input checked="" type="checkbox"/> APPROVED	Pending approval of Discretionary Preservation Easement Agreement by landowner and assessing officials.
<input type="checkbox"/> DENIED	
Comments:	

STEP 6 APPROVAL OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (ink black ink) <i>GABRIELLE M NADEAU</i>	SIGNATURE (in black ink) <i>Gabrielle M Nadeau</i>	DATE <i>10/12/18</i>
TYPE OR PRINT NAME (ink black ink) <i>Robert S Goldstein</i>	SIGNATURE (in black ink) <i>Robt S Goldstein</i>	DATE <i>10/16/18</i>
TYPE OR PRINT NAME (ink black ink) <i>Marybeth Walker</i>	SIGNATURE (in black ink) <i>Marybeth H Walker</i>	DATE <i>11/5/18</i>
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE

STEP 7 DOCUMENTATION

Is a map of the entire parcel showing the property location, orientation, overall boundaries and acreages clearly showing easement area requested submitted?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
--	---

FORM PA-36-A

STEP 3 ATTACHMENT 1

RSA 79-D:3 II(a) There is scenic enjoyment of the structure by the general public from a public way....

The building is a barn contiguous with the house and connecting ell (shed) appearing from Olde Farm Lane as one agricultural structure. It is surrounded by open fields and gardens, permitting the public full view. It was in fact the inspiration for the selection of the name "Olde Farm Lane" when the City changed street names to decrease confusion for 911 calls. The former name of the street was Autumn Street. Olde Farm Lane identifies the relationship of the public street to the farm buildings.

Please see attachments 2 and 3 for photos taken from the perspective of Olde Farm Lane.

RSA 79-D:3 II(b) The structure is historically important on a local, regional, state or national level....

In 2000, the barn was evaluated under a program of the NH Preservation Alliance and was determined to be an English barn, dating from the late 1700s.

It was constructed by Jotham Nutter, formerly of Newington NH, after his marriage in 1769. Mr. Nutter was the progenitor of the Nutter family who continuously for seven generations have lived and farmed the property. [Source: Hatevil Nutter of Dover NH and His Descendents, Frederick R. Boyle, Peter E. Randall Publisher, 1997]

The English barn style is identifiable by the location of the large door on the long side of the barn. Yankee barns, which came later, are characterized by the large door being located on the gable end. There are few English barns remaining in New Hampshire and fewer still that have remained in the same family.

Please see attachments 4 and 5 for detailed information about the barn from the report done by Fifield Building Renovation and Relocation for the NH Preservation Alliance assessment.

RECEIVED

MAR 14 2018

BY: JK



City of Rochester, New Hampshire

ASSESSING OFFICE

19 Wakefield Street, Rochester, NH 03867-1915
 (603) 332-5109 Assessor@rochesternh.net
www.rochesternh.net

October 11, 2018

To: Roland Connors, Finance Director

From: Jonathan Rice, Chief Assessor

RE: Barn Preservation (RSA 79-D) Application of Cathryn & Joseph Spreeman

The owner of 60 Leonard Street has applied for a Discretionary Preservation Easement for a barn built circa 1776 located on their property. To Assist the City Council in their decision to accept this easement and at what level of assessment to set the assessment for the next 10 years, I have provided the following estimation of cost to the City in current tax dollars using the 2017 tax rate:

Current full assessed value of land occupied by qualifying barn(s)

2,294 SF/43,560=.053 x \$40,000 = \$ 2,120

Current building value = \$20,300

Current Total Value = \$22,420

At 25%

\$22,420 x 0.25 = \$5,605

\$22,420 - \$5,605 = \$16,815

\$16,815 x .02633 = \$443.00 in taxes

At 50%

\$22,420 x 0.50 = \$11,210

\$22,420 - \$11,210 = \$11,210

\$11,210 x .02633 = \$295.00 in taxes

At 75%

\$22,420 x 0.75 = \$16,815

\$22,420 - \$16,815 = \$5,605

\$5,605 x .02633 = \$148.00 in taxes



GIS

Rochester, NH

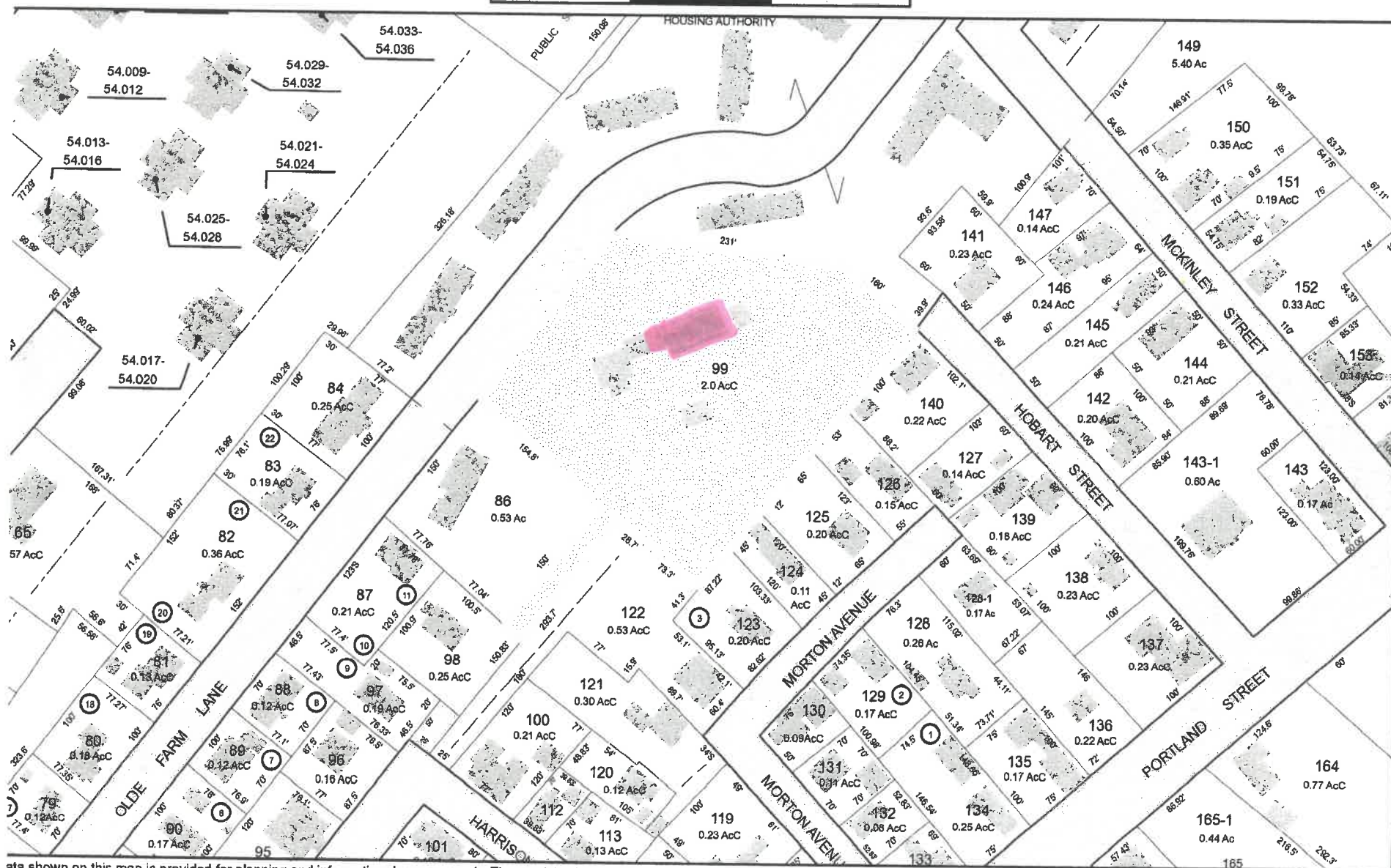
01/31/2019



February 12, 2018

1 inch = 134 Feet

www.cai-tech.com



ata shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

117-99 Barn Preservation



04/29/2017



01/31/2019

Fifield Building Restoration & Relocation

Shaker Road, Canterbury, NH 03224 Tel: 603-783-3345



ATTACHMENT 2

its



01/31/2019

Fifield Building Restoration & Relocation

Shaker Road, Canterbury, NH 03224 Tel: 603-783-3345



ATTACHMENT 3

Page 2 ... Nutter Barn Appraisal

Type of Barn: This is an English style barn, constructed in the mid 1700's, 47' long, 32' 6" wide. An additional bay was added in the late 1700,s bringing the overall structure to 58' long as it stands today. This addition connects the original barn to the "ell". This structure including the "ell" is unique in that it remains very similar to its original configuration. The barn also contains many of the original horse drawn farm machinery, and is uncluttered and free of unrelated farm equipment and other household items normally found in barns that are not currently in use.

Foundation: The foundation is original fieldstone rock on rock, standing at ground level with no below grade access. Drainage appears acceptable, but there has been a slight buildup of ground along the front of the barn.

Framing: The framing is hand-hewn white pine, with some unusual up and down sawn posts that were original. The up and down sawn are from the original construction, and this indicates that there was a water powered sawmill near by. The frame is in exceptionally good condition for its age. The collar ties toward the western end of the structure have been removed for a hay track, which probably dates to the late 1800's or early 1900's. The hay track appears to be complete and operational. (Ms. Cornish remembers walking the horse away from the barn, which lifted the hay to the loft.

