

# City of Rochester Planning Board

Monday, January 24, 2011 at 7:00 p.m. (Workshop Meeting)

## City Council Chambers

31 Wakefield Street, Rochester, NH 03867

(Approved 2/7/2011)

### Members Present

Nel Sylvain, *Chair*

Tom Abbott

Rick Healey

Gloria Laroche

Stephen Martineau

David Meader

Derek Peters

Dave Walker, Councilor

### Alternate Members Present

Bob Badeau

James Gray

### Members Absent

Tim Fontneau, *Vice Chair*

Staff: Michael Behrendt, Chief Planner

Marcia J. Gasses, Planning Secretary

(These minutes are the legal record of the meeting and are in the format of an overview of the meeting. It is neither represented nor intended to be a true transcription 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.

Mr. Badeau to vote for Mr. Fontneau

---

### **Communications from the Chair**

There were none.

---

## Opening Discussion/Comment

- A. There was no public comment.
  - B. There was no discussion by board members.
- 

## Approval of the Minutes

*A motion was made by Mr. Walker and seconded by Mr. Abbott to approve the minutes of January 3, 2011. The motion carried unanimously.*

---

## Consent Agenda

- A. **LAARS Heating Company, 20 Industrial Way.** (by Norway Plains Associates) Site Plan to construct a 80' x 80' addition onto the existing building to house a new training room, offices, break room and additional parking. Case # 230-19-I2-10 **Public Hearing Postponement**
- B. **Highfield Commons Planned Unit Development (PUD), Washington Street/ Route 202.** Extension to meet precedent conditions for approved Phase I Subdivision. Case # 237-3,5,6,8-A-02

*A motion was made by Mr. Abbott and seconded by Mr. Peters to approve the consent agenda. The motion carried unanimously.*

---

## Continued Applications

- A. **G.B. New Hampshire 2, LLC, 301 North Main Street.** (by VHB) Site plan to construct a 13,225 square foot CVS pharmacy with drive through, a 3,700 square foot Laconia Savings Bank building, and associated improvements, including parking, access, landscaping, and drainage structures. Case # 115-40-B2-10 (The Public Hearing was closed.)

Linda Connell of the McLane Law Firm, representing G.B. New Hampshire 2, LLC, gave an overview of the CVS and Laconia Savings Bank project thus far. The applicant is looking for a Conditional Use approval and a waiver to allow for an handicap parking space which is 18' in length, where Rochester regulations require 20'.

Ms. Connell stated that she understands that this is not a project of regional impact.

Ms. Connell stated the applicant does not have a problem with the conditions recommended by staff but did ask clarification be added for encroachment into the set-back.

Mr. Behrendt recommends approval with the addition of a condition under

- 2. m) Submit revised lighting plans showing no areas exceeding 15 footcandles

Mr. Behrendt recommends under general and subsequent conditions the following be added:

1) If the applicant desires to obtain a certified site plan by the Planning Department prior to issuance of the NH DOT driveway permit (regarding precedent conditions 2i, 3, 6, and 12) it may do so if it also provides a recordable, signed acknowledgement/ agreement acceptable to the Planning Department that any building or site work performed prior to the driveway permit's receipt shall be at its own risk and that an updated site plan must be provided to the Planning Department for certification within 30 days following the issuance of the driveway permit that incorporates appropriate reference to the permit and its conditions. No certificates of occupancy for the site will be issued without final NHDOT approvals.

Mr. Peters asked if the applicant had received a variance for the sign.

Ms. Connell stated that the owners will be handling that separately.

*A motion was made by Mr. Walker and seconded by Mr. Peters to approve the waiver request. (This waiver is granted upon a finding that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of these regulations.) The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Mr. Peters to grant the Condition Use Permit as stated. The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Mr. Healey to approve the application with conditions as stated. The motion carried unanimously.*

**B. Rochester Housing Authority, Brock Street on vacant lot next to Autozone store.**  
(by Civil Works, Inc.) 12 unit elderly housing facility. Case # 131-62-2-R2-10

Dana Lynch of Civil Works Inc, represented the applicant, giving an over view of the project so far. He explained that they had submitted the plans to CLD for review and have responded to their comments. The applicant has received a special exception from the ZBA to allow for elderly housing in the Residential 2 Zone. The concerns raised by the Conservation Commission have been addressed. The applicant has laid out a process for inspecting and reviewing operation of the storm water system to ensure it is functioning correctly.

