

**City of Rochester Planning Board**  
**Monday May 4, 2020**  
**City Council Chambers**  
**31 Wakefield Street, Rochester, NH 03867**  
*(These minutes were approved on May 18, 2020)*

**Members Present**

Nel Sylvain, *Chair*  
Mark Collopy, *Vice Chair* – left at 8:30pm  
A. Terese Dwyer  
Tim Fontneau  
Robert May  
Mark Sullivan  
Dave Walker

**Members Absent**

Daniel Rines

**Alternate Members Present**

Donald Hamann  
Peter Bruckner

Staff: James 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.)

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Mr. Sylvain called the meeting to order at 7:00 p.m. and made the following statement:

Good Evening, as Chairperson of the Planning Board I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

**a.) Providing public access to the meeting by telephone:** At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. This is currently set to allow the public to "listen-in" only, there will be no public comment taken during the meeting.

**Phone number: 857-444-0744**  
**Conference Code: 843095**

**b.) Public Access Troubleshooting:** If any member of the public has difficulty accessing the meeting by phone, please email [crystal.galloway@rochesternh.net](mailto:crystal.galloway@rochesternh.net) or call 603-335-1338.

**c.) Public Input:** Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the Planning Board (Public Hearing and/or Workshop settings) are encouraged to do so by the following methods:

- **Mail:** Planning Department / Public Input, 33 Wakefield Street, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **email** [crystal.galloway@rochesternh.net](mailto:crystal.galloway@rochesternh.net) (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-335-1338 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

**d.) Roll Call:** Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name and ward, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. Additionally, Planning Board members are required to state their name each time they wish to speak.

The Planning Secretary conducted the roll call. All Planning Board members were present with the exception of Mr. Rines who was excused. In addition, all Planning Board members indicated that they were alone in the location from which they were connecting remotely.

### III. Seating of Alternates

Mr. Bruckner voted in place of Mr. Rines.

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### IV. Communications from the Chair

Mr. Sylvain announced that Mr. Campbell is taking a new position in Maryland and will be leaving the City at the end of May.

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### V. Approval of Minutes

*A motion was made by Mr. Walker and seconded by Mr. May to approve the April 20, 2020 meeting minutes. The motion carried unanimously by a roll call vote.*

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### VI. Consent Agenda:

Ms. Dwyer recused herself from voting.

#### A. Greatwoods Development, LLC – Impact Fee Waiver Request

*A motion was made by Mr. Collopy and seconded by Mr. May to approve the consent agenda. The motion carried unanimously by a roll call vote.*

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## **VII. New Applications**

### **A. City of Rochester, 294 & 296 Rochester Hill Road**

Scott Lawler of Norway Plains Associates presented the plan for a 3-lot subdivision along Rochester Hill Road and Innovation Drive. He explained the current lots will be combined and then the 3-lot subdivision will be done. Mr. Lawler went on to explain the proposed subdivision. He said the City of Rochester has a potential buyer for the larger of the three lots and there is a proposed site plan being developed.

Mr. Sylvain asked if there was an input for the public hearing. Mr. Campbell said staff had not received any input. Mr. Sylvain brought the discussion back to the Board.

Mr. Campbell said staff recommends the application be accepted as complete and further recommends approval.

Mr. Sullivan asked what the vision is for the two smaller lots as they are too small for a larger developer. Michael Scala, Director of Economic Development explained there is a buyer interested in the smaller lot along Rochester Hill Road, that is a smaller development. He said lot one was created to support a 15,000 s.f. building.

There was discussion regarding the size and shape of the lots and endorsements from the REDC and the TIFF Advisory Committee.

*A motion was made by Mr. Walker and seconded by Mr. Bruckner to accept the application as complete and approve the subdivision. The motion carried by a 6 to 2 roll call vote.*

### **B. Intec Automation, Inc., Ten Rod Road**

Intec Automation, Inc. owner Cory Marcotte explained they build custom machinery for companies such as Johnson & Johnson and Abbott Laboratories. He said they are a mechanical and electrical design firm that builds equipment for clean room manufacturing of medical supplies and medical kits, as well as some automotive and aerospace parts. Mr. Marcotte said they have been in Rochester for about 17 years doing light manufacturing services.

Ken Wood of Attar Engineering explained the proposed site plan to construct a 30,000 s.f. building. He said the hours of operation will be 8:00am to 5:00pm, currently there are 15 employees but could be a maximum of 25.

Mr. Wood said they are requesting a waiver for wetland buffer reduction from 50 feet to 25 feet. He went on to say the Board was given material for stormwater management, survey, topography plan, a landscaping plan, a lighting plan, and an architectural plan.

Mr. Sylvain asked if there was any input for the public hearing. Mr. Campbell read the following:

We are the McPhersons and we live across the street from the proposed Plan. Our concern is the drainage from the project. All the water from up on the hill ends up in our back yard and we are concerned that there

will be even more water with this project. We don't want it to end up in our basement. Are there any plans to relieve this problem?

Thank you

Howard and Kathy McPherson

23 Ten Rod Road

Rochester, NH

Phone: 603-332-9105

There were no further comments from the public; Mr. Sylvain brought the discussion back to the Board.

Mr. Campbell said staff and the Conservation Commission suggest the Board approve the Conditional Use Permit. He went on to say staff recommends the Board accept the application as complete, and further approve the application. Mr. Campbell reminded the applicant they will be assessed and impact fee which has been included in the notice of decision.