Roofing: The wide pine decking appears original, running from eave to drip edge and appears to be dry and in good condition. It is of a lesser quality in terms of the number of knots than normally seen on structures of this age. Fiberglass or asphalt shingles cover the roof decking which is keeping the interior dry and protected from the elements.

Siding: There is vertical white pine original siding, with vinyl over clapboard on the south side, white pine shingles on the north side, vertical pine boarding on the east end, and clapboard and some original pine shingles are on the west side inside of the "ell" connecting to the farmhouse.

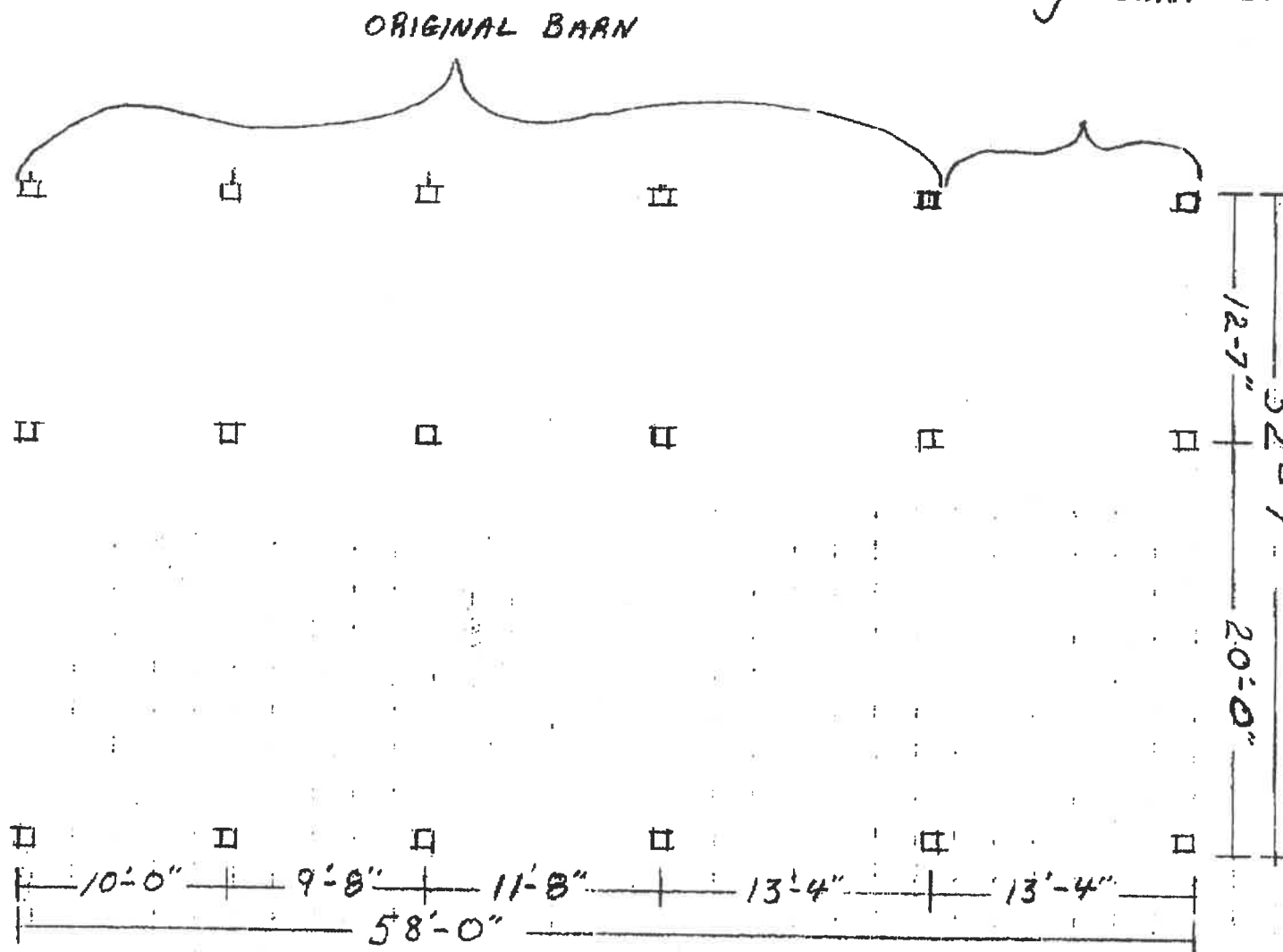
Doors / Windows: There is one remaining large door on the south side. The framing does not indicate that there was a large door on the north side, which is somewhat unusual. There is a cattle door in the Northeast corner, which has been sealed shut. Additionally, there are several small four-pane windows that appear to be original. There have been very few change made to this structure over the years.

ATTACHMENT 4

ATTACHMENT 5

01/31/2019

ADDED BAY probably
done @ 15-20 yrs after
orig. BARN Built



ASSESSING REVIEW

Barn Preservation Easements

Requirements.

The application would be rejected by the Assessing Department if any of the following questions are answered no. The applicant could appeal that decision to the City Council.

1. Is the structure 75 years or older?
2. Is the structure 1,000 square feet of footprint or larger?
3. Is the structure's physical condition Fair or better as determined by the Assessing Department?
4. Is there a written plan for the repair, renovations and/or preservation of the structure?
5. Is the structure visible from a well-traveled roadway?
6. Is the owner aware of the penalties if the easement is not observed?
7. Is the barn or other structure being used today primarily for agricultural purposes?

Evaluation factors above meeting minimum requirements:

Factor	Meets standard	Well above	Exceptional
Age	Yes	Yes	Yes
Size	Yes	Yes	
Physical condition	Average/Yes	Yes	
Quality of Plan	Yes	Yes	
Visibility	Yes		
Agricultural Purposes	Yes		

These are subjective, but would be based on the application and a review of the application. For example a pre-1800 barn would be exceptional for age, a three story barn might put it in the well above category for size, if it were set on a hill and seen without obstruction from a major highway it might be exceptional for visibility, if it were an active working farm where the building was a significant factor in agricultural production it might be exceptional for agricultural purposes.

Additional considerations that will factor into the percent assessment reduction

1. If the structure has been adapted for other use, has the historic character of the structure been maintained?
2. Is it a familiar local landmark?
3. Does it help tell the story of agriculture in the community or region?
4. Is it a good representative of a type of barn?
5. Is it now an unusual or rare surviving type of barn or outbuilding?
6. Is it a good example of historic construction methods or materials?
7. Does it retain its historic character?
8. Is it part of a landscape or setting that retains its historic character?
9. Is the preservation plan reasonable to maintain the structure?

PROPERTY LOCATION

No	All No	Direction/Street/City
60		LEONARD ST, ROCHESTER

OWNERSHIP

Owner 1:	SPREEMAN CATHRYN C &		
Owner 2:	SPREEMAN JOSEPH H SR LIFE EST		
Owner 3:			
Street 1:	60 LEONARD ST		
Street 2:			
Twn/City:	ROCHESTER		
St/Prov:	NH	Entry	Own Occ: Y
Postal:	03867-2323		Type:

PREVIOUS OWNER

Owner 1:	SPREEMAN CATHRYN C & JOTHAM C -		
Owner 2:	SPREEMAN JOSEPH H SR -		
Street 1:	60 LEONARD ST		
Town/City:	ROCHESTER		
St/Prov:	NH	Entry	
Postal:	03867-2323		

NARRATIVE DESCRIPTION

This Parcel contains 2. AC of land mainly classified as SINGLE FAM with a(n) CAPE Building Built about 1782, Having Primarily VINYL Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 1 3/4 Baths, 6 Rooms Total, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	R1	RESIDENC	100	U	0	SEPTIC
o				t	8	WELL
n				i	6	PROPANE
Census:				Exmpt		
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	2	LIGHT

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	SINGLE FAM		1		PRIMARY A SITE		1.0	0	40,000	1,000	1250									40,000						40,000	
101	SINGLE FAM		1		EXCESS AC	EXCESS	1.0	0	2,500	1,000	1250									2,500				0		2,500	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
101	140,600	29,100	2.000	42,500	212,200		29679
							GIS Ref
Total Card	140,600	29,100	2.000	42,500	212,200	Entered Lot Size	GIS Ref
Total Parcel	140,600	29,100	2.000	42,500	212,200	Total Land: 2	
Source: Market Adj Cost	Total Value per SQ unit /Card:		119.75	/Parcel: 119.75		Land Unit Type: AC	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2018	101	FV	143,500	24200	2.	42,500	210,200	210,200	Year End Roll	9/19/2018
2017	101	FV	129,900	24200	2.	42,500	196,600	196,600	Year End Roll	9/7/2017
2016	101	FV	103,900	24200	2.	42,500	170,600	170,600	Year End Roll	9/8/2016
2015	101	FV	103,900	24200	2.	42,500	170,600	170,600	Year-end	10/1/2015
2014	101	FV	103,900	24200	2.	42,500	170,600	170,600	Year End Roll	9/29/2014
2013	101	FV	98,600	24200	2.	58,500	181,300	181,300	Year End Roll	9/4/2013
2012	101	FV	98,600	24200	2.	58,500	181,300	181,300	Year End Roll	9/20/2012
2011	101	FV	98,600	24200	2.	58,500	181,300	181,300	Year End Roll	9/27/2011

