

City of Rochester Planning Board
Monday, November 20, 2023
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on December 11, 2023)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Don Hamann
Alan Dews
Matthew Richardson
Dave Walker
Peter Bruckner
Keith Fitts

Members Absent

Alexander de Geofroy, *excused*
James Hayden, *excused*

Alternate Members Present

Rick Healey
Michael McQuade

Staff: Shanna B. Saunders, *Director of Planning & Development*

(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. They may be copied for a fee.)

I. Call to Order

Chair, Mark Collopy, called the meeting to order at 6:30 p.m.

II. Roll Call

Planning Director, Shanna B. Saunders, conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Mr. Michael McQuade to vote in place of James Hayden.

IV. Communications from the Chair

Mr. Collopy stated that there were no communications from the Chair.

V. Opening Discussion/Comments

A. Public Comment

There was no comment from the public.

B. Discussion of general planning issues

Mr. Walker stated that at the previous meeting he had asked about the curb cut on Charles Street that has been curbed over. Ms. Saunders stated that she had followed up with the Department of Public Works and that the permit was denied as that was a second driveway for that property. The property owner installed it anyway. It is not illegal. DPW said that the property owner stated that they would not be using it and that the Department of Public Works would monitor the use.

Mr. McQuade asked if the dealership at 400 North Main Street/Route 11 was still planning to build two dealerships. Ms. Saunders responded that they were. Mr. Dews explained that due to concerns of contaminated soils, the project will be phased, business will open one dealership, then start on the second after soils are mitigated.

C. CIP Committee – 3 PB Members needed

Ms. Saunders reviewed the Capital Improvements Plan and explained the requirement of the Planning Board. Ms. Saunders explained how CIP plans will be reviewed and rated by the CIP committee. Ms. Saunders explained the criteria that will be considered in the CIP review and the schedule that the CIP committee will follow.

Ms. Saunders asked the Planning Board if any members were interested in joining the CIP Committee.

Mr. Hamann expressed his concerns of conflicting Council Sub-Committee meetings while reviewing the CIP schedule. Ms. Saunders stated that special measures can be taken if a quorum cannot be reached at a CIP Committee meeting.

Mr. Healey expressed interest in joining the CIP committee.

A motion was made by Mr. Dews to appoint Mr. Rick Healey to the as a member to the Capital Improvement Plan Committee and seconded by Mr. Fitts. The motion carried unanimously.

Mr. Bruckner asked if there was a prediction for how long the meetings would run. Ms. Saunders stated that there is not a specific time for the meeting to end but that the limit would be 2 hours per meeting.

Mr. Bruckner asked if the presentations would be seen first by the committee at the night of the meeting. Ms. Saunders stated that the CIP committee will have the CIP book prior to any of the presentations but that the time for presentation will really be used to highlight large or new projects and for Q&A.

VI. New Applications

A. [Nathan Dickey, 106 Winter Street](#) (Jones & Beach Engineers) 2 Unit-Condominium Conversion; Case#117 – 171 – R2 – 23 **Public Hearing/ FINAL DECISION***

Mr. Nathan Dickey, part building owner, explained the buildings ownership and stated that the plan is to turn the building into a 2 unit condominium.

Mr. Collopy opened the Public Hearing. No one from the public was present to speak to the application. Mr. Collopy moved to the Planning Board for review.

Ms. Saunders explained the application and condominium requirements and reviewed the Staff Recommendation. Ms. Saunders stated that staff recommend the application to be considered as complete.

A motion was made by Mr. Walker to accept the application as complete and seconded by Mr. Dews. The motion carried unanimously.

Ms. Saunders reviewed the recommended and standard conditions of approval and stated that staff recommends approval of the application.

Mr. Walker verified that the building was already built. Ms. Saunders responded that it was.

A motion was made by Mr. Bruckner to approve the application with conditions as stated and seconded by Mr. Fitts.

Mr. Dews stated that the front step shows that it is in the City of Rochester's right-of-way and recommended that the steps be altered to remove the step from the right-of-way.

Mr. Dickey stated that the steps have been present as long as the building has been present and that they have no pending permits for renovations.

Mr. Dews expressed his concern that the steps may have been built without a permit.

Ms. Saunders asked for clarification of an additional condition of approval. Mr. Dews stated that he recommends a COA that issue be corrected.

Ms. Saunders asked if the Department of Public Works had a waiver for instances like this. Mr. Dews stated that City Council has to approve waivers for right-of-way.

Mr. Bruckner stated that it may be impossible for the steps to comply with building codes and he stated that he doesn't feel that the step in the right-of-way is of concern.

Mr. Collopy asked about the structure of the stairs. Mr. Dickey explained how the stairs are structured and stated that there is a small platform before the steps. Mr. Collopy asked if there was space between the stairs and the sidewalk. Mr. Dickey responded that there is a space to the sidewalk from the steps.

Mr. Dews stated his concerns of the Planning Board approving something knowing that there is a partial structure in the City's right-of-way.

Mr. Bruckner reviewed images online and stated that there is a fair bit of grassy area between the stairs and sidewalk.

Mr. Healey reviewed images online and mentioned that there is a fire hydrant near the stairs and felt that the step in the right-of-way would not create an issue.

Ms. Saunders explained the process if there was an additional condition made regarding the placement of the stairs.

Mr. Bruckner stated that he did not want to include the additional condition in his motion.

The motion carried with a 5 to 4 vote, Mr. Hamann, Mr. Walker, Mr. Collopy, and Mr. Dews opposed.

VII. Review of Inspections for September 2023

The Planning Board reviewed the Inspections for September 2023 and did not have any questions.

VIII. Review of Surety for October 2023

Ms. Saunders explained the updates to Surety that were made in October 2023 and stated that Highfield Commons provided paperwork for their continued bonds today, 11/20/2023.

The Planning Board reviewed the current Surety accounts.

Mr. Collopy asked if there was an update regarding the ownership of Lydall. Ms. Saunders stated that there was no update and that the next step would be to require them to come in for a compliance hearing.

Ms. Saunders stated that Integrity Auto is currently in the process of fixing a few issues with permits and that the Village at Clark Brook surety release is being processed.

Mr. Dews asked for an update on the Trinity Circle. Ms. Saunders stated that the surety being held is for amenities within the development.

IX. Release of Surety

- A.** Tropic Star Development, LLC Surety Bond Release (100%) in the amount of \$75,523.00 for Site Plan to construct 4,350 sqft Motor Fuel Outlet located at 717 Columbus Avenue

A motion was made by Mr. Walker to approve the release of the Surety Bond through Tropic Star Development, LLC in the amount of \$75,523.00 and seconded by Mr. Hamann. The motion carried unanimously.

X. Other Business

A. Planning Update

There was Planning updates to discuss.

B. Other

Mr. Walker stated his concern regarding structures in the City's right-of-way and recommended that the Department of Public Works still be notified if there is further action to be taken.

XI. Adjournment

*A motion was made by Mr. Walker and seconded by Mr. Dews to adjourn the meeting at 7:03pm.
The motion carried unanimously.*

Respectfully submitted,

Jaclyn Millard,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development

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