

City of Rochester Planning Board
Monday September 19, 2022
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on October 3, 2022)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Peter Bruckner
Keith Fitts
Don Hamann
Mark Sullivan
Dave Walker

Members Absent

Paul Giuliano, *excused*
James Hayden, *excused*
Michael McQuade, *excused*

Alternate Members Present

Alexander de Geofroy
Matthew Richardson

Staff: Shanna B. Saunders, *Director of Planning & Development*
Ryan O'Connor, *Senior Planner*

(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.)

I. Call to Order

Mark Collopy called the meeting to order at 6:30 p.m.

II. Roll Call

Shanna Saunders conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Alternate Matthew Richardson to vote in place of Paul Giuliano.

IV. Communications from the Chair

There were no communications from the chair.

V. Opening Discussion/Comments (up to 30 minutes)

A. Public comment

There was no one from the public present to speak

B. Discussion of general planning issues

There was no discussion on general planning issues

VI. Draft Rezoning Indoor Recreation in Industrial Zones

Shanna Saunders discussed the draft rezoning for Indoor Recreation in the industrial zone. Ms. Saunders explained that multiple variances have been granted for indoor recreation uses in the industrial zone in the past. Ms. Saunders discussed the staff recommendation to allow indoor recreation by conditional use permit. Ms. Saunders explained Article 21 of the Zoning Ordinance to allow additional criteria for the conditional use permit for indoor recreation which includes no vehicle parking directly be allowed to back directly into public drive aisle and on roadways where freight and other large vehicle movements are occurring, sidewalks shall be required and be designed with curbing, and any outside play areas shall be located such that players, errant balls and equipment shall not need to cross public ways or roads. Mr. Saunders explained that staff is looking for a recommendation to City Council.

Mr. Walker made a motion to recommend the zoning change request to City Council. Mr. Hamann seconded the motion.

Mr. Sullivan asked if there are no sidewalks where they are proposing their project and if the applicant would have to install the sidewalks. Ms. Saunders explained that the thought process is having a sidewalk from the parking area into the facility, which would be considered internal sidewalks.

Mr. Bruckner discussed having paved pathways rather than sidewalks. Ms. Saunders explained the safety reasoning for the curbed sidewalks.

Mr. Walker asked if a sidewalk around the building would meet that criteria. Ms. Saunders said it would be case specific.

Mr. Collopy expressed his concern with preventing a particular use from being able to attain a CUP because of the sidewalk requirement.

S. Saunders suggested that the wording could be changed to read “the Planning Board MAY require sidewalks with curbing” so that its not a requirement and the Board could decide on a case by case basis. Mr. Walked amended his motion to include that wording. Mr. Hamann seconded the amendment.

The motion carried by a unanimous voice vote.

VII. Manufactured/Affordable Housing Discussion

Ms. Saunders discussed the existing conditions for manufactured housing parks in Rochester; the City Currently has 21 parks. Ms. Saunders explained that Rochester is recognized as the City within the State of NH that has the most manufactured housing parks. There are currently 2,515 manufactured housing (MFH) units in Rochester, with 2,204 in parks and 311 on their own land. This makes up 23% of Rochester’s total housing unit stock. Ms. Saunders discussed the concern of manufactured housing being seen as a