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Ver
SPREEMAN JOTHAM	4496-804	2	7/20/2017	Fam/Rel/Affi		No	No	5
SPREEMAN CATHRY	3054-544	2	8/24/2004	Life/Defer'd	2,667	No	No	4
CORNISH BEATRIC	1973-227		12/16/1997	Fam/Rel/Affi		No	No	4

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/29/2010	10-1277	ELECTRIC	3,999	CE	12/2/2010			WIRE GENERATOR
1/3/2006	2	HEATING	500	CE	1/30/2006			
2/6/2004	88	INT RENO	5,000	CI	4/19/2004			REN BATHROOM
4/5/2002	266	RENOVATE	64,000	CI	3/7/2003			

ACTIVITY INFORMATION

Date	Result	By	Name
10/11/2018	CORRECTION	JR	JON
5/2/2018	MEAS-INSPCTD	JR	JON
7/31/2017	DEED CHANGE	DM	DARCY
1/2/2015	OWN ADD CHG	LA	LEONA
7/10/2013	OWN ADD CHG	RL	RUTH
9/25/2009	EXT ONLY	NM	NANCY
9/3/2004	CORRECTION	GN	GAYE
9/2/2004	DEED CHANGE	VW	VIRGINIA
9/2/2004	DEED CHANGE	VW	VIRGINIA

Sign:



Patriot
Properties Inc.

USER DEFINED

Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
LandReason:	
BidReason:	

Type:	04 - CAPE		
Sty Ht:	1.5 - 1.5		
(Liv) Units:	1	Total:	1
Foundation:	3 - BRICK/STONE		
Frame:	01 - WOOD		
Prime Wall:	4 - VINYL		
Sec Wall:			%
Roof Struct:	1 - GABLE		
Roof Cover:	1 - ASPH SHINGLE		
Color:	WHITE		
View / Desir:	A - AVERAGE		

Full Bath:	1	Rating:	SUPERIOR
A Bath:		Rating:	
3/4 Bath:	1	Rating:	SUPERIOR
A 3QBth:		Rating:	
1/2 Bath:		Rating:	
A HBth:		Rating:	
OthrFix:	2	Rating:	SUPERIOR

JOSEPH H SPREEMAN SR HAS LIFE ESTATE.

01/31/2019

7

13

11

24

11

12

13

21

10

13

17

8

20

8

10

HST
FFL
(394)

HST
FFL
BMT
(614)

FFL
(260)

GAR
(200)

EFP
(200)

20

13

10

15

Grade:	C - AVERAGE	
Year Bt:	1782	Eff Yr Bt:
Alt LUC:		Alt %:
Jurisdct:		Fact:
Const Mod:		
Lump Sum Adj:		

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

1st Res	Grid	Desc: Line 1										# Units
Level	FY	LR	DR	D	K	FR	RR	BR	FB	HB	L	O
Other												
Upper												
Lvl 2								2	1			
Lvl 1		1	1		1			1	1			
Lower												
Totals		RMs: 6		BRs: 3		Bans: 1		HB				

Exterior:	
Interior:	
Additions:	
Kitchen:	2002
Baths:	2002
Plumbing:	
Electric:	
Heating:	2002
General:	

No Unit	RMS	BRS	FL
1	6	3	
Totals			
1	6	3	

Avg H/F/L	STD		
Prim Int Wall	2 - PLASTER		
Sec Int Wall			%
Partition	T - TYPICAL		
Prim Floors	8 - AVERAGE		
Sec Floors			%

Phys Cond:	AG - Avg-Good	44.	%
Functional:			%
Economic:			%
Special:			%
Override:			%
	Total:	44	%

Basic \$/SQ	78.95
Size Adj	0.96699774
Const Adj	0.99000001
Adj \$/SQ	75.581
Other Features	38625
Grade Factor	1.00
Neighborhood Inf	1.28999996
LUC Factor	1.00
Adj Total	251128
Depreciation	110496
Depreciated Total	140632

[illegible]

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	1ST FLOOR	1,268	75.580	95,837
BMT	BASEMENT	614	15.120	9,281
HST	HALF STORY	504	75.580	38,093
EPF	ENCL PORCH	200	32.520	6,504
GAR	GARAGE	200	31.670	6,333

Net Sketched Area: 2,786		Total:	156,048
Size Adj	1772 Gross Area	3290 Fin Area	1772

[illegible][illegible][illegible]

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City Clerk's Office

Resolution Granting
Discretionary Preservation Easement to the Property Located at 15 Evans Road Under
the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 15 Evans Road property in Rochester is/are desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 15 Evans Road Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed preservation for the so-called 15 Evans Road property contemplated by the owner's Discretionary Preservation Easement application, to wit:

(1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 15 Evans Road property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-D:1; and

(2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 15 Evans Road property project; and

(3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:

- I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and
- II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors

(4) The specific public benefit is preserved through a discretionary preservation easement

pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; and

(5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 15 Evans Road Historic Barn to the City of Rochester.

FOR REGISTER OF DEEDS USE ONLY

FORM

PA-36-A

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION

STEP 1 PROPERTY OWNER(S)

PLEASE TYPE OR PRINT	LAST NAME	KUSNIERZ		FIRST NAME	GARY
	LAST NAME	KUSNIERZ		FIRST NAME	CHERYL
	STREET ADDRESS	15 EVANS Rd			
	STREET (continued)				
	TOWN/CITY	STATE	ZIP CODE		
	ROCHESTER	N.H.	03867		

STEP 2 PROPERTY LOCATION OF LAND AND HISTORIC AGRICULTURAL STRUCTURE BEING CLASSIFIED

PLEASE TYPE OR PRINT	STREET	15 EVANS Rd				
	TOWN/CITY	ROCHESTER		COUNTY	Stratford	
	NUMBER OF ACRES	MAP #	LOT #	BOOK #	PAGE #	
	32	232	10	4411	571	
	CHECK ONE:	Tax Year		2018		
	Original Application <input type="checkbox"/>	Renewal <input checked="" type="checkbox"/>				

STEP 3 REASON FOR DISCRETIONARY PRESERVATION EASEMENT APPLICATION

Describe how the Historic Agricultural Structure meets one of the tests of public benefit per RSA 79-D:3. Submit additional sheets, if necessary.
Historic agricultural structure by maintaining rural character of state landscape
How many square feet will be subject to the easement? 2400

STEP 4 SIGNATURES OF ALL PROPERTY OWNERS OF RECORD

TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
GARY E KUSNIERZ	<i>Gary E Kusnierz</i>	4-5-2018
CHERYL V KUSNIERZ	<i>Cheryl V Kusnierz</i>	4-5-2018
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE

FORM
PA-36-ANEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION
(CONTINUED)**STEP 5 TO BE COMPLETED BY THE LOCAL ASSESSORS**

☐ APPROVED Pending approval of Discretionary Preservation Easement Agreement by landowner and assessing officials.

☐ DENIED

Comments:

STEP 6 APPROVAL OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (ink black ink) <i>Robert S Goldstein</i>	SIGNATURE (in black ink) <i>Robert S Goldstein</i>	DATE <i>11/14/18</i>
TYPE OR PRINT NAME (ink black ink) <i>GABRIELLE M. WADEAU</i>	SIGNATURE (in black ink) <i>Gabrielle M Wadeau</i>	DATE <i>11/15/18</i>
TYPE OR PRINT NAME (ink black ink) <i>MARYBETH G Walker</i>	SIGNATURE (in black ink) <i>Marybeth G Walker</i>	DATE <i>11/27/18</i>
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE

STEP 7 DOCUMENTATION

Is a map of the entire parcel showing the property location, orientation, overall boundaries and acreages clearly showing easement area requested submitted? Yes ☐ No ☐

DISCRETIONARY Preservation EASEMENTS 83 MEADERBORO ROAD

A. SCENIC enjoyment of the structure by the general public from a public way

The Barn is seen from MEADERBORO RD sets back from road with home attached to barn with shed in the middle makes for a scenic picture from road

B the structure is historically important

The barn was built before the Civil War

15 EVANS Rd

A SCENIC enjoyment of structure
SEEN From EVANS Rd

B The structure is historically important

Inside barn is a hay fork up in the barn intact which use to bring in hay loose

The two barn seen by the public has brought about many compliments over the structures

Gary & Cheryl land owners
83 MEADERBORO Rd Roch NH.
KUSNIER



City of Rochester, New Hampshire

ASSESSING OFFICE

19 Wakefield Street, Rochester, NH 03867-1915

(603) 332-5109 Assessor@rochesternh.net

www.rochesternh.net

November 5, 2018

To: Roland Connors, Finance Director

From: Jonathan Rice, Chief Assessor

RE: Barn Preservation (RSA 79-D) Application of Gary & Cheryl Kusnierz

The owner of 15 Evans Road has applied for a Discretionary Preservation Easement for a barn built circa 1910 located on their property. To Assist the City Council in their decision to accept this easement and at what level of assessment to set the assessment for the next 10 years, I have provided the following estimation of cost to the City in current tax dollars using the 2017 tax rate:

Current full assessed value of land occupied by qualifying barn(s)