Waste Management is requesting that the applicant use totes for trash pickup. There is a 250' to 275' sight distance and a lane 10 feet in width to pull off.

The applicant is providing for 17 space where 12 spaces are required.

Mr. Behrendt recommends approval with a couple of adjustments.

1b. - disregard

1o. - refers to the totes

2c. - eliminate

3. - Confirm with the Fire Department that the rear slope, behind the building, can accommodate fire apparatus.

Under 2 - submit the colors

Eliminate #9 - the fees have been paid.

An additional note:

The applicant must submit two 11" x 17" paper sets of full architectural elevations in color as approved by the board (one for Planning and one for Code Enforcement). These must include a scale and show building height. Send proposed colors also via a pdf attachment. Staff will forward this to the Planning Board. The colors will be approved administratively but if any Planning Board member has concerns about the colors, the proposed colors will be presented to the Planning Board for approval.

Mr. Walker expressed frustration that the tote concern was not heard.

Mr. Peters questioned where the snow storage was and if they had received sign-offs from the Fire Department regarding the grade of the driveway.

Mr. Lynch explained that the driveway was at a 7% grade with a 50' platform for transition.

Mr. Peters stated that the grade should have already been addressed.

Mr. Lynch pointed out the snow storage area located to the right side of the driveway.

Mr. Behrendt suggested add a precedent condition to show the snow storage area.

Mr. Sylvain asked if the applicant had added a lane in the front of the building.

Mr. Lynch responded that they had actually extended the length of the lane to accommodate a Waste Management vehicle.

Mr. Sylvain stated that no one heard that we did not want totes, we are concerned for safety.

Mr. Peters wanted clarification that if they eliminate the dumpster, could they add a parking space or two.

Mr. Badeau asked if they could get the pick-up off the street.

Mr. Peters stated that he did not have a problem with the totes but wanted to know if this had been figured into the reconstruction of Brock Street.

Mr. Lynch stated that the timeframe for the reconstruction is not concrete but this project would not negatively impact the work to take place on Brock Street.

Mr. Walker stated that the plan is to reduce the grade on Brock Street in Fiscal Year 2013. In addition he has no doubt that cars will be able to see the truck but he can see it creating a 3-4 car back up on the hill.

Otis Perry from the Rochester Housing Authority explained that the totes solution was his idea. They will have to keep the lane and sidewalk free from snow, if the use of the totes is

a deal breaker then they will install a dumpster. They still want the pull off lane though for the convenience and safety of the residents.

Mr. Healey expressed that if they go with the totes there should be a designated spot for pick up.

Mr. Peters wants to make sure that the design fits with the reconstruction of Brock Street.

Ms. Esterberg, Director of Public Works explained that the preliminary design work has been completed and that they are working on the final design. There is not much that can be done to that section of road and they can match in to what the applicant constructs.

Mr. Gray is concerned that the WM truck will not be able to turn around if it goes down into the parking area behind the building. In addition he want to know if there are plans to put in no parking signs.

Mr. Lynch stated that the WM can turn around.

Mr. Lynch stated that they would be limiting parking to 15 minutes or less in front of the building. They will have more than enough parking in the rear.

Mr. Badeau stated that he likes the dumpster idea. He asked, if the applicant uses totes how many would they have.

Mr. Perry stated they would use 4-6 dumpsters, including recycling.

Mr. Badeau expressed concern that the totes would land in the street.

Mr. Perry explained that the Housing Authority will have a person permanently assigned to the development along with their other facilities on Brock Street.

Ms. Larochelle is concerned about safety.

Mr. Abbott explained that if “no parking” signs are to be installed in the right of way they would need to receive Council approval.

Mr. Lynch explained the area is 5’ off the right of way.

Mr. Walker explained that the applicant would have to come before the safety committee.

*A motion was made by Mr. Walker and seconded by Ms. Larochelle to add the use of a dumpster as a precedent condition. The motion carried 8-1*

Mr. Behrendt suggested that with the dumpster that they add a pad as a precedent condition.

*A motion was made by Mr. Peters and seconded by Mr. Healey to approve the application with all conditions. The motion carried 8-1*

**Draft Capital Improvements Program (CIP) - Presentation by Melodie Esterberg, Commissioner, Department of Public Works**

Ms. Esterberg introduced herself and explained she was here to answer any questions board members may have.

Board members asked Ms. Esterberg various questions regarding projects.

Ms. Larochelle had a question regarding #9 on page 65, she was looking for a clarification on "various streets".

