

City of Rochester Planning Board
Monday March 4, 2019
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on March 18, 2019)

Members Present

Nel Sylvain, *Chair*
Matthew Kozinski, *Secretary*
Mark Collopy
A. Terese Dwyer
Donald Hamann
Mark Sullivan
Dave Walker

Members Absent

Tim Fontneau, excused
Robert May, excused

Alternate Members Present

Joyce Bruckner
James Gray

Staff: James B. Campbell, *Director of Planning & Development*
Crystal Galloway, *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.)

Mr. Sylvain called the meeting to order at 7:00 p.m.

The Planning Secretary conducted the roll call.

III. Seating of Alternates

Ms. Bruckner voted in place of Mr. Fontneau.

IV. Communications from the Chair

There were no communications from the Chair.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. Hamann to approve the February 25, 2019 meeting minutes. The motion carried unanimously.

VI. Discussion/Review of Impact Fees

Mr. Campbell explained the consultant that was hired to work on the impact fee schedule and methodologies. He said there should be a public hearing held before the Board adopts the impact fees.

Mr. Gray made it known that he and other City Councilors are against having impact fees because it's an added tax to the people and ends up making the project cost more.

Ms. Dwyer said this is a conversation that needs to be had about what direction the City wants to go in.

Bruce Mayberry of BCM Planning, LLC did a power point presentation highlighting the important areas of impact fees. He said wherever possible the dollar amount has been kept down. Mr. Mayberry also said any project that have already been approved for development would be exempt for about five years.

Mr. Sullivan asked if there have been any communities that have phase these fees in over time. Mr. Mayberry said he believes there has only been one community to do that.

Mr. Walker asked how many communities in the state have impact fees. Mr. Mayberry said there are around 70 communities in the state.

Mr. Sylvain asked if developers would be hit with both impact fees and off-site improvement fees. Mr. Mayberry explained an exaction can only be done for water, sewer, roads, or drainage. He went on to say none of the fees on this schedule address those items so there really isn't an overlap between the two.

Mr. Gray said he believes having impact fees would make affordable housing less affordable. Mr. Mayberry said that is a concern however, if you look at the fees it adds up to about two percent of the market price for a single family unit. He went on to say some communities have gone on to adopt some exemptions or reductions for affordable housing.

Mr. Gray said the school fee is significant because the school population in the City of Rochester has decreased while the population in the City has increased. He said \$4,000.00 is a significant impact fee charge. Mr. Mayberry explained it was looked at as a recoupment of past investments. He said there have been some significant school projects over the last few years equaling about sixty million dollars for expansion.

Mr. Campbell said he will work on getting the presentation to the City Council. He went on to say the Board will need to schedule a public hearing and make a recommendation to the City Council on the ordinance changes.

VII. Consent Agenda

A. Farmington Associates, LLC, 60 Farmington Road

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the consent agenda. The motion carried unanimously.

VIII. Continued Applications

A. Allen & Major Associates, LLC, 306 North Main Street

Michael Malynowski of Allen & Major Associates, Inc. presented the site plan amendment to allow a change of use to change from retail to vehicle service and related site layout changes with addition of six overhead doors to face Ten Rod Road.

Mr. Malynowski told the Board the TRG requested an additional drive aisle from North Main Street. He explained they will give an additional six spaces to allow a better direction for people entering from North Main Street.

Mr. Malynowski went on to explain the drainage and additional landscaping as well as the architectural improvements and colors.

Mr. Sylvain opened the public hearing. No one from the public was present to speak; he brought the discussion back to the Board.

Mr. Campbell said staff recommends the Board accept the application as complete and approval of the application with the Board having a couple conversations with the applicant such as the center drive aisle and whether or not the Board will require a sidewalk in front of the property along North Main Street. Mr. Campbell explained that the City wants to have sidewalks that connect to downtown, he further explained that the site next door at 400 North Main Street had a preliminary site plan before the Board and would be required to construct a sidewalk along the front of their site.

The Board viewed the area via Pictometry and discussed the need for a sidewalk and who would be responsible for the cost.

Mr. Sylvain asked if it would be possible to have an agreement in lieu of for a sidewalk at a later time. Mr. Campbell explained that is possible, the City has done agreements like that in the past.

Stuart Sharp, one of the owners of Spaulding Commons said they have made a lot of investment in the property. He said in order to attract this tenant they have had to make a number of concessions. Mr. Sharp further explained it would be the owner of the plaza paying for the improvements not the tenant. Mr. Sharp said they are willing to put a sidewalk along North Main Street when there is something to connect to. The Board agreed that would be a fair agreement.

Mr. Collopy asked for clarification regarding the overhead bay doors because there doesn't look like there is enough room. Mr. Malynowski explained there is grass there now but will be regrading and expanding the pavement.

A motion was made by Mr. Collopy and seconded by Mr. Hamann to close the public hearing. The motion carried unanimously.

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

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

B. CBDA Development, LLC, Athenian Drive

Kate Weiss of Bedford Design Consultants briefly explained the approved changes. She said the main change to the plan has been the bus stop which will now be located at the main entrance to the development at Old Dover Road. She said the other major change is to the infiltration sights which are now behind buildings E and F.

Ms. Weiss said they are requesting two waivers from Site Plan Regulation Article II Section 5.p which requires that all abutting uses and locations of those structures be shown/noted; and Site Plan Regulation Article III Section 13.A.1 which requires post development drainage to be less than or equal to predevelopment. Ms. Weiss went on to speak about the proposed precedent and subsequent conditions and asked if they could be clarified and adjusted.

Mr. Sylvain opened the public hearing. No one from the public was present to speak; he brought the discussion back to the Board.

Mr. Campbell said staff recommends the Board accept the application as complete and to approve the application with the conditions that are set forth. He went to say the TRG wanted the Board to discuss the traffic memo.

There was a brief discussion regarding if there needs to be a bus shelter placed at the bus stop.

The Board discussed allowing boulders to be used for the trails instead of ballards.

A motion was made by Mr. Collopy and seconded by Mr. Walker to close the public hearing. The motion carried unanimously.

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

A motion was made by Mr. Walker and seconded by Mr. Hamann to approve the two waiver requests. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Hamann to approve the site plan application. The motion carried unanimously.

IX. Discussion regarding surety

A. Ten Pines – Map 221 Lot 151

Mr. Campbell said staff needs further time to investigate the outstanding items. He said he recommends continuing to the March 18th workshop meeting.

X. Other Business

A. Recommendation of Joe Boudreau to Strafford Regional Planning Commission

Mr. Campbell explained the City has a vacancy for the Strafford Regional Planning Commission, Mr. Boudreau has met with him and the City Manager and they believe he will be a good fit.

There was a brief discussion.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to recommend Joe Boudreau to the Strafford Regional Planning Commission. The motion carried unanimously.

B. Request for reduction of surety for Waterstone (The Ridge Marketplace)

Mr. Sylvain recused himself. Mr. Kozinski took over as acting Chair.

Mr. Campbell explained that the bond for approximately \$863,000 had expired in December after a couple reminder letters were sent. He said they did submit a new bond just recently however it was only for \$186,723.08. Mr. Campbell said they are requesting the bond be reduced from \$863,000 to \$186,723.08.

The Board had a brief discussion.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to reduce the amount of the surety to \$186,723.08. The motion carried unanimously.

XI. Adjournment

A motion was made by Mr. Walker and seconded by Ms. Dwyer to adjourn at 8:25 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planning Secretary