2,400 SF/43,560=.055 x \$45,000 = \$ 2,475

Current building value = \$19,000

Current Total Value = \$21,475

At 25%

\$21,475 x 0.25 = \$5,369

\$21,475 - \$5,369 = \$16,106

\$16,106 x .02633 = \$424.00 in taxes

At 50%

\$21,475 x 0.50 = \$10,738

\$21,475 - \$10,738 = \$10,737

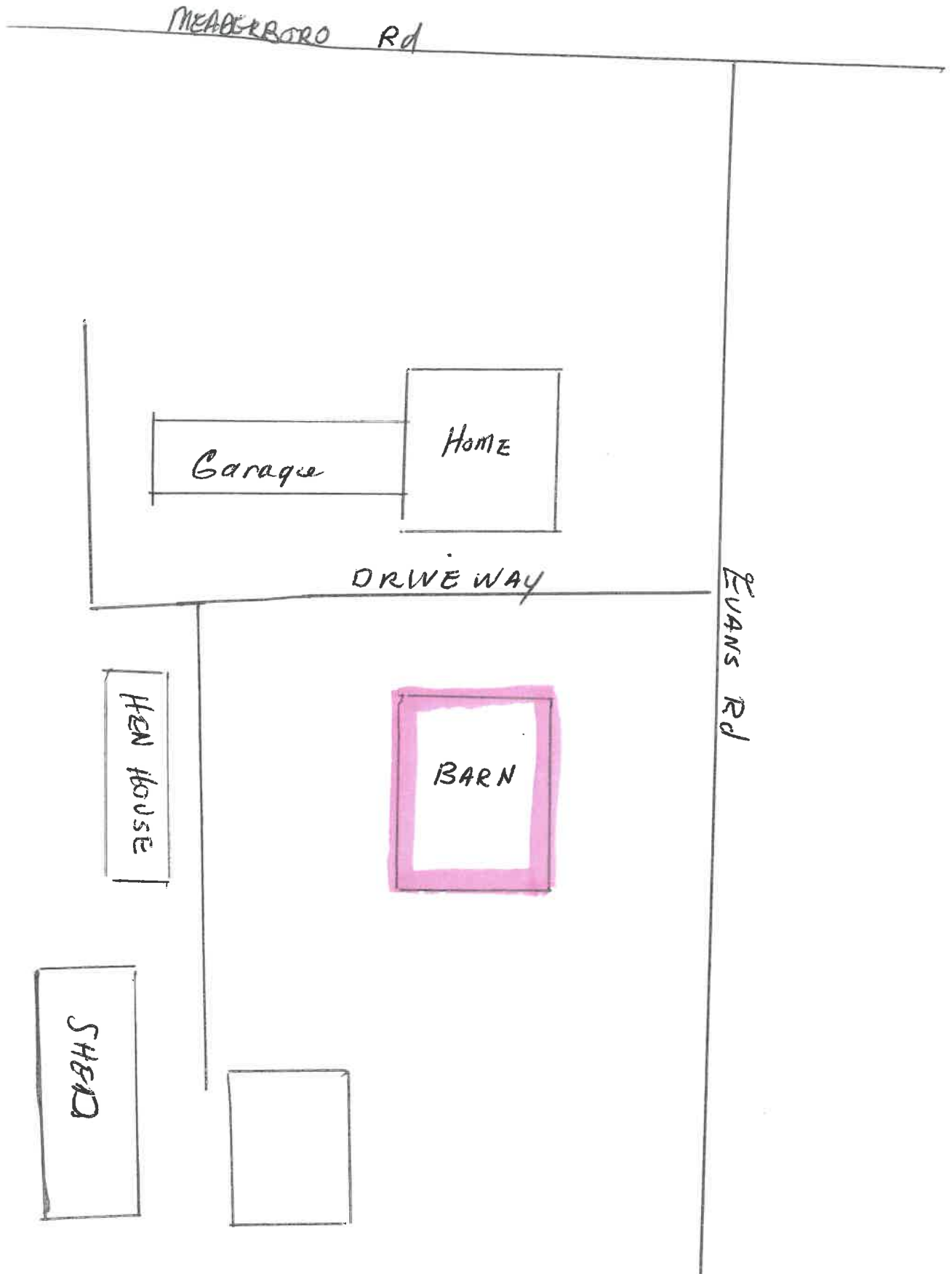
\$10,737 x .02633 = \$283.00 in taxes

At 75%

\$21,475 x 0.75 = \$16,106

\$21,475 - \$16,106 = \$5,369

\$5,369 x .02633 = \$141.00 in taxes



232-10 Barn Preservation



04/29/2017 - 04/29/2017

01/31/2019



01/31/2019



ASSESSING REVIEW

Barn Preservation Easements

Requirements.

The application would be rejected by the Assessing Department if any of the following questions are answered no. The applicant could appeal that decision to the City Council.

1. Is the structure 75 years or older?
2. Is the structure 1,000 square feet of footprint or larger?
3. Is the structure's physical condition Fair or better as determined by the Assessing Department?
4. Is there a written plan for the repair, renovations and/or preservation of the structure?
5. Is the structure visible from a well-traveled roadway?
6. Is the owner aware of the penalties if the easement is not observed?
7. Is the barn or other structure being used today primarily for agricultural purposes?

Evaluation factors above meeting minimum requirements:

Factor	Meets standard	Well above	Exceptional
Age	Yes	Yes	
Size	Yes	Yes	Yes
Physical condition	Average/Yes	Yes	
Quality of Plan	Yes		
Visibility	Yes		
Agricultural Purposes	Yes		

These are subjective, but would be based on the application and a review of the application. For example a pre-1800 barn would be exceptional for age, a three story barn might put it in the well above category for size, if it were set on a hill and seen without obstruction from a major highway it might be exceptional for visibility, if it were an active working farm where the building was a significant factor in agricultural production it might be exceptional for agricultural purposes.

Additional considerations that will factor into the percent assessment reduction

1. If the structure has been adapted for other use, has the historic character of the structure been maintained?
2. Is it a familiar local landmark?
3. Does it help tell the story of agriculture in the community or region?
4. Is it a good representative of a type of barn?
5. Is it now an unusual or rare surviving type of barn or outbuilding?
6. Is it a good example of historic construction methods or materials?
7. Does it retain its historic character?
8. Is it part of a landscape or setting that retains its historic character?
9. Is the preservation plan reasonable to maintain the structure?

0232
MAP0010
BLOCK0000
LOT

LOT2

LOT3

1 of 1
CARD

MULTI FAMILY

TOTAL ASSESSED: 223,015
18424! 01/31/2019

Rochester

PROPERTY LOCATION

No	Alt No	Direction/Street/City
15		EVANS RD, ROCHESTER

OWNERSHIP

Unit #
Owner 1: KUSNIERZ GE & CV REV LIV TRUST
Owner 2: % KUSNIERZ GARY E & CHERYL V
Owner 3: TRUSTEES
Street 1: 83 MEADERBORO RD
Street 2:
Twn/City: ROCHESTER
St/Prov: NH Cntry Own Occ: N
Postal: 03867-4235 Type:

PREVIOUS OWNER

Owner 1: VICKERY NATALIE S REVOC TRUST -
Owner 2: % N S VICKERY & C V KUSNIERZ -
Street 1: 83 MEADERBORO RD
Twn/City: ROCHESTER
St/Prov: NH Cntry
Postal: 03867-4235

NARRATIVE DESCRIPTION

This Parcel contains 32. AC of land mainly classified as MIX RES/CU with a(n) DUPLEX Building Built about 1888, Having Primarily CLAPBOARD Exterior and RIB/CORR MTL Roof Cover, with 2 Units, 2 Baths, 0 HalfBaths, 0 3/4 Baths, 10 Rooms Total, and 5 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int
------	------------	--------	----------

PROPERTY FACTORS

Item	Code	Descrp	%	Item	Code	Descrp
Z	A	AGRICULT	100	U	0	SEPTIC
o				t	8	WELL
n				i	4	NONE
Census:			Exmpt			
Flood Haz:						
D	RO	ROCHESTER		Topo	4	ROLLNG
s				Street	3	UNPAVD
t				Traffic	2	LIGHT

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
102	TWO FAMILY		1		PRIMARY A-SITE		1.0	0	45,000.	1.000	2404									45,000						45,000	
612	CFSP		21		EXCESS AC	EXCESS	1.0	0	2,500.	0.828	2404									43,477			425			4,195	
692	CUWT		10		EXCESS AC	EXCESS	1.0	0	2,500.	0.828	2404									20,703			22			220	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
102	144,400	29,200	1.000	45,000	218,600		35544
612			21.000	4,195	4,195		GIS Ref
692			10.000	220	220		GIS Ref
Total Card							Entered Lot Size
Total Parcel							Total Land: 32
Source: Market Adj Cost							Land Unit Type: AC
Total Value per SQ unit /Card: 80.70							Insp Date
/Parcel: 80.70							

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2018	016	FV	113,900	29100	32.	109,180	252,180	192,415	Year End Roll	9/19/2018
2017	016	FV	113,900	29100	32.	109,180	252,180	192,375	Year End Roll	9/7/2017
2016	016	FV	105,200	29100	32.	109,180	243,480	183,675	Year End Roll	9/8/2016
2015	016	FV	105,200	29100	32.	109,180	243,480	183,675	Year-end	10/1/2015
2014	016	FV	105,200	29100	32.	109,180	243,480	183,675	Year End Roll	9/29/2014
2013	016	FV	100,200	29100	32.	149,851	279,151	193,595	Year End Roll	9/4/2013
2012	016	FV	100,200	29100	32.	149,851	279,151	193,695	Year End Roll	9/20/2012
2011	016	FV	100,200	29100	32.	149,851	279,151	193,695	Year End Roll	9/27/2011

