

**City of Rochester Planning Board**  
Monday October 1, 2012  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on October 15, 2012)*

Members Present

Nel Sylvain, *Chair*  
James Gray  
Rick Healey  
Derek Peters  
Dave Walker, Councilor  
Stephen Martineau  
Tim Fontneau  
Gloria Larochelle  
Mark Sullivan

Members Absent

Gloria Larochelle, excused

Alternate Members Present

Matthew Kozinski  
Gregory Jeanson  
Robert Jaffin

Staff: James Campbell, Chief of Planning  
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. Jaffin to vote for Ms. Larochelle

**IV. Communications from the Chair**

Mr. Sylvain reminded the board of the upcoming Law Lecture Series and encouraged them to sign up for it.

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**V. Approval of minutes**

**A. September 17, 2012 – Workshop Meeting**

**B. September 24, 2012 – Chapter 42 Mapping**

*A motion was made by Mr. Walker and seconded by Mr. Healey to approve September 17, 2012 and September 24, 2012 meeting minutes. The motion carried unanimously.*

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## **VI. New Applications**

### **A. Gonic School PTA, 10 Railroad Avenue**

*Mr. Gray recused himself from this case and will be answering questions on behalf on the school.*

*Mr. Jeanson to vote for Mr. Gray for this case only.*

Mr. Campbell stated the TRG met last week regarding this case and the only issue was the drainage.

Mr. Gray explains the proposed new playground will be well away from any wetlands, the equipment will be kept in place by posts anchored in the ground and the area around the playground will be filled in with wood chips.

Mr. Fontneau asked if the proposed project was a jungle gym.

Mr. Gray stated yes, the only thing in the ground would be the posts and there will be bordering put around the play area to contain the wood chips.

Mr. Peters questioned the drainage issue.

Mr. Gray stated they are already taking care of the drainage issue.

Mr. Sylvain opens public hearing.

No one came forward to speak.

*A motion was made by Mr. Walker and seconded by Mr. Peters to close the public hearing. Motion carried.*

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

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## **VII. Continued Applications**

### **A. Care Pharmacy / Home Health Care Store, South Main Street and Linden Street**

Mr. Nickless explains the updated set of plans that shows the drive-thru window moved to the front corner of the building and the exit onto Linden Street has been moved up also which eliminates any intrusion into the residence across the street. The updated plan also shows the current access onto Linden Street is closed off and will possibly have some landscaping.

Mr. Sylvain opens the public hearing

No one came forward to speak

Mr. Walker questioned where the handicap parking would be.

Mr. Nickless stated they didn't mark it on this set of plans, however if the project goes further he will have them marked on the next set.

Mr. Peters questioned where the dumpster would be located and where the snow would be stored during the winter.

Mr. Nickless stated again if the project goes further that will also be shown on the new set of plans.

Mr. Sylvain asked if there will be a buffer between the 2 lots at the exit onto Linden Street.

Mr. Nickless stated yes, it is shown on the updated plans.

Mr. Martineau asked if there would be a "right turn only" sign when exiting onto Linden Street.

Mr. Nickless stated yes, they would be putting up a sign.

Mr. Martineau questioned the employee parking and how they would access it.

Mr. Nickless stated Auto Zone said they would work something out with Care Pharmacy regarding the easement.

Mr. Martineau questioned the number of occupants in the home next to the site and asked if there would be sufficient parking for them in the driveway or would they be parking out on the street.

Mr. Nickless stated it's a two family home and he felt there would be ample parking in the driveway for the number of people living there.

Mr. Gray asked if the two lots would be combined.

Mr. Nickless stated the lots have to be surveyed. He stated there may be some encroachment, however at this point they plan on keeping the lots as 2.

Mr. Sylvain stated the board over all is pleased with the new plans. He explained to Mr. Nickless to move forward what the board wants to see on the next set of plans.

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## **VIII. Other Business**

### **A. Voting to fill a vacant seat**

Mr. Sylvain spoke about the process for voting to fill Ms. Larochelle's vacant seat. He stated they have to wait until the City Council accepts her resignation at its next meeting.

Mr. Sylvain explained there are 2 alternates that were appointed on the same night. He asked if the board wanted to nominate one of them or to let the City Council decide.

*A nomination was made by Mr. Walker and seconded by Mr. Peters to nominate both Mr. Jeanson and Mr. Kozinski.*

### **B. Discussion on Surety**

Mr. Walker asked about the wording to make a motion regarding surety.

Mr. Sylvain stated the board would need to discuss that further.

Mr. Sullivan suggested reconvening the surety sub-committee. He stated the Planning Board needs to be careful not to make the process more complicated.

Mr. Walker stated the City Council wants the Planning Board to have more control of the process.

Mr. Sullivan stated he agreed, but asked if it was in line with what the RSA stated.

Discussion ensues regarding the process of surety.

Mr. Sylvain stated he had looked at some of the surety steps while in the City Clerks office. He stated there are some catches to releasing it due to some of the wording.

Mr. Peters stated it should be standard wording on everyone.

Mr. Sylvain explained it's the wording through the different banks and lenders, and the board needs to take that into consideration.

Mr. Walker stated that shouldn't be a hindrance for the Planning Board to approve a release or not.

Mr. Sullivan reiterated the board wants to be careful not to make it more complicated.

Mr. Sylvain suggested Mr. Sullivan, Mr. Peters, and Mr. Gray be on the surety sub-committee. Mr. Jeanson volunteered to be on the committee also.

Mr. Sylvain stated the board can make a motion on what they need to do, have the sub-committee review it and set the criteria for the release of surety.

### **C. Letter's of Intent**

Mr. Campbell informed the board the office had received 2 letters of intent and he wanted to know if the board wanted to hear the cases or have them handled administratively.

Mr. Campbell stated the first letter of intent was for 2-4 Leonard Street. He explained in 2010 the Zoning Board granted a variance to build another building on the other side of the lot.

Discussion ensued

Mr. Sylvain stated the board agreed that a minor site review would be appropriate.

Mr. Campbell stated the second letter was from 63 Milton Road. The applicant would like to have a second hand store.

Discussion ensued

Mr. Sylvain and Mr. Fontneau stated that project should go before the Planning Board as the lot has some issues.

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## **IX. Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Gray to adjourn at 7:50 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,  
Planning Secretary