

**City of Rochester Planning Board**  
Monday August 6, 2012  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on August 20 , 2012)*

Members Present

Nel Sylvain, *Chair*,  
Tim Fontneau, *Vice Chair*  
James Gray  
Rick Healey  
Derek Peters  
Mark Sullivan  
Dave Walker, Councilor  
Gregory Jeanson

Members Absent

Gloria Larochelle, excused  
Stephen Martineau, excused

Alternate Members Present

Robert Jaffin  
Matthew Kozinski

Staff: James Campbell, Chief Planner  
Crystal DeButts, Planning Secretary

(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.)

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

**III. Seating of Alternates**

Mr. Kozinski to sit for Mr. Martineau  
Mr. Jeanson to sit for Ms. Larochelle

**IV. Communications from the Chair**

Mr. Sylvain there will be no public input for the next two Chapter 42 mapping meetings scheduled for August 13, 2012 and August 27, 2012.

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## **V. Approval of minutes**

### **A. July 16, 2012 – Regular Meeting**

### **B. July 30, 2012 – Chapter 42 Mapping**

*A motion was made by Mr. Gray and seconded by Mr. Walker to approve July 30, 2012 and July 30, 2012 meeting minutes. The motion carried unanimously.*

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## **VI. Continued Applications**

**A. Cumberland Farms, Inc. 299 North Main Street** (by MHF Design Consultants) Site plan for retail motor fuel outlet which includes a 4,503 sq. ft. convenience store and 8 fueling dispensers. Case # 115-41-B2-12

Mr. Bruton representing Cumberland Farms addressed the planning board regarding all the steps they have taken to this point. He is asking the board for conditional approval.

Mr. Bruton asks for a waiver regarding the landscaping provisions in regards to the buffers on the front yard and side yard.

Mr. Bruton explains to the board they will not be able to meet the requirements of a tree not being located within 75 ft. of a parking area due to the size of the lot.

Mr. Bruton stated they are in the process of getting an easement from McDonald's

Mr. Tymola from MHF Design explains that everything currently on site will be demolished. He goes on to explain all the site plans.

Mr. Peters asked about snow removal.

Mr. Peters states his concern regarding the trees in front of the site being too high, obstructing the view from Rt. 11.

Mr. Sylvain questions the size of the roots of the trees due to possible issues with damage to the pavement.

Mr. Sylvain would like a temporary fencing placed around the construction area for safety reasons.

### **B. Public Comment**

None

*A motion was made by Mr. Gray and seconded by Mr. Healey to accept as complete, close public hearing, and approve pending signatures from Public Works. The motion carried unanimously.*

## VII. New Applications

**A. Frederick & Arlene Harrington, & Jefferson & Christine Harrington** (by Norway Plains Associates) LLR to provide a more appropriate set back for existing home. Case # 211-5 and 5-2-A-12

Mr. Nickless from Norway Plains Assoc. explains the proposal regarding the two lots.

*A motion was made by Mr. Walker and seconded by Mr. Peters to approve the LLR. The motion carried unanimously*

**B. Sakuntala, LLC / Newport Computers** ( by Norway Plains Associates) LLR to propose a 45,438 sq. ft. manufacturing facility to be constructed, as well as parking and loading areas. Case # 242-1-12-12

Mr. Nickless explains the company want to build a 45,000 sq. ft. warehouse. States there are wetlands around the area, and they have applied for the appropriate permits.

Mr. Nickless states they will obtain an easement from the city for the utilities.

Mr. Nickless states they will be filling 9,500 sq. ft. of wetlands.

Mr. Sylvain asked Mr. Nickless about an email regarding the proximity to Skyhaven Airport.

Mr. Nickless stated he is aware and will be looking into it.

*A motion was made by Mr. Walker and seconded by Mr. Peters to close public hearing, accept as complete and continue the case on August 20, 2012. Motion carried unanimously.*

**C. Jeffrey & Catherine Taylor and Robert & Sharon Oxx** (by Norway Plains Associates) LLR to alter the common boundary between two lots.

Mr. Nickless explained the issues regarding an old fence on the property. He stated the two parties have been using the fence as the boundary, a new fence has been installed and both parties are in agreement .

*A motions was made by Mr. Fontneau and seconded by Mr. Walker to approve the LLR. The motion carried unanimously.*

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**VIII. Chamberlain Investment Properties, Anderson Lane Subdivision** (by Jones and Beach Engineers) Discussion whether to pull surety in order to complete the work to be done for the subdivision.

Mr. Sylvain updated the board that he had met with Mr. Nourse last week. Mr. Jones is waiting for an answer from Mr. Pierce.

*A motion was made by Mr. Walker and seconded by Mr. Healey to pull surety on Anderson Lane. The motion carried unanimously.*

Mr. Sylvain asked Mr. Campbell to contact the city attorney regarding this matter.

Mr. Peters requested that an update be given at every meeting.

## **IX. Other Business**

### **A. Clarification of water fund payment condition of approval regarding Clark Brook**

Mr. Campbell explains to the board that there is a disagreement regarding the last amendment made. The applicant though if he went to start the next Clark Brook phase, anything that's owed on Little Quarry he has to pay. The applicant is currently paying as he goes toward the water fund.

Discussion ensues.

### **B. Status of construction Inspector job hiring process**

Mr. Campbell explains to the board the city is still looking to fill the position, however the interviewing process is to start soon.

Mr. Sylvain requests to have an updated at the next Planning Board meeting.

### **C. Dominos development project update**

Mr. Campbell explained that when Dominos put in the letter of intent the project was going to be an extensive remodel. However when they got going on the project it was more extensive than originally thought.

Mr. Campbell asked the board they had any issues with this or would they like Dominos to do a minor site plan.

The board unanimously stated they do not have a problem letting them rebuild.

### **D. Status of Channing Lane**

Mr. Campbell stated they came back for an amendment in 2011, six months have now gone by. He stated he is looking at the surety file. He also told the board that there are little things going on with the project at this time, but nothing major.

### **E. Rochester Toyota**

Mr. Campbell explained to the board Rochester Toyota has built the building, however there isn't an landscaping, they haven't put in a stop sign, and they haven't put any wheel stops out in front.

Discussion ensues regarding the need for Rochester Toyota to come back for an amendment.

### **F. Rejected Deed**

Mr. Campbell stated he had received a call from Mr. Routhier regarding plans that were rejected from the Strafford County Deeds do to the plans being folded.

Mr. Campbell asked the board to grant Mr. Routhier a thirty day extension to get a new set of plans.

*A motion was made by Mr. Gray and seconded by Mr. Walker to grant a thirty day extension. Motion carried unanimously.*

## **G. Notice to the public**

Mr. Sylvain states there will not be any public input at the next two Chapter 42 mapping meetings, to be held on August 13 and August 27.

Mr. Fontneau stated that after all the mapping is complete then the board will hear public input.

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## **Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Peters to adjourn at 8:06 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,  
Planning Secretary