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
VICKERY NATALIE	4411-571	1	8/25/2016	Current Use		No	No	4		
VICKERY WILLIAM	4034-690	1	7/12/2012	Fam/Rel/Affi		No	No	5		
VICKERY WILLIAM	1997-222	1	4/14/1998	DNU Trust	4,000	No	No	4		
LANGLEER LUCIEN	839-120		2/1/1968			No	No			

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
------	--------	--------	--------	-----	------------	----------	-----------	---------

ACTIVITY INFORMATION

Date	Result	By	Name
8/27/2018	MEAS+HNSPCTD	TG	THERESA
10/6/2016	DEED CHANGE	LA	LEONA
7/16/2012	DEED CHANGE	VK	VERNA
12/2/2010	MAPPING CHG	TM	TOM
5/27/2010	C U CHANGE	TM	TOM
4/22/2008	MEAS+HNSPCTD	TG	THERESA
4/28/2005	CORRECTION	TG	THERESA
10/18/2004	CORRECTION	GN	GAYE
1/6/2000	MEAS+HNSPCTD	TM	TOM

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 32.00000 Total SF/SM: 1393920.00 Parcel LUC: 016 MIX RES/CU Prime NB Desc: 2 TO 4 NSUB

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro

Total: 109,180 Spl Credit: 59,765 Total: 49,415

theresa



USER DEFINED

Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	

EXTERIOR INFORMATION

Type:	20M - DUPLEX
Sly Ht:	2.5 - 2.5
(Liv) Units:	2 Total: 2
Foundation:	3 - BRICK/STONE
Frame:	01 - WOOD
Prime Wall:	2 - CLAPBOARD
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	2 - RIB/CORR MTL
Color:	GRAY
View/Desc:	A - AVERAGE

GENERAL INFORMATION

Grade:	C+ - AVG. (+)
Year Blt:	1888
Alt LUC:	Alt %:
Jurisdic:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/Ft:	STD
Prim Int Wall:	6 - AVERAGE
Sec Int Wall:	%
Partition:	T - TYPICAL
Prim Floors:	8 - AVERAGE
Sec Floors:	%
Bsmnt Flr:	12 - CONCRETE
Bsmnt Gar:	
Electric:	7 - SEPARATE
Insulation:	2 - TYPICAL
Int vs Ext:	SAME
Heat Fuel:	1 - OIL
Heat Type:	3 - FORCED H/W
# Heat Sys:	1
% Heated:	73
Solar HW:	NO
% Com Wal:	% Sprinkled

BATH FEATURES

Full Bath:	2
A Bath:	Rating: SAME
3/4 Bath:	Rating:
A 3QBth:	Rating:
1/2 Bath:	Rating:
A HBth:	Rating:
Othr Fix:	Rating:

OTHER FEATURES

Kits:	2
A Kits:	Rating: SAME
Frpl:	Rating:
WSFlue:	Rating:

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

DEPRECIATION

Phys Cond:	AV - Average	50.00%
Functional:		%
Economic:		%
Special:		%
Override:		%
Total:		50.00%

CALC SUMMARY

Basic \$ / SQ:	64.96
Size Adj:	1.04753053
Const Adj:	0.99000001
Adj \$ / SQ:	67.367
Other Features:	22682
Grade Factor:	1.10
Neighborhood Inf:	0.94000000
LUC Factor:	1.00
Adj Total:	288807
Depreciation:	144404
Depreciated Total:	144404

COMMENTS

RESIDENTIAL GRID

1st Res Grid:	Desc:	Line 1	# Units 1
Level:	EY LR DR D K FR RR BR FB HB L O		
Other:			
Upper:			
LM 2:			
LM 1:			
Lower:			
Totals:	RMs: 10	BRs: 5	Baths: 2 HB

REMODELING

Exterior:	
Interior:	
Additions:	
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	
General:	

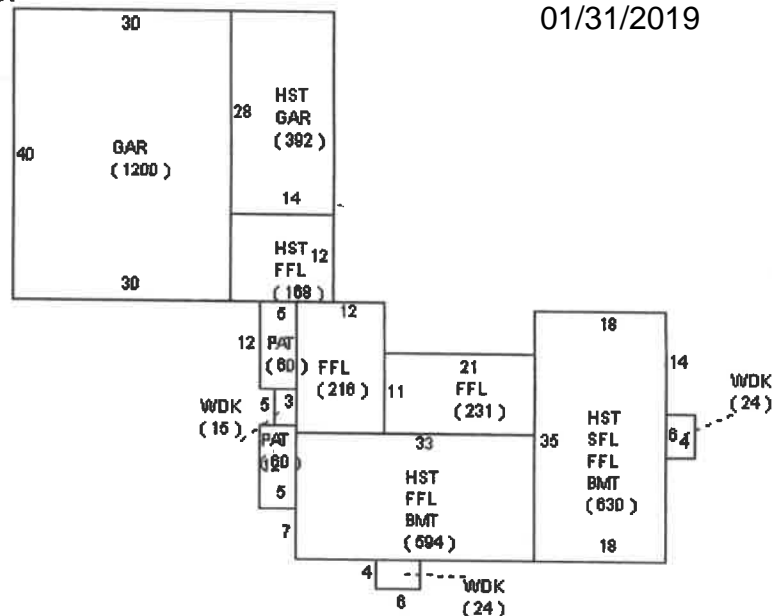
RES BREAKDOWN

No Unit	RMS	BRS	FL
1	4	2	M
1	6	3	
Totals:	2	10	5

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WAVS/SQ:	AvRate:	Ind.Val		
Juris. Factor:	Before Depr:	69.66		
Special Features:	Val/Su Net:	22.70		
Final Total:	144400	Val/Su SzAd	42.96	

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	1ST FLOOR	1,839	67.370	123,888	
GAR	GARAGE	1,592	19.080	30,377	
BMT	BASEMENT	1,224	13.470	16,491	
HST	HALF STORY	892	47.060	41,974	
SFL	2ND FLOOR	630	67.370	42,441	
PAT	PATIO	120	4.690	563	
WDK	WOOD DECK	63	14.200	895	
Net Sketched Area:		6,360	Total:	256,629	
Size Adj	3361	Gross Area	7252	FinArea	2763

SUB AREA DETAIL

Sub Area	% Usbl	Descr	% Type	Qu	# Ten
HST	100	UNF		67	C+

SPEC FEATURES/YARD ITEMS

Code	Description	A Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
47	BANK BARN	D Y	1	40X60	C	FR	1910	17.61	T	55	102			19,000			19,000
59	POULTRY HSE	D Y	1	20X50	D	PR	1940	6.00	T	65	102			2,100			2,100
50	POLE BARN WC	D Y	1	30X60	D	PR	1910	9.86	T	65	102			6,200			6,200
03	SHED MASON	D Y	1	24X29	C	FR	1940	3.91	T	55	102			1,200			1,200
45	LEAN TO	A Y	1	24X30	D	PR	1940	2.74	T	65	102			700			700

PARCEL ID 0232-0010-0000

IMAGE



AssessPro Patriot Properties, Inc

Resolution Granting
Discretionary Preservation Easement to the Property Located at 83 Meaderboro Road
Under the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 83 Meaderboro Road property in Rochester is/are desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 83 Meaderboro Road Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed preservation for the so-called 83 Meaderboro Road property contemplated by the owner's Discretionary Preservation Easement application, to wit:

- (1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 83 Meaderboro Road property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-D:1; and
- (2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 83 Meaderboro Road property project; and
- (3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:
 - I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and
 - II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors
- (4) The specific public benefit is preserved through a discretionary preservation easement

pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; and

(5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 83 Meaderboro Road Historic Barn to the City of Rochester.

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City Clerk's Office

FORM

PA-36-A

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION

STEP 1 PROPERTY OWNER(S)

PLEASE TYPE OR PRINT	LAST NAME <i>KUSNIERZ</i>		FIRST NAME <i>GARY</i>	
	LAST NAME <i>KUSNIERZ</i>		FIRST NAME <i>CHERYL</i>	
	STREET ADDRESS <i>83 MEADERBORO Road</i>			
	STREET (continued)			
	TOWN/CITY <i>ROCHESTER</i>		STATE <i>N.H.</i>	ZIP CODE <i>03867</i>

STEP 2 PROPERTY LOCATION OF LAND AND HISTORIC AGRICULTURAL STRUCTURE BEING CLASSIFIED

PLEASE TYPE OR PRINT	STREET <i>83 MEADERBORO Rd.</i>				
	TOWN/CITY <i>ROCHESTER</i>			COUNTY <i>STRAFORD</i>	
	NUMBER OF ACRES <i>110</i>	MAP # <i>232</i>	LOT # <i>35</i>	BOOK # <i>4411</i>	PAGE # <i>571</i>
	CHECK ONE: Original Application <input type="checkbox"/> Renewal <input checked="" type="checkbox"/>				Tax Year <i>2018</i>

STEP 3 REASON FOR DISCRETIONARY PRESERVATION EASEMENT APPLICATION

Describe how the Historic Agricultural Structure meets one of the tests of public benefit per RSA 79-D:3. Submit additional sheets, if necessary.

