

City of Rochester Planning Board
Monday March 19, 2012
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were accepted on April 2, 2012)

Members Present

Nel Sylvain, *Chair*
Tim Fontneau, *Vice Chair*
Gloria Larochelle, *Secretary*
James Gray
Rick Healey
Stephen Martineau
Derek Peters
Mark Sullivan

Members Absent

Dave Walker, Councilor, excused

Alternate Members Present

Robert Jaffin
Matthew Kozinski

Alternate Members Absent

Gregory Jeanson

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting will be on file in the City Clerk's office for reference purposes. It may be copied for a fee)

Mr. Sylvain called the meeting to order at 7:00 p.m. The planning secretary conducted the roll call.

Communications from the Chair

None

Opening Discussion/Comments

A. Public Comment

Fred Leonard commented on the rewrite of Chapter 42. He believed what was missing was public participation. Despite the efforts of the board people had not been involved and possibly they needed to knock on doors or whatever it took. Providing opportunities within neighborhoods would be a good idea. He expressed appreciation for what the board was trying to do.

Mr. Sylvain explained that he or the Vice-Chair may be attending ward meetings.

B. Discussion of general planning issues

None

Approval of minutes for

- A. February 27, 2012
- B. March 5, 2012

A motion was made by Mr. Gray and seconded by Mr. Peters to approve the February 27, 2012 and March 5, 2012 meeting minutes. The motion carried unanimously.

Consent Agenda:

- A. **Golick's Dairy Bar/Alan Golick and Lisa Thompson, 4 Gonic Road.**
Change of use for an ice cream bar and office space in the former location of Rochester Stove Shop. Case # 132-45-B2-12 **Public hearing**
- B. **Thompson Center Investment Castings/Mike Haley, 41 Old Dover Road** (by Berry Surveying and Engineering). Site plan for an 18,270 square foot addition to an existing 16,413 square foot building, including parking and associated improvements. Case # 132-37-I3-12 **Public hearing**
- C. **Paul and Sue Normand, 70 Betts Road** (by Berry Surveying). Preliminary (design review) Four lot subdivision of a parcel on a private road without frontage on a City street. Case #203-27-A-12 **Public hearing**

Mr. Behrendt explained that each of the applications on the consent agenda was looking for a postponement to April 2, 2012.

Mr. Sylvain pulled item A. Golick's Dairy Bar from the consent agenda.

A motion was made by Mr. Gray and seconded by Mr. Healey to postpone items B. Thompson Center Investment Castings and C. Paul and Sue Normand to April 2, 2012. The motion carried unanimously.

A motion was made by Mr. Sylvain and seconded by Mr. Fontneau to postpone Golick's Dairy Bar to April 16, 2012. The motion carried unanimously.

Associates in Family Dentistry/Leslie Feliciano, 18 Gonic Road (by Norway Plains Associates)
Site Plan for a 2,400 square foot 2-story addition to an existing 4,000 square foot 2-story office building. Case # 131-5-B2-12 (*Public hearing closed*)

Mr. Art Nickless of Norway Plains Associates explained they had obtained a variance for a reduction in parking from the ZBA and had been before the Conservation Commission and Cocheco River Local Advisory Committee. There was a good healthy stand of trees as a buffer along the river. Details would need to be provided for State permitting.

Mr. Behrendt read the following excerpt from e-mail from Art Nickless:

Here's what I would suggest the Board include in their NOD relative to the Con Comm and CRLAC comments:

1. Revise plan to include details for the construction of the depressed areas/rain gardens in keeping with the CRLAC recommendation. (This will likely be a requirement of DES as well.)
2. Add a note to the plan that the stone drip edge is to be monitored on at least a semi-annual basis (spring and fall) to ensure proper operation.
3. Add a note stating that any invasive species that might exist along the river bank be removed as long as said removal complies with the Shoreland Protection Act.

Mr. Behrendt recommended approval with the three recommendations given in staff comments. He left to the board the snow being placed to the side recommended by the Local Advisory Committee.

Mr. Sullivan asked for an explanation of the existing buffer.

Mr. Nickless explained that the run-off sheet flows across the parking lot to a vegetated buffer along the river.

Mr. Peters stated he had no problem with sheet flow.

Mr. Fontneau did not feel the changes triggered a note on the plans.

A motion was made by Mr. Peters and seconded by Ms. Larochelle to approve with the three staff recommendations. The motion carried unanimously.

Review of draft Capital Improvements Program (CIP)

The board members mentioned there was only one issue and that Gloria would send a copy to the City Manager and the Board.

Overhaul of Site Plan Regulations

Mr. Behrendt explained that the City Attorney's comments, Sections 1 through 6 were straightforward. In regard to section 7, 2/3 of the section was covered in the zoning ordinance. The zoning ordinance trumps the site regulations. A motion to adopt would include everything from the attorney.

Mr. Gray explained that it would be easier to put in a statement that when covered by the zoning ordinance the zoning ordinance would take precedence.

Mr. Fontneau clarified that the City Attorney read the document but not in relationship to the content.

A motion was made by Mr. Gray and seconded Mr. Healey to adopt the Site Plan Regulations to include a paragraph regarding the Zoning Ordinance and the recommendations of the City Attorney. The motion carried.

Standard operating procedures for the Planning Board

A motion was made by Mr. Peters and seconded by Mr. Gray to approve the Abutter SOP. The motion carried unanimously.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the Excavation SOP. The motion carried unanimously.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the Lot Line Revision SOP. The motion carried.

Master Plan SOP

Mr. Behrendt discussed this as a retreat topic.

Mr. Sylvain suggested endorsing as is and discussing further at a retreat.

A motion was made by Mr. Peters and seconded by Ms. Larochelle to approve as written. The motion carried unanimously.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the New Street Name SOP. The motion carried.

A motion was made by Mr. Peters and seconded by Ms. Larochelle to approve the Notice of Decision Sop as written. The motion carried.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve as written the New Street Name SOP. The motion carried.

A motion was made by Mr. Peters and seconded by Ms. Larochelle to approve as written the Notices of Decision SOP. The motion carried.

Preconstruction meeting SOP

Change out “encouraged” with required.

Change out Building and Codes with Building and Safety,

A motion was made by Ms. Larochelle and seconded by Mr. Gray to approve with changes. The motion carried.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the Public Notice SOP as written. The motion carried.

Site Review (including applications bumped up from Minor SR)

A motion was mad by Mr. Gray and seconded by Ms. Larochelle to approve. The motion carried.

Discussion ensued to remove “presently vacant position”

A motion was made by Mr. Gray and seconded by Ms. Larochelle to reapprove as amended. The motion carried.

A motion was made by Mr. Peters and seconded by Mr. Healey to approve the Surety Administration SOP. The motion carried unanimously.

The board would like the language amended to include a memo regarding requests for release, along with the spreadsheet.

Review of Surety and Inspection Information

Mr. Sullivan expressed concern that some of the outstanding sureties were three and four months passed their expiration.

Mr. Martineau asked when the trigger was to call the developer.

Discussion ensued and the board talked about starting the process to notify approximately three months prior to the surety expiration.

For April 2, 2012 the board asked to have the time frame written into the SOP and what is being done for sureties that have expired.

Other Business

Mr. Martineau requested being provided a packet in addition to electronic documents.

Mr. Peters stated that March was the month that surety was to be reviewed by DPW.

Mr. Behrendt stated he would check with DPW.

Mr. Sylvain discussed setting up a retreat some time in June.

Adjournment

A motion was made by Mr. Peters and seconded by Mr. Healey to adjourn at 8:15 p.m. The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses, Planning Secretary