Mr. Fontneau asked about the architectural plans because he said the site will be visible from both Ten Rod Road and the highway. Mr. Wood showed an example of what the building will look like. He said the office portion of the building will face Industrial Drive, with the warehouse in the back. Mr. Wood went on to say visibility will be omitted because the wetlands are woods with 25 feet reserved for the buffer. He told the Board he took photographs during the winter and the site was pretty well screened.

Mr. Sylvain asked Mr. Wood to address the abutters concerns. Mr. Wood explained currently the water drains from both directions thru culverts and swales. He said the stormwater management report shows a decrease in water with their proposed design.

There was a brief discussion regarding Industrial Drive and site distance. Mr. Sylvain said he would like to see a sign placed that indicates trucks entering.

*A motion was made by Mr. Walker and seconded by Mr. May to accept the application as complete. The motion carried unanimously by a roll call vote.*

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to grant the Conditional Use Permit. The motion carried unanimously by a roll call vote.*

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the site plan. The motion carried by a 7 to 1 roll call vote.*

### **C. Chinburg Properties, 10 & 14 North Main Street**

Brian Jones of Allen & Major Associates presented the site plan for 51 residential units with 2,300 square feet of commercial space on the ground floor. He explained they are proposing to restore the North Main Street façade and construct a new four story building with parking below at the rear of the site. Mr. Jones went on to explain the site plan, parking, the drainage plan, and the landscape plan with the Board.

Mr. Sylvain asked if there was any input for the public hearing. Mr. Campbell read the following:

With regard to Case #121, Chinburg Properties:

First of all I want to applaud all those involved in putting this project together. I fully support any efforts to develop the existing downtown properties and the addition of additional housing for Rochester residents.

In reviewing the application, one issue stands out and I am concerned about. The plan proposes 51 residential units, but only includes allocation of 14 parking spaces. What is the plan for anticipated additional resident vehicle parking? It appears there is potential for at least another 37 or even more vehicles, not to mention visitor parking? Thank you.

Regards,  
Michael W. Vachon  
113 Wakefield St  
Rochester, NH 03867

Steve Beaudoin  
24 Hemlock St.  
Rochester, NH 03867

April 30, 2020

Dear board members,

You will be considering case # 121 – 10 & 120 – 361 – DTC – 20 at your next meeting. According to the application documents, the city has tentatively agreed to a twenty year lease with the applicant for 45 parking spaces in the Congress St. lot. According to my count, using a satellite image, that lot only has 38 spaces available. When that image was taken, 20 of those spaces were in use. Farther down Congress St., there are approximately 8 spaces available with an additional 10+/- spaces available at the Portland St. and Charles St. lot or a total of 56 available spots. With Chinburg leasing 45 of those spots, there are only 11 surplus spots.

What is the city's plan to provide parking for those that currently use these lots? Will they be displaced by the no doubt reserved parking that Chinburg Developing will be entitled? Will those of us that have current tenants that have used these lots for decades be given an equal opportunity to lease and reserve parking for our tenants? Finally, what advantage does this entire project serve for the taxpayers of Rochester? Is there additional tax revenue? I would say no. In fact, with the exception of two derelicts buildings getting a facelift, there are only disadvantages to the taxpayer. There will no doubt be additional burden on our police, fire, schools, water, and sewer infrastructure with literally NO additional tax revenue being generated by the project.

The Board needs to consider this proposal carefully. Your objective on this board is protect the interests of ALL of the taxpayers of the city. This project, as proposed, will do NOTHING to further the financial interests of the city and should not be subsidized by the rest of the taxpayers.

Thank you,  
Steve Beaudoin

There were no further comments from the public; Mr. Sylvain brought the discussion back to the Board.

Ms. Dwyer said she is concerned with parking in town for visitors.

Mr. Collopy asked about water and sewer for an additional 51 units. Mr. Jones explained they've had a couple meetings with Public Works and said they have worked out necessary steps if needed.

Mr. May asked about safety for the building. Mr. Jones said the walkway will be lit and there will security cameras on site.

Mr. Fontneau asked if the residential units will be accessible from North Main Street. Mr. Jones said yes, they would.

Mr. Sylvain asked when the applicant is proposing to start construction. Matt Assia of Chinburg Properties said it would be in July.

Mr. Fontneau expressed his concern with the applicant leasing 45 parking spaces from the City. Mr. Scala said Public Works is slated to re-pave Charles Street which has the potential to add 9 to 10 parking spaces.

There was discussion regarding the age of the existing water and sewer lines.

Mr. Campbell said staff suggests the Board approve the Conditional Use Permit and the waiver request for parking. He said further staff recommends the Board accept the application as complete and approve the site plan.

*A motion was made by Mr. Walker and seconded by Mr. May to accept the application as complete. The motion carried unanimously by a roll call vote.*

*A motion was made by Mr. Walker and seconded by Mr. May to grant the Conditional Use Permit. The motion carried unanimously by a roll call vote.*

*A motion was made by Mr. Walker and seconded by Mr. May to grant the waiver for Site Plan Regulation Article III Section 10 (Parking and Circulation). The motion carried unanimously by a roll call vote.*

*A motion was made by Mr. Walker and seconded by Mr. May to approve the site plan. The motion carried unanimously by a roll call vote.*

#### **D. Groen Construction, Inc., 124 Meaderboro Road**

The applicant requested a continuance to the July 6, 2020 meeting.

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to continue the application to the July 6, 2020 meeting. The motion carried unanimously by a roll call vote.*

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#### **VIII. Other Business**

There was no other business to discuss.

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## **IX. Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Fontneau to adjourn at 8:48 p.m. The motion carried unanimously by a roll call vote.*

Respectfully submitted,

Crystal Galloway,  
*Planning Secretary*