Historic agricultural structures by maintaining historic rural character of state landscape. Barn was built during Civil War

How many square feet will be subject to the easement? *2,501*

STEP 4 SIGNATURES OF ALL PROPERTY OWNERS OF RECORD

TYPE OR PRINT NAME (in black ink) <i>GARY E KUSNIERZ</i>	SIGNATURE (in black ink) <i>Gary E Kusnierz</i>	DATE <i>4-5-2018</i>
TYPE OR PRINT NAME (in black ink) <i>Cheryl K Kusnierz</i>	SIGNATURE (in black ink) <i>Cheryl K Kusnierz</i>	DATE <i>4-5-2018</i>
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE

FORM
PA-36-ANEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION
(CONTINUED)**STEP 5 TO BE COMPLETED BY THE LOCAL ASSESSORS**

<input checked="" type="checkbox"/> APPROVED	Pending approval of Discretionary Preservation Easement Agreement by landowner and assessing officials.
<input type="checkbox"/> DENIED	
Comments:	

STEP 6 APPROVAL OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (ink black ink) <i>Robert S Goldstein</i>	SIGNATURE (in black ink) <i>Robert S Goldstein</i>	DATE <i>11/14/18</i>
TYPE OR PRINT NAME (ink black ink) <i>GABRIELLE M NADEAU</i>	SIGNATURE (in black ink) <i>Gabrielle Nadeau</i>	DATE <i>11/15/18</i>
TYPE OR PRINT NAME (ink black ink) <i>Marybeth G Walker</i>	SIGNATURE (in black ink) <i>Marybeth G Walker</i>	DATE <i>11/27/18</i>
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE

STEP 7 DOCUMENTATION

Is a map of the entire parcel showing the property location, orientation, overall boundaries and acreages clearly showing easement area requested submitted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	------------------------------	-----------------------------

DISCRETIONARY INSURANCE EASEMENTS

83 MEADERSBORO ROAD

A. SCENIC enjoyment of the structure by the general public from a public way

The Barn is seen from MEADERSBORO Rd

Sits back from road with home attached to barn with shed in the middle makes for a scenic picture from road

B The structure is historically important

The barn was built before the Civil War

15 EVANS Rd

A Scenic enjoyment of structure SEEN from Evans Rd

B The structure is historically important

Inside barn is a hay fork up in the barn itself which we to bring in hay loose

The two barn seen by the public has brought about many compliments over the structures

Gary & Cheryl land owners

83 MEADERSBORO Rd Rock Hill

INSURANCE



City of Rochester, New Hampshire

ASSESSING OFFICE

19 Wakefield Street, Rochester, NH 03867-1915

(603) 332-5109 Assessor@rochesternh.net

www.rochesternh.net

November 5, 2018

To: Roland Connors, Finance Director

From: Jonathan Rice, Chief Assessor

RE: Barn Preservation (RSA 79-D) Application of Gary & Cheryl Kusnierz

The owner of 83 Meaderboro Road has applied for a Discretionary Preservation Easement for a barn built circa 1901 located on their property. To Assist the City Council in their decision to accept this easement and at what level of assessment to set the assessment for the next 10 years, I have provided the following estimation of cost to the City in current tax dollars using the 2017 tax rate:

Current full assessed value of land occupied by qualifying barn(s)

2,501 SF/43,560=.057 x \$45,000 = \$ 2,565

Current building value = \$21,900

Current Total Value = \$24,465

At 25%

\$24,465 x 0.25 = \$6,116

\$24,465 - \$6,116 = \$18,349

\$18,349 x .02633 = \$483.00 in taxes

At 50%

\$24,465 x 0.50 = \$12,232

\$24,465 - \$12,232 = \$12,233

\$12,233 x .02633 = \$322.00 in taxes

At 75%

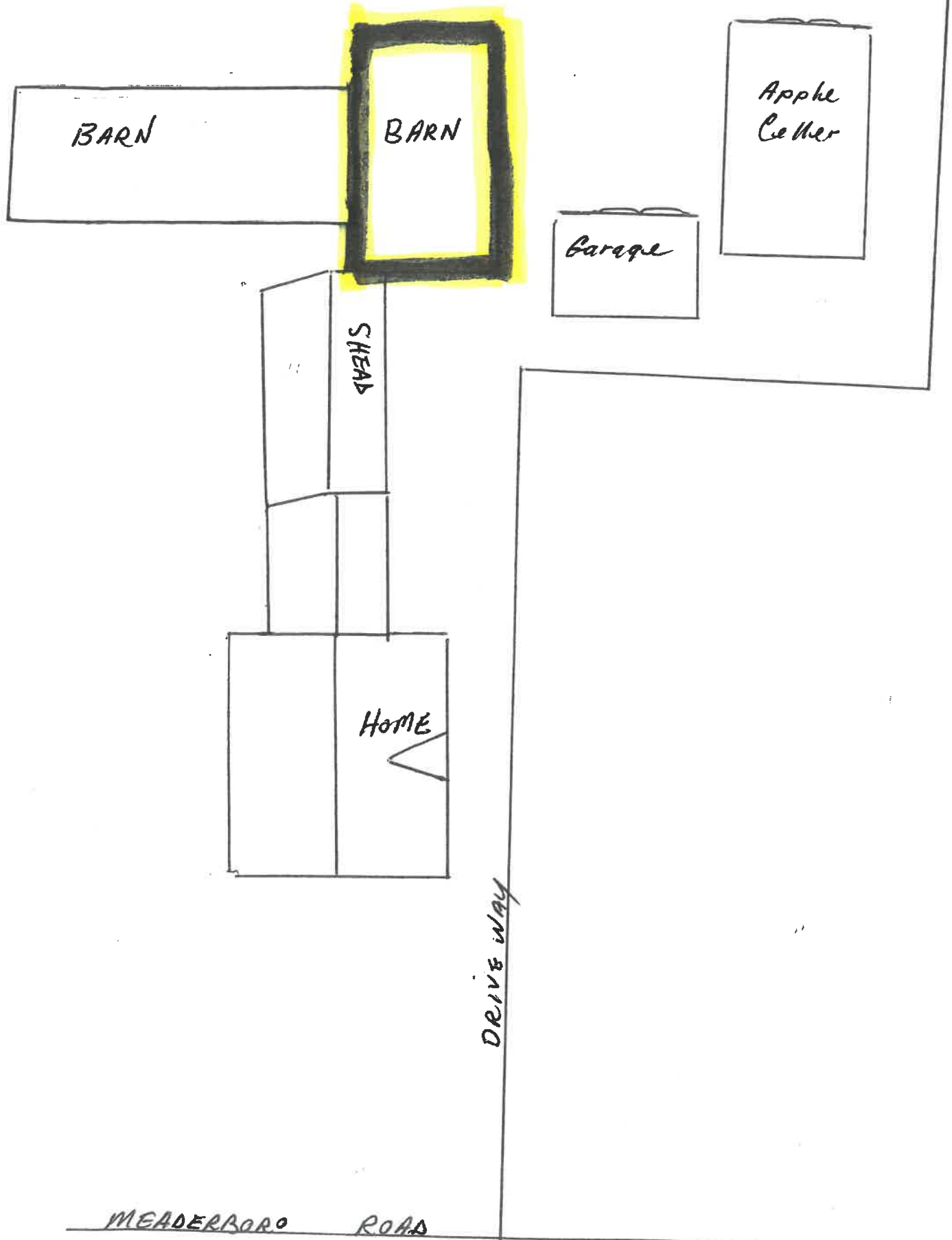
\$24,465 x 0.75 = \$18,349

\$24,465 - \$18,349 = \$6,116

\$6,116 x .02633 = \$161.00 in taxes

232-35

MAP 83 MEADERBORO Rd 191/31/2019 WEBSTER



232-35 Barn Preservation



04/29/2017

01/31/2019





ASSESSING REVIEW

Barn Preservation Easements

Requirements.

The application would be rejected by the Assessing Department if any of the following questions are answered no. The applicant could appeal that decision to the City Council.

1. Is the structure 75 years or older?
2. Is the structure 1,000 square feet of footprint or larger?
3. Is the structure's physical condition Fair or better as determined by the Assessing Department?
4. Is there a written plan for the repair, renovations and/or preservation of the structure?
5. Is the structure visible from a well-traveled roadway?
6. Is the owner aware of the penalties if the easement is not observed?
7. Is the barn or other structure being used today primarily for agricultural purposes?

Evaluation factors above meeting minimum requirements:

Factor	Meets standard	Well above	Exceptional
Age	Yes	Yes	
Size	Yes	Yes	Yes
Physical condition	Average/Yes	Yes	Yes
Quality of Plan	Yes		
Visibility	Yes	Yes	
Agricultural Purposes	Yes	Yes	Yes

These are subjective, but would be based on the application and a review of the application. For example a pre-1800 barn would be exceptional for age, a three story barn might put it in the well above category for size, if it were set on a hill and seen without obstruction from a major highway it might be exceptional for visibility, if it were an active working farm where the building was a significant factor in agricultural production it might be exceptional for agricultural purposes.

