

**City Council Public Hearing
November 15, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Laroche (remote)
Councilor Malone (remote)
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Shanna Saunders, Director of Planning
Lauren Krans, Director of Recreation
Kathleen Cavalaro, resident
Brian Kelly, resident
Lisa Stanley, property owner

Minutes

1. Call to Order

Mayor Callaghan called the City Council Public Hearing to order at 6:00 PM. He announced that Councilors Laroche and Malone were connecting to the meeting remotely via Microsoft Teams. He asked if it was reasonably impractical for each Councilor to attend the meeting in person. Both Councilor Laroche and Councilor Malone confirmed that it was reasonably impractical for them to attend in person.

2. Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival

Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival

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

That the sum of Forty-Three Thousand Dollars (\$43,000.00) is hereby appropriated to the Recreation Special Events Fund for the purpose of paying costs associated with the annual Lilac Family Fun Festival. Advanced appropriation is needed in order to prepay costs associated with the event. The entirety of the supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

The City of Rochester Recreation Department shall manage the use of funds under the

City's established purchasing policies. Funds shall be expended solely on the annual Lilac Family Fun Festival event. Eligible uses of funds shall be for fireworks, various entertainment activities, and other miscellaneous expense pertinent to assuring a safe and successful community event.

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

Lauren Krans, Director of Recreation and Arena, explained that the request is for a supplemental appropriation of \$43,000 to continue the success of the Lilac Family Fun Festival and to expand the event. She stated that the prior year, the department had spent \$24,735 and the event had been very well attended, with approximately 5000 people on site and immeasurable amounts of people enjoying the fireworks off site. Director Krans detailed the breakdown of the additional costs being requested, including a \$5,000 increase in fireworks based on feedback from attendees requesting higher shells. There is also an additional \$9,000 cost associated with increased kiddies rides, almost doubling the selection from the prior year, an additional \$1,500 for entertainment offerings, increased costs for porta-potties.

Kathleen Cavalaro, resident, spoke about being a relatively new resident to Rochester and praised the City for the event offerings, such as Porchfest and the Lilac Family Fun Festival. She spoke in favor of the expansion and support of the Fun Festival as an asset for residents as well as bringing people into the City.

Brian Kelly, resident, spoke in favor of the \$43,000 appropriation for the Fun Festival and pointed out that the breakdown of cost per attendee is less than \$9. He stated that attendees are likely to solicit other businesses in town while they are in attendance for the fun festival.

City Manager Blaine Cox reported that there had been eight online public input emails received titled as follows:

- Jillian Flusk "Approve Funds for Lilac City Fun Fest"
- Rebecca Bittner "Lilac Fun Fest"
- Sarah Rowe "Funding Family Festivities"
- Paul Roberts "Lilac Fun Festival"
- Alexandra van Binsbergen "Lilac Family Fun Fest Funding"
- Palana Belken "Vote "yes" on additional Funds for Lilac Family Fun Festival"
- Alec Taliaferro "Fun Fest"
- Chris Harrelson "Funding for Lilac Family Fun Festival"

The public input emails had been printed and distributed to all Councilors.

3. Amendment to Chapter 275-21.4 and table 18-C of the General Ordinances of the City of Rochester regarding indoor recreation in Industrial Zones (*Addendum A*)

Shanna Saunders, Director of Planning and Development, explained that this item was resultant from a petition that had been received in April to allow indoor recreation in the Industrial Zone. The Planning Department had worked with the petitioners to determine if there could be other avenues to pursue outside of a zoning amendment to meet their goals before ultimately deciding that the petition was valid to move forward. The Planning Board made a recommendation to support the petition with some conditions: The Planning Board is asking that “vehicle parking not be allowed to back directly into the public drive aisle or roads where freight and other large vehicle movements are occurring.” They were also concerned about pedestrian safety, but did not want to require property owner to put pedestrian infrastructure in place. They recommended the following “Pedestrian safety should be of utmost concern and sidewalks may be required and designed with curbing,” and that “any outside play areas be located such that players, such as errant balls and equipment, shall not need to cross public ways or roads where freight and other large vehicle movements are occurring.” The Planning Board recommended that Council approve the petition with these conditions.

Lisa Stanley, petitioner, explained that she is part owner of a property in the Gerrity Industrial Park in Rochester. This property currently has a tenant who is operating an indoor recreation facility on a variance. She stated that there are other similar situations throughout the City all operating on variances and without conflict. Ms. Stanley stated it makes sense to make these uses conforming.

