

**City Council Special Meeting
October 19, 2021
Council Chambers
6:47 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Fitzpatrick
Councilor Hainey
Councilor Hamann
Councilor Hunt-Hawkins
Councilor Hutchinson
Councilor Jean
Councilor Lachapelle
Councilor Rice
Councilor Walker
Mayor Lauterborn

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Shanna Saunders, Planning Director
Eric Paquette, Property Owner

COUNCILORS ABSENT/EXCUSED

Councilor Gray

Minutes

1. Call to Order

Mayor Lauterborn called the City Council Special Meeting to order at 6:47 PM. Deputy City Clerk Cassie Givara had taken a silent roll call prior to the Public Hearing immediately preceding the Special Meeting. All Councilors were present except for Councilor Gray, who was absent.

2. Resolution Authorizing Issuance of Building Permit(S) on a Portion of the Class VI Section of the so called Elmo Lane Pursuant to RSA 674:41 I (c) *first reading and consideration for adoption*

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

RESOLUTION AUTHORIZING ISSUANCE
OF BUILDING PERMIT(S) ON A PORTION OF THE CLASS VI SECTION
OF
THE SO CALLED ELMO LANE PURSUANT TO RSA 674:41 I (C)

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

That in accordance with the provisions of RSA 674:41, I(c) (1), the Mayor and City Council hereby authorize the issuance of building permit(s) for construction of a project located off the Class VI portion of so called Elmo Lane, in said Rochester, NH. The current owner of the property which the project is to be located is Paqakos, LLC, and the lot on which the construction is to occur are depicted on Rochester Tax Map 216, as Lot 67. This approval is granted subject to the requirement that, prior to issuance of such building permit(s), compliance with the requirements of RSA 674:41, I (c) (3) is achieved. Furthermore, pursuant to the provisions of RSA 674:41 (c) (2), by authorizing the issuance of the above building permit(s), the City of Rochester neither assumes responsibility for maintenance of the aforesaid portion of the Elmo Lane on which the project is to be constructed, nor liability for any damages resulting from the use thereof, and that an acknowledgement, waiver and release of the City of such responsibility signed by the property owner(s), shall be recorded in Strafford County Registry of Deeds prior to the issuance of any building permit(s) hereby authorized. If determined necessary by the City of Rochester a street sign shall be installed prior to the issuance of a certificate of occupancy.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Rice asked if the purpose of this resolution was to allow the road to be paved. Shanna Saunders, Planning Director, stated that when a property owner or business on a Class VI road applies for a building permit, it requires Council approval. This building permit has already been approved by site plan application and now needs a Council vote. Councilor Rice asked for more details on what type of business was being constructed and the amount of traffic potentially generated, as well as the potential improvements that will need to be made to the road. Director Saunders responded that part of the agreement signed by the property owner states that they understand the City does not maintain a class VI road and it is the responsibility of the property owner to do so; this includes any work which would need to be done to the road itself to accommodate the business. She stated that the business and road have been reviewed favorably by the Planning Department, Public Works, and the Fire department. Chris Paquette, property owner of 40 Elmo Lane, reported that his business fabricates structural steel for bridges; not the large girders but rather smaller

components for the rehab of bridges. He clarified that the building permit was intended to construct a building less than 1000-square feet to house a saw and a drill. This structure will be located just outside the existing business. Mr. Paquette reported that he has already done several improvements on the road to bring it up to specifications and allow emergency vehicles to gain easier access. The **MOTION CARRIED** by a unanimous voice vote.

3. Adjournment

Mayor Lauterborn **ADJOURNED** the City Council Special Meeting at 6:51 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk