

City of Rochester Planning Board
Monday October 5, 2020
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on November 2, 2020)

Members Present

Nel Sylvain, *Chair – arrived at 7:31pm*
Mark Collopy, *Vice Chair*
Peter Bruckner
A. Terese Dwyer
Tim Fontneau
Daniel Rines
Robert May
Mark Sullivan
Dave Walker

Members Absent

Alternate Members Present

Paul Giuliano
Donald Hamann
Lance Whitehill

Staff: Shanna B. Saunders, *Director of Planning & Development*
Seth Creighton, *Chief Planner*
Crystal Galloway, *Planning Administrative Assistant II*

(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. Collopy 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 or call 603-335-1338.

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, Ms. Dwyer, and Mr. Sullivan who were 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. Giuliano voted in place of Mr. Sylvain until his arrival.

IV. Communications from the Chair

Mr. Sylvain explained how the in-person meetings will be held and how, in order to keep social distancing he will split up Board members into an in-person group and an at-home group that will then swap each month.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. May to approve the September 21, 2020 meeting minutes. The motion carried unanimously by a roll call vote.

VI. Consent Agenda

A. Prep Partners Group, LLC, 0 Innovation Drive

B. EIP Communications I, LLC, 133 Blackwater Road

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

VII. New Applications

A. Dance Dynamics

Mr. Collopy recused himself from this application.

A motion was made by Mr. Walker and seconded by Mr. Sullivan to nominate Mr. May to fill in as acting Chair for this application. The motion carried unanimously by a roll call vote.

Applicant Jaime Hebert explained the former use of the space she is renting for her dance studio. She said she has requested a waiver for parking and explained there is onsite parking as well as offsite parking around the corner.

Mr. May asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

Ms. Saunders explained the use is classified as indoor recreation which requires a conditional use permit. She said staff recommends the Board accept the application as complete and approval. Ms. Saunders explained the three general conditions of approval.

Mr. Walker asked how many students the applicant proposes to have. Ms. Hebert explained there will be six in each class right now due to the COVID-19 restrictions but normally there are ten.

Mr. Giuliano asked what the hours of operation will be. Ms. Hebert said the hours are 4:00pm to 9:00pm but could have classes during the day if she opens up home school classes or mommy-me classes.

Mr. Fontneau said he believes this a great use for the space and is glad to see something additional happening in the building.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to accept the application as complete and close the public hearing. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the parking waiver and conditional use permit with the conditions specified. The motion carried unanimously by a roll call vote.

B. Hope on Haven Hill, Inc., 326 Rochester Hill Road

Scott Lawler of Norway Plains Associates presented the site plan to construct a 24' x 36' building that will be utilized as a multi-purpose space for staff and patrons of Hope on Haven Hill.

Mr. Lawler explained there will not be an increase in the number of employees or the occupancy of residents. He went on to say they will be reconstructing and re-paving the driveway and parking lot.

Mr. Collopy asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

Ms. Saunders said staff recommends the Board accept the application as complete.

Mr. Fontneau said this is an important project for the City as the applicant has done great things. He asked if the proposed barn will be designed to replicate an older barn so that it fits with the property. Applicant Kerry Norton said the building was designed to replicate the barn that was taken down last fall.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to close the public hearing and accept the application as complete. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the site plan application with the conditions cited. The motion carried unanimously by a roll call vote.

C. Pella Windows and Doors of New England, 109 Airport Drive

Scott Lawler of Norway Plains Associates presented the site plan and conditional use permit to construct a 24,000 square foot building for a distribution warehouse and executive offices. He said they are seeking a parking waiver to allow 43 spaces when 51 are required due to the number of employees and nature of the business.

Mr. Lawler explained the traffic that will be entering the site. He said they expect two to three tractor trailer trucks entering and exiting the site over the course of a week.

Mr. Collopy asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to close the public hearing and accept the application as complete. The motion carried unanimously by a roll call vote.

Ms. Saunders explained a conditional use permit is required and the applicant will be going before the Conservation Commission on October 28th. She said she recommends the Board approve the application contingent upon approval by the Conservation Commission.

Ms. Saunders said staff recommends granting the waiver for parking requirements. Ms. Saunders went over the recommended precedent and general conditions of the notice of decision.

Mr. Bruckner asked what the roof materials are. Mr. Lawler explained the roof will be light gray and will be a single pitch from front to rear.

Mr. Sullivan asked if impact fees are to be calculated at the time of approval so it's not a surprise to the applicant. Ms. Saunders said it will be added to the notice of decision.

Mr. Giuliano asked if the Planning Department will be working with the applicant regarding pedestrian traffic. Mr. Lawler explained they are not anticipating an issue with pedestrian traffic and tractor trailer traffic.

Mr. Collopy asked what type of lighting they will have for security. Mr. Lawler said they will have pole lights for the parking lot and wall mounted lights on the building.

There was a brief discussion regarding the need for crosswalks from the proposed parking lot to the building. The Board asked for a condition of approval to address this.

A motion was made by Mr. Walker and seconded by Mr. Bruckner to approve the waiver request and the conditional use permit contingent upon approval by the Conservation Commission. The motion carried unanimously by a roll call vote.

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

VIII. Suggested zoning amendment - Murals

Ms. Saunders explained the changes made from the comments at the last meeting. She said murals would be allowed in downtown commercial district, the highway commercial district, neighborhood mixed use district, office commercial district, and the granite ridge development district. Ms. Saunders said this includes the areas of Gonic and East Rochester as well.

She went on to explain how applicants submit applications and said anything within the historic district would be required to go before the Historic District Commission.

Mr. Sullivan asked about the section of the proposed ordinance that speaks to murals that contain vulgar, obscene etc images and how murals can be regulated but signs are not able to be regulated. There was a discussion regarding the First Amendment. It was the consensus of the Board to have the City's legal counsel at the workshop meeting to speak to this question.

Mr. Bruckner said he thinks the Arts and Culture Commission should be written into the Ordinance not just the Historic District Commission. He said the Board should keep in mind we want to enhance public space.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to table the discussion to the October 21, 2020 workshop meeting. The motion carried unanimously by a roll call vote.

IX. Other Business

There was no other business to discuss.

X. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Collopy to adjourn at 8:09 p.m. The motion carried unanimously by a roll call vote.

Respectfully submitted,

Crystal Galloway,
Planning Administrative Assistant II

And

Shanna B. Saunders,
Director of Planning & Development