Additional considerations that will factor into the percent assessment reduction

1. If the structure has been adapted for other use, has the historic character of the structure been maintained?
2. Is it a familiar local landmark?
3. Does it help tell the story of agriculture in the community or region?
4. Is it a good representative of a type of barn?
5. Is it now an unusual or rare surviving type of barn or outbuilding?
6. Is it a good example of historic construction methods or materials?
7. Does it retain its historic character?
8. Is it part of a landscape or setting that retains its historic character?
9. Is the preservation plan reasonable to maintain the structure?

Rochester

PROPERTY LOCATION

No	Alt No	Direction/Street/City
83		MEADERBORO RD, ROCHESTER

OWNERSHIP

Unit#
Owner 1: KUSNIERZ GE & CV REV LIV TRUST
Owner 2: % KUSNIERZ GARY E & CHERYL V
Owner 3: TRUSTEES
Street 1: 83 MEADERBORO RD
Street 2:
Twn/City: ROCHESTER
St/Prov: NH Cntry Own Occ: Y
Postal: 03867-4235 Type:

PREVIOUS OWNER

Owner 1: VICKERY WILLIAM D REVOC TRUST -
Owner 2: VICKERY NATALIE S REVOC TRUST -
Street 1: 83 MEADERBORO RD
Twn/City: ROCHESTER
St/Prov: NH Cntry
Postal: 03867-4235

NARRATIVE DESCRIPTION

This Parcel contains 110. AC of land mainly classified as MIX RES/CU with a(n) OLD STYLE Building Built about 1896, Having Primarily CLAPBOARD Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 1 3/4 Baths, 10 Rooms Total, and 5 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	A	AGRICULT	100	U	0	SEPTIC
o				t	8	WELL
n				I	6	PROPANE
Census:				Exmpt		
Flood Haz:						
D	RO	ROCHESTER		Topo	4	ROLLNG
s				Street	1	PAVED
t				Traffic	2	LIGHT

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	SINGLE FAM		1		PRIMARY A SITE		1.0	0	45,000	1,000	1030									45,000						45,000	
101	SINGLE FAM		0.8		EXCESS AC	EXCESS	1.0	0	2,500	0.773	1030									1,545						1,500	
612	CFSP		21.7		EXCESS AC	EXCESS	1.0	0	2,500	0.773	1030									41,920			425			4,335	
671	CALL		62		EXCESS AC	EXCESS	1.0	0	2,500	0.773	1030									119,773			56			2,673	
692	CUWT		24.5		WASTE AC	WASTE	1.0	0	100	1,000	1030									2,450			22			539	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
101	177,800	89,300	1.800	46,500	313,600		35573
612			21.700	4,335	4,335		GIS Ref
671			62.000	2,673	2,673		
692			24.500	539	539		GIS Ref
Total Card	177,800	89,300	110.000	54,047	321,147	Entered Lot Size	
Total Parcel	177,800	89,300	110.000	54,047	321,147	Total Land: 110	
Source: Market Adj Cost			Total Value per SQ unit /Card: 99.83	/Parcel: 99.83		Land Unit Type: AC	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2018	016	FV	143,100	51300	110	210,643	405,043	248,447	Year End Roll	9/19/2018
2017	016	FV	143,100	51300	110	210,643	405,043	247,824	Year End Roll	9/7/2017
2016	016	FV	144,600	51300	110	210,643	406,543	249,324	Year End Roll	9/8/2016
2015	016	FV	144,600	51300	110	210,723	406,623	254,279	Year-end	10/1/2015
2014	016	FV	144,900	51300	110	210,723	406,923	254,579	Year End Roll	9/29/2014
2013	016	FV	137,200	51300	110	291,032	479,532	262,990	Year End Roll	9/4/2013
2012	016	FV	137,200	51300	110	291,032	479,532	263,760	Year End Roll	9/20/2012
2011	016	FV	137,200	51300	110	291,032	479,532	264,667	Year End Roll	9/27/2011

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
VICKERY WILLIAM	4411-571	1	8/25/2016	Current Use		No	No	4		
VICKERY WILLIAM	1997-222	1	4/14/1998	DNV Trust		No	No	4		
VICKERY HAROLD	943-296	2	4/3/1974			No	No	4		

BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment
7/14/2017	M-17-293	STG TANK	250	CE	4/30/2018			relocating tanks a

ACTIVITY INFORMATION

Date	Result	By	Name
8/29/2018	MEAS+INSPCTD	TG	THERESA
10/6/2016	DEED CHANGE	LA	LEONA
1/20/2016	C U CHANGE	VK	VERNA
7/17/2012	NAME CHG	VK	VERNA
5/27/2010	C U CHANGE	TM	TOM
4/28/2005	CORRECTION	TG	THERESA
10/18/2004	CORRECTION	GN	GAYE
12/3/1999	MEAS+INSPCTD	TM	TOM

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 110.00000 Total SF/SM: 4791600.00 Parcel LUC: 016 MIX RES/CU Prime NB Desc: RESIDENTIAL

Total: 210,689 Spl Credit: 156,596 Total: 54,047

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

theresa

2019



USER DEFINED

Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
ASR Map:
Fact Dist:
Reval Dist:
Year:
Land Reason:
Bld Reason:

EXTERIOR INFORMATION

Type:	03 - OLD STYLE
Sty Ht:	2.5 - 2.5
(Liv) Units:	1 Total: 1
Foundation:	3 - BRICK/STONE
Frame:	01 - WOOD
Prime Wall:	2 - CLAPBOARD
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHINGLE
Color:	YELLOW/RED
View / Desir:	A - AVERAGE

GENERAL INFORMATION

Grade:	B - GOOD (-)
Year Bilt:	1896 Eff Yr Bilt:
Alt LUC:	Alt %:
Jurisdct:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/Ft:	STD
Prim Int Wall:	6 - AVERAGE
Sec Int Wall:	%
Partion:	T - TYPICAL
Prim Floors:	8 - AVERAGE
Sec Floors:	%
Bsmnt Flr:	13 - DIRT
Bsmnt Gar:	
Electric:	2 - GOOD
Insulation:	2 - TYPICAL
Int vs Ext:	SAME
Heat Fuel:	1 - OIL
Heat Type:	3 - FORCED H/W
# Heat Sys:	1
% Heated:	40 % AG:
Solar HW:	NO Central Vac: NO
% Com Wal:	% Sprinkled

BATH FEATURES

Full Bath:	1 Rating: SAME
A Bath:	Rating:
3/4 Bath:	1 Rating: SAME
A 3/4 Bath:	Rating:
1/2 Bath:	Rating:
A H/Bth:	Rating:
Other Fix:	1 Rating: SAME

OTHER FEATURES

Kits:	1 Rating: SAME
A Kits:	Rating:
Enpl:	1 Rating: SAME
WSFlue:	Rating:

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

DEPRECIATION

Phys Cond:	AG - Avg-Good	44.0%
Functional:	S - SIZE	9.0%
Economic:		%
Special:		%
Override:		%
Total:		49.04%

CALC SUMMARY

Basic \$/SQ:	76.03
Size Adj:	0.79490387
Const Adj:	0.94050002
Adj \$/SQ:	56.841
Other Features:	23372
Grade Factor:	1.20
Neighborhood Inf:	1.11000001
LUC Factor:	1.00
Adj Total:	348891
Depreciation:	171096
Depreciated Total:	177795

COMMENTS

VICKERY FARM.

RESIDENTIAL GRID

1st Res Grid	Desc	Line 1	# Units	1
Level	FY LR DR D K FR RR BR FB HB L O			
Other				
Upper			5	1
Lvl 2	1 1 1 1 1		1	1
Lvl 1				
Lower				
Totals	RMS: 10 BRS: 5 Baths: 1 HB			

REMODELING

Exterior:	2016
Interior:	
Additions:	
Kitchen:	
Baths:	2016
Plumbing:	
Electric:	2010
Heating:	2008
General:	

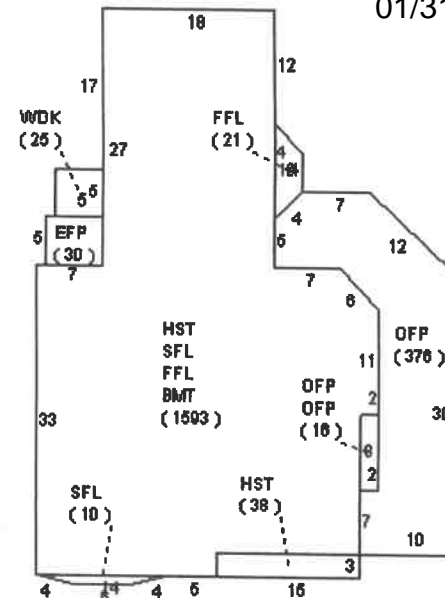
RES BREAKDOWN

No Unit	RMS	BRS	FL
1	10	5	M
Totals	1	10	5

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv/SQ:	AvRate:	Ind.Val		
Juris. Factor:	Before Depr:	75.71		
Special Features:	0	Val/Su Net:	29.20	
Final Total:	177800	Val/Su SzAd:	44.09	