There was no one from the public who came forward to speak about the amendment.

4. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Public Hearing at 6:11 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

Petition for Zoning Ordinance Amendment

Date: April 26, 2022

RECEIVED
 APR 28 2022
 CITY CLERK
 ROCHESTER, NH
 OFFICE

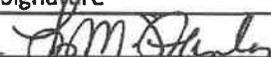
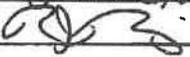
The filings of this petition and payment of the required fees, hereby propose a change in Chapter 42, Table 18-C, of the General Ordinances of the City of Rochester.

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

That "Recreation, Indoor" as defined in 275-2.2 of the Zoning Ordinance of the City of Rochester be made a permitted use in the Industrial Districts.

Indoor Recreation is currently allowed by *Conditional Use* in the *Recycling Industrial* zone but is not permitted in the other Industrial Districts. The petitioners feel that Indoor Recreation should be an allowed use, **by right**, in the Industrial Zone.

There are at least three examples of Indoor Recreation facilities currently operating in the Industrial Districts of the City. All were required to seek, and were granted, variances for their operation. (Red Alert Skate Park in the Gerrity Industrial Park, the YMCA in the Ten Rod Road Industrial Park, and Deeproot Crossfit on Amarosa Drive). The petitioners believe these uses operate without conflict in their respective locations and demonstrate the appropriateness of this proposed amendment.

	Printed Name	Signature	Street Address	Map & Lot Number
1	LISA STANLEY LTR PROPERTIES LLC		54 ALLEN ST.	0117-0002-0011
2	Robb Riley YMCA Executive Director		35 Industrial Way	0230-0021-0000
3				
4				
5				
6				
7				
8				
9				
10				

ZONING

275 Attachment 3

City of Rochester

Table 18-C Food-Lodging-Public Recreation Uses
[Amended 5-7-2019]

LEGEND

P = Permitted Use

C = Conditional Use

E = Use Allowed by Special Exception

Food-Lodging-Public Recreation Uses	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions Reference
	RI	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	
Cafe	—	—	P	C	P	P	P	P	—	—	—	P	Article 21
Campground	—	—	—	E	—	—	—	—	—	E	—	—	Article 22
Caterer	—	—	P	—	P	P	—	P	P	P	—	—	—
Club	—	—	C	—	P	P	—	P	—	—	—	—	Article 21
Community center	—	—	P	—	P	P	—	P	—	—	—	—	—
Conference center	—	—	C	—	P	P	—	P	—	—	P	P	Article 21
Country club	—	—	—	C	—	—	—	E	—	C	—	—	Article 21
Food stand	—	—	E	—	E	E	—	E	E	E	E	E	Article 22
Function hall	—	—	—	—	P	P	—	P	—	—	—	—	—
Golf course	—	—	—	P	—	—	—	P	—	—	—	—	—
Health club	—	—	C	C	P	P	P	P	—	—	—	—	Article 22
Lodging, bed-and-breakfast	—	C	P	—	P	P	—	P	—	—	—	—	Article 21
Lodging, hotel	—	—	C	—	P	C	—	P	—	—	C	C	Article 21
Lodging, motel	—	—	—	—	—	—	—	P	—	—	—	C	Articles 20 and 21
Nightclub	—	—	—	—	P	—	—	P	—	—	—	—	—
Recreation, indoor	—	—	C	—	P	C	P	P	—	C	—	—	Article 21
Recreation, outdoor	—	—	—	C	—	C	P	P	—	C	—	—	Article 21
Recreation, park	P	P	P	P	P	P	—	P	—	C	—	—	Article 21
Restaurant	—	—	P	—	P	C	P	P	—	—	—	P	Article 21
Restaurant, drive-through	—	—	—	—	P	—	P	P	—	—	—	—	—
Tavern	—	—	C	—	P	—	P	P	—	—	—	—	—
Theater/cinema (5,000 square feet or less)	—	—	P	—	P	P	P	P	—	—	—	P	Article 21
Theater/cinema (over 5,000 square feet)	—	—	—	—	C	—	P	P	—	—	—	—	Article 21

**Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding
Table 18-C**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

Within Table 18-C, Recreation, Indoor shall be designated as a Permitted Use within the General Industrial (GI) District.

These amendments shall take effect upon passage.