



Rochester City Council

Community Development Committee

DRAFT

MEETING MINUTES

James Gray, Chairperson
Elaine Lauterborn, Vice-Chair
Sandra Keans
Jake Collins

Meeting Date:	July 24, 2014	
Members Present:	Councilor Gray Councilor Lauterborn Councilor Collins Councilor Keans	Members Absent:
Staff:	Elena Engle - Community Development Specialist Michelle Mears . Staff Planner Jennifer Marsh . Economic Development Specialist Chris Bowlen . Director, Recreation and Arena Lauren Colanto . Asst. Director, Recreation and Arena	
Guests:	Molly Meulenbroek . Studley's Flower Garden Jeffrey Meulenbroek . Studley's Flower Garden Rick and Melissa Lang - Citizens	

Councilor Gray called the meeting to order at 5:30PM. **Motion was made to approve the June 26, 2014 Community Development Committee minutes by Councilor Lauterborn and seconded by Councilor Collins, minutes were approved unanimously.**

Public Input	Public input: See next section on Curfew on the Common
Curfew on the Common	<p>Rick and Melissa Lang attended the meeting as concerned citizens speaking to late night disturbances occurring at the Rochester Common. The Langs live across from the Common on Common Street and although they acknowledged that they chose to live near a public park and expect to deal with some issues, that the late night issues of noise, vandalism, fighting, drinking and police calls, often between 10pm and 5am when they have to get up for work is becoming difficult to tolerate. The Langs concern is that by the time the police arrive in the middle of the night, those causing the disturbance have already left or if they are still present, the Police can tell them to keep the noise down but the issues begin again once they leave. It is their understanding the rules are not clear regarding enforcement on the Common and whether there is a curfew that they can enforce.</p> <p>There was discussion as to whether the current ordinance was sufficient enough to give the police grounds to have anyone causing a disturbance leave the park . the current ordinance reads "All parks shall be open</p>

	<p><i>during the hours of 12:01 AM to midnight every day unless signs specifying more restrictive opening hours shall be prominently posted around such park(s). Buildings or structures within said park(s) shall be open in accordance with signs posted on said buildings or structures posted by the Director, specifying hours during which such buildings an/or structures shall be open to the public.”</i> Chris Bowlen, Director of Recreation and Arena noted that since posting hours at the basketball courts at Hanson Pines that there seems to be less complaints. He also stated that he would discuss with the Recreation Commission.</p> <p>Councilor Keans noted that back in the early 2000s the issue of a curfew at the Common was discussed but there was a lot of pushback from people who worked second shift and wanted access to the Common to walk after work. Melissa Lang noted that she has done a lot of research on NH communities that enforce a curfew and recommended that perhaps utilizing phraseology used in other NH communities might be more acceptable than a strong curfew language: <u>Example from City of Nashua</u>: <i>“No person may remain or stay in Park between the hours of xx:xx p.m. and x:xx a.m.”</i></p> <p>Councilor Collins also noted he has received calls from his constituents regarding concerns about smoking in the Common as it relates to the current ordinance. There was also mention of concerns over dogs in the Common.</p> <p>Councilor Gray recommended that this committee look at the City’s Nuisance Ordinance and address the ordinance city-wide as it related to all parks so there is consistency throughout. Councilor Gray requested this topic be added the Community Development Committee agenda for August 28th and discussed at the Recreation Commission.</p>
<p>RSA 79-E – Community Tax Relief Incentive: Studley’s Flower Garden</p>	<p>Discussion was held regarding the application by Studley’s Flower Garden for RSA 79-E Community Revitalization Tax Relief Incentive. As a downtown business within a historic district, this business would qualify for tax relief under <u>RSA 79-E:1 I</u>. <i>“It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.”</i></p> <p>Molly and Jeffrey Muelenbroek, owners of Studley’s Flower Garden discussed the deteriorating status of the back buildings of their business. They have had builders and architects look at the building and it has been determined that the issues are structural and the affected parts of the building need to be torn down and rebuilt, all of which will occur in the existing footprint. The Meulenbroek’s are utilizing this opportunity to also make some additional improvements including moving the retail entrance to a more visible location and removing a bathroom that is inaccessible and adding two accessible bathrooms to the retail space. In addition, an active ventilation system will be added to the building which currently has</p>

issues with water leakage and humidity. The current sloped greenhouse wall will not remain and will be replaced with a regular wall. The Muelenbroek\$ expressed that they would like to begin construction as soon as possible to try to avoid construction going into their busy season during the holidays. While construction is underway, they will be moving the retail area into the office area. The total investment for this project is \$300,000.

Michelle Mears from the Planning Department gave a brief overview of the RSA 79-E. She explained that the Tax Assessor would assess the property pre-construction and the tax base would set based on that assessment for a period of time determined by City Council. She explained that the tax relief was in regards to the increment so that they would be paying taxes based on the current value prior to the improvements. Councilor Gray noted this was a way for the business to try to recoup some of the money they would be investing in the improvements. *RSA 79-E:5 I. states that such tax relief can be granted for a period of "up to 5 years" and RSA 79-E:5 III grants allowance of up to an additional 4 years of tax relief for rehab of structures on a National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district.* Ms. Mears stated the project has already been approved through Planning as a minor site review and through the HDC.

Elena Engle from Community Development stated that the RSA 79-E does not require the application to be approved prior to construction, however, after speaking to the NH Preservation Alliance, they noted that because a pre-assessment has to be completed on the current value and that is the value you will want to base the taxes on that we would want to make sure that part is complete before any changes are made. The Muelenbroek\$ stated they would like to begin construction in August and Councilor Gray recommended moving this through City Council in August and suggested holding off on construction until City Council approves it. There was a discussion about the need for a Public Hearing and Elena Engle from Community Development noted that the City Clerk already posted notice in the paper for a Public Hearing on August 5th but would confirm the correct date was posted. Councilor Gray noted that the item could then be acted on at the Council workshop meeting in August. Councilor Gray requested that Economic Development/Planning provide a recommendation as to the length of time for the tax relief with an estimate of the anticipated benefit to the owners.

The Muelenbroak\$ stated they are invested in their business and these improvements; however, this tax incentive would be helpful in making this happen. Councilor Collins made a statement of appreciation to the owner\$ of Studley\$ for their dedication to their business and making these improvements for people to see when they come to the City.

Motion was made by Councilor Lauterborn to vote to forward to City Council with a recommendation of the # of years of tax relief to be determined at City Council with a recommendation from Economic Development and Planning. Motion was seconded by Councilor

	Collins and carried unanimously.
Discussion- Other	Elena Engle introduced Jenn Marsh who is the new Economic Development Specialist for the City. Jenn handed out a memo from Karen Pollard titled %Keefe Business Resource Center+only for review by the committee at this time. Councilor Keans stated that if this is a project that will bring a lot of people to that area downtown for work that a parking plan be established so to not take away from parking to the public.
NEXT MEETING	<p>August 28, 2014 at 6pm in the Conference Room at City Hall.</p> <ul style="list-style-type: none"> - Review and discussion on the Nuisance Ordinance relevant to the 7/24/14 agenda item regarding curfew at the Common. - -Branding

Motion to adjourn made by Councilor Lauterborn and seconded by Councilor Collins. The meeting was adjourned at 6:15 pm.