SKETCH



01/31/2019

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	1ST FLOOR	1,614	56.840	91,741
SFL	2ND FLOOR	1,603	56.840	91,115
BMT	BASEMENT	1,593	11.370	18,109
HST	HALF STORY	816	34.100	27,812
OFF	OPEN PORCH	408	18.060	7,369
EFP	ENCL PORCH	30	65.040	1,951
WDC	WOOD DECK	25	18.400	460
Net Sketched Area:		6,089	Total:	238,557
Size Adj	4032.5 Gross Area	6904	FinArea	3217

SUB AREA DETAIL

Sub Area	% Usbt	Descrp	% Type	Qty	# Ten
HST	100	UNF	100	B-	

IMAGE

AssessPro Patriot Properties, Inc



SPEC FEATURES/YARD ITEMS

Code	Description	A' Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
46	FLAT BARN	M Y		118x41	C	AV	1901	19.87	T	50	101			7,300			7,300
47	BANK BARN	D Y		141x61	C	AV	1901	17.53	T	50	101			21,900			21,900
45	LEAN TO	D Y		114x38	D	AV	1896	2.79	T	50	101			700			700
01	SHED FRAME	D Y		112x16	C	FR	1940	5.81	T	55	101			500			500
46	FLAT BARN	D Y		140x80	C	AG	1960	15.11	T	46.5	101			25,900			25,900
10	CANOPY	A Y		110x14	D	AV	1960	4.44	T	50	101			300			300
04	GARAGE FR	D Y		121x26	C	FR	1940	22.54	T	45	101			6,800			6,800
63	SILAGE BUNK	D Y		130x90	C	AV	1960	8.43	T	50	101			11,400			11,400
45	LEAN TO	A Y		18x14	E	VP	1970	2.93	T	90	101						
01	SHED FRAME	D Y		16x8	C	AV	2005	8.39	T	20	101			300			300
50	POLE BARN WD	D Y		126x66	D	FR	1940	9.94	T	55	101			7,700			7,700
45	LEAN TO	D Y		19x12	E	PR	1940	2.96	T	65	101			100			100
02	SHED MTL/VNL	D Y		114x17	D	AV	1940	2.99	T	50	101			400			400
01	SHED FRAME	D Y		114x20	E	DL	1960	4.15	T	90	101			100			100
58	WORKSHOP	D Y		121x28	C	AV	1940	17.71	T	50	101			5,200			5,200
More Y																	
Total Yard Items:							89,300										
Total Special Features:																	
Total:																	89,300

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City Clerk's Office



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
33 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 & Culture Commission

MEMO

Date: December 18, 2018

To: Blaine Cox
City Manager

From: Michelle Mears
Senior Planner

Re: Barn Preservation (RSA 79 D) Application for the Owners of 60 Leonard Street, 15 Evans Road, and 83 Meaderboro Road

The owners of 60 Leonard Street, 15 Evans Road, and 83 Meaderboro Road applied for Discretionary Preservation Easements for their barns built in circa 1700, 1910, and 1901, respectively. To assist City Council in their decision to accept the easements the **Historic District Commission voted in favor of the easements at the December 14, 2018 meeting.** These barns help to tell the story of the agricultural history for the City.

The Historic District Commission unanimously recommends (at a meeting on December 14, 2018) the following Barn Preservations 79D. The HDC reviewed the City's approved criteria for proposals regarding the level of public benefit to determine the appropriate reductions pursuant to RSA 79D.

1. 60 Leonard Street, Spreeman Map 117 Lot 99
2. 15 Evans Road, Kusnierz Map 232 Lot 10
3. 83 Meaderboro Road, Kusnierz Map 232 Lot 35

Preserving these structures will maintain the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic

environment for work and recreation for residents and visitors. It is in the City's best interest to be a supporter of these cultural and historic resources.

Thank you.

A handwritten signature in black ink, appearing to read "Michelle Mears", with a stylized flourish at the end.

Michelle Mears
Senior Planner



01/31/2019

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

Police compression pay adjustments

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	February 5, 2019	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	January 28, 2019	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	3

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Police FY19 operating budget
ACCOUNT NUMBER	
AMOUNT	\$25,059.04
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

As previously discussed the Rochester Police Commission is seeking Council support to move forward with a pay compression adjustment for 11 officers totaling \$25,059.04. No additional money will need to be appropriated as the department has excess in the salary line due to attrition.

The reason for the adjustment is due to a group of officers between 2-9 years experience who while receiving the contractual merit increases have not progressed through the salary range despite receiving above average merit increases. This is mainly due to the bottom of the range increasing significantly over the past three years due to the CPI adjustment. There are several officers with significantly less experience hired over the last three years who have started at higher rates due to the bottom of the range increasing and this group of officers have become compressed towards the bottom of the salary range.

RECOMMENDED ACTION

Approve the MOU agreement between the Rochester Police Commission and NEPBA local #23 to make the salary adjustments.

MEMORANDUM OF UNDERSTANDING

NOW COMES the Rochester Police Commission (hereinafter referred to as the “**COMMISSION**”), and the New England Police Benevolent Association, Local #23, (hereinafter referred to as the “**UNION**”) and in support of this Memorandum of Understanding, state as follows:

WHEREAS, the **COMMISSION** and the **UNION** are parties to a collective bargaining agreement effective from July 1, 2016 to June 30, 2020;

WHEREAS, the above-referenced collective bargaining agreement includes a provision that requires the pay ranges for patrol officers to be adjusted annually based upon the Boston-Brockton-Nashua Consumer Price Index (CPI);

WHEREAS, it has become apparent that compression is occurring between the base starting wages for patrol officers and the wages being paid to current patrol officers that have been employed by the **COMMISSION** for between 2.8 and 9.1 years (hereinafter referred to collectively as “impacted employees”);

WHEREAS, the **COMMISSION** and the **UNION** acknowledge that wage compression is creating, or has the potential for creating, morale, hiring and retention issues;

WHEREAS, the **COMMISSION** currently has seven (7) vacancies for patrol officers and the compression issue is perceived to be a contributing factor to the high rate of resignations and resultant vacancies;

WHEREAS, and while the **COMMISSION** and the **UNION** intend to address the compression issue in a more systemic manner during upcoming negotiations for a successor collective bargaining agreement effective July 1, 2020, the undersigned parties agree that some interim wage adjustments are necessary.

THEREFORE, it is hereby agreed as follows:

1. The **COMMISSION** shall adjust the wages of the impacted employees as set forth in the attached Exhibit A.
2. The **COMMISSION** and the **UNION** will study the compression issue and be prepared to discuss affordable and sustainable approaches to eliminate and/or mitigate wage compression during negotiations in the fall of 2019.
3. Nothing herein shall be construed to obligate the **COMMISSION** to approve or offer the same or similar benefits to any other employee(s). Accordingly, this Memorandum of Understanding shall not constitute a past practice or precedence.
4. The funds needed to pay for the wage increases set forth in the attached Exhibit A already exist in the Police Department's 2018-2019 operating budget. Any additional funds needed for the 2019-2020 fiscal year shall be included in the Police Department's operating budget for that year.
5. This Memorandum of Understanding shall be appended to the parties' collective bargaining agreement and is hereby incorporated by reference.

1/25/19
Date

By Stephen J. Amato, Sr.
Union

1/22/19
Date

David J. Pata
Rochester Police Commission

Approved by the Rochester City Council on February __, 2019.

Date

By _____
Clerk of the City of Rochester

Exhibit A

Last Name	Hire	TIS	Starting Salary	2017 Salary	2018 Merit	2018 Salary	Prop %Inc	Proposed \$Increase	Adjusted Salary
TURNER	11/30/09	9.2	38,971.92	51,615.65	3.95	53,654.47	5.00	2,682.72	56,337.19
PORFIDO	8/8/2011	7.5	38,972.00	49,860.19	3.40	51,555.44	5.00	2,577.77	54,133.21
MOORE	12/17/12	6.1	40,102.19	50,442.84	4.30	52,611.88	5.00	2,630.59	55,242.47
FORREST	12/03/13	5.1	40,102.18	50,735.65	3.80	52,663.60	5.00	2,633.18	55,296.78
BENJAMIN	4/14/2014	4.8	40,904.24	48,081.44	2.55	49,307.52	4.20	2,070.92	51,378.43
HATCH	4/14/2014	4.8	40,904.24	48,011.29	3.25	49,571.66	4.20	2,082.01	51,653.67
MARVIN	08/17/14	4.4	44,565.00	49,282.97	3.20	50,860.03	4.20	2,136.12	52,996.15
GARSTIN	11/09/14	4.2	44,565.00	50,301.96	3.35	51,987.08	4.20	2,183.46	54,170.53
WILLIAMS-HURLEY	11/09/14	4.2	44,565.04	49,837.27	3.75	51,706.17	4.20	2,171.66	53,877.83
ALEXANDER	04/04/16	2.8	45,277.44	47,009.43	3.40	48,607.75	2.90	1,409.62	50,017.38
DANIE*	08/28/17	1.4	40,102.14**	47,540.16***	4.30	49,619.68	5.00	2,480.98	52,100.66

* Danie had 3.7 years of experience prior to being rehired

25,059.04

** Danie's original starting salary in 2013

*** Danie's negotiated return salary in 2017

	CPI	
	2016	0.8
	2017	1.3
	2018	2.9
Proposal		
2-3 YOS gets 2018 CPI		2.9
3-5 YOS gets 2017 + 2018 CPI		4.2
Over 5 YOS gets 2016 - 2018 CPI		5