Ms. Esterberg explained that each year they evaluate streets and develop a list which is used to determine what streets will receive crack sealing.

Mr. Walker let the board know that the Public Works committee is working on a street paving list.

Mr. Peters asked why improvements to Colonial Pines were not in the CIP.

Ms. Esterberg explained that they have existing funds to use for Colonial Pines.

Mr. Badeau asked about Chestnut Hill Road just after Roger Allen Park.

Ms. Esterberg stated that section of Chestnut Hill Road had been done in 2006.

Ms. Larochelle mentioned in reference to page 61 that she likes the idea of the change to more efficient lights.

Mr. Sylvain raised a concern over slat being placed in the back of trucks and the damage it can cause.

Ms. Esterberg explained that the salt is dumped and the truck washed at the end of each day.

Mr. Behrendt offered to get answers to any questions that board members may have if they would e-mail him the questions.

---

**Annual Meeting  
Election of Officers**

Mr. Walker nominated Mr. Sylvain for Chair.

Mr. Healey seconded the nomination of Mr. Sylvain for Chair.

Mr. Peters nominated Mr. Fontneau for Chair.

Ms. Larochelle seconded the nomination of Mr. Fontneau as Chair.

A written ballot was taken and the planning secretary and Mr. Behrendt counted the votes.

Mr. Sylvain received 5 votes.

Mr. Fontneau received 4 votes.

The Planning Board Chair for 2011 is Mr. Sylvain.

Mr. Walker nominated Mr. Fontneau for Vice-Chair.

Mr. Abbott seconded the nomination of Mr. Fontneau for Vice-Chair.

*A motion was made by Mr. Peters and seconded by Mr. Walker to have one ballot for Mr. Fontneau. The motion carried unanimously.*

The Planning Board Vice-Chair for 2011 is Mr. Fontneau.

Mr. Abbott nominated Mr. Peters as Secretary.

Mr. Badeau seconded the nomination.

*A motion was made by Mr. Walker and seconded by Mr. Badeau to have one ballot for Mr. Peters. The motion carried unanimously.*

The Planning Board Secretary for 2011 is Mr. Peters.

Mr. Peters will try to schedule a retreat for February.

Mr. Sylvain stated that the discussion on surety has been postponed. The board will start reviewing the surety reports at workshop meetings starting in February.

---

## **Review of draft Comprehensive Rezoning Ordinance**

### **A. Table XIX-A Dimensional Standards - Residential Districts**

Mr. Sylvain asked if any board members had questions regarding the residential districts.

Mr. Behrendt clarified that "lot coverage" includes driveways.

Mr. Behrendt stated the minimum rear set back under the Conservation Subdivision should be 25' not 35'.

Mr. Abbott stated that under the neighborhood residential - 2, that maximum lot coverage of 35% could be too small an area.

Mr. Behrendt agreed that 35% maximum coverage could present a problem.

Mr. Sylvain suggested that in the Residential -1 and Residential - 2 Zones, that the maximum lot coverage be 45%.

The board agreed on 45% maximum lot coverage for R1 and R2.

The board agreed to change the wording under Rural Residential Two Family, under minimum lot coverage to read “additional 1’2 over single family house”.

*A motion was made by Mr. Peters and seconded by Mr. Walker to accept Table XIX- A Dimensional Standards - Residential as amended. The motion carried unanimously.*

B. Table XIX-B Dimensional Standards - Commercial Districts

Mr. Behrendt suggested if the board wanted to keep the Granite Ridge Zone that the board could add it.

The board chose to leave in Highway Commercial Zone.

*A motion was made by Mr. Peters and seconded by Mr. Martineau to accept as stated. The motion carried unanimously.*

C. Table XIX - C Dimensional Standards - Industrial Districts

*A motion was made by Mr. Martineau and seconded by Mr. Peters to accept as stated. The motion carried unanimously.*

D. Table XIX-D Dimensional Standards - Special Districts

*A motion was made by Mr. Peters and seconded by Mr. Badeau to accept as stated. The motion carried unanimously.*

---

### **Other Business**

Mr. Walker asked if the board should adjust the ADA parking space standard to reflect the length dictated by the State statutes, so that the board does not need to keep granting waivers.

Mr. Martineau asked what the Goodfella’s amendment is for.

Mr. Behrendt explained that the applicant would like to keep the restaurant open from 11 a.m. to 11 p.m.

---

### **Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Badeau to adjourn at 8.30 p.m. The motion carried unanimously.*

Respectfully submitted,

Marcia J. Gasses, Planning Secretary