

City of Rochester Planning Board
Monday August 19, 2019
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on September 9, 2019)

Members Present

Nel Sylvain, *Chair*
Robert May, *Vice Chair*
Matthew Kozinski, *Secretary*
Mark Collopy
Terry Dwyer
Tim Fontneau
Donald Hamann
Mark Sullivan
David Walker

Members Absent

Joyce Bruckner, absent

Alternate Members Present

James Gray
Daniel Rines

Staff: Seth Creighton, *Chief Planner*
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 7:03 p.m.

The Planning Secretary conducted the roll call.

III. Seating of Alternates

There were no alternates present.

IV. Communications from the Chair

Mr. Sylvain informed the Board about the passing of long time camera operator Karl Morse and held a moment of silence.

V. Opening Discussion/Comments

A. Public Comment

There was no one present from the public to speak.

B. Discussion of general planning issues

There were no issues to be discussed.

VI. Approval of minutes

A motion was made by Mr. Collopy and seconded by Mr. Hamann to approve the August 5, 2019 meeting minutes. The motion carried unanimously.

VII. Amendment to Chapter 275 of the Zoning Ordinance regarding the Downtown Commercial District

Mr. Creighton explained the map of the downtown commercial zone that he presented and explained the mayor asked staff to look at the downtown ordinance and what should be allowed. He said developers have asked that some residential uses be allowed on the first floor and went on to explain the map in front of the board which showed the first 30 feet of the space could only be used as commercial and the next 20 feet could be residential uses.

Mr. Fontneau asked how the streets that are not color coded affected. Mr. Creighton said he was sure if the ordinance would speak to it because outside of the streets listed first floor residential is allowed. Mr. Creighton asked if Columbus Avenue should be included. Mr. Fontneau said yes, it should.

There was discussion on the proposed ordinance language.

Ms. Dwyer asked for clarification on what the proposed language will be.

The Board discussed allowing first floor residential units if certain locations.

Mr. Hamann suggested eliminating all street names and make it the entire downtown commercial district. Mr. May said anything the Board can do to encourage people to live in the downtown will benefit the city. Mr. Fontneau said there is a very high demand for housing right now with little demand for commercial. He added it's better to go with the plan in front of them with the addition of Columbus Avenue.

Ms. Dwyer asked if there is something in the ordinance to protect owners within the zone that have only residential units now. Mr. Creighton explained they wouldn't lose their rights, it could still remain as it exists today, however if they try to add more units they would be told no.

The Board discussed commercial properties that are north of the North Main Street bridge.

Ms. Dwyer stated her concern and said she would like to know about the crime in the area north of the bridge before she can make a decision to put first floor residence.

Mr. Collopy said not long ago the downtown commercial zone was extended down to Holy Rosary Church. He went on to say the issue is the store fronts are too large for developers to make things work enough to make any money. Mr. Collopy said he can support the change but this is not a finished product.

The Board did conclude that review should be done through a Conditional Use Permit and not a Special Downtown Review.

A motion was made by Mr. Sylvain and seconded by Ms. Dwyer to recommend the City Council not approve at this time because clarification is needed. The motion carried. Mr. Sullivan and Mr. May opposed.

Mr. Sylvain called a recess at 7:58pm

Mr. Sylvain called the meeting back to order at 8:07pm

VIII. Consent Agenda

A. Farmington Associates, LLC, 60 Farmington Road

A motion was made by Mr. Collopy and seconded by Mr. Hamann to approve the extension to February 22, 2020 as requested. The motion carried unanimously.

IX. Continued Applications

A. Kenneth & Ingrid Pheonix, 8 Norway Plains Road

Joel Runnals presented the plans to the Board, saying he adjusted the frontage for the main lot with the existing house and he has pinned all the corners.

Mr. Sylvain opened the public hearing.

Gary Poulin of 2 Deerfield Court said he spoke to the owner about purchasing then proposed lot closest to him however the owner is not in favor of selling at this time.

Mr. Poulin said he is against the subdivision because he doesn't feel there is enough room and feels there are flooding issues. He stated their sump pump runs all year long because there is no drainage in his neighborhood.

Mr. Sylvain recused himself because of a conflict. Mr. May took over the remainder of the hearing for the subdivision application.

Kenneth Pheonix, applicant stated there was flooding issues when he first purchased the property sixteen years ago but hasn't had any issues since the culverts was dug out years ago.

There was no further from the public to speak; Mr. May brought the discussion back to the Board.

Mr. Runnals pointed out the culvert locations on the plan.

Mr. Fontneau asked if there are any wetlands on the third lot. Mr. Runnals said there is not.

Mr. Creighton said staff recommends accepting the application as complete and further recommends approval.

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

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the Conditional Use Permit. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Kozinski to approve the subdivision application. The motion carried unanimously.

B. Glen David's Integrity Auto, Inc., 415 North Main Street

The applicant requested a continuance to the September 9th meeting.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to continue the application to the September 9, 2019 regular meeting as requested. The motion carried unanimously.

C. Donald & Bonnie Toy, 418 Old Dover Road

The applicant requested a continuance to the September 9th meeting.

A motion was made by Mr. Walker and seconded by Mr. Kozinski to continue the application to the September 9, 2019 regular meeting as requested. The motion carried unanimously.

X. Review of June and July Surety and Inspections

Mr. Creighton said several inspections had been done for June and July. He said there are a few projects that are wrapping up so there may be some surety release requests coming.

The Board reviewed the surety lists, and discussed fears of falling into a rut like a few years ago with Public Works.

XI. Other Business

The Board briefly discussed a possible memorial plaque for Karl Morse.

XII. Adjournment

A motion was made by Mr. Walker and seconded by Mr. May to adjourn at 8:40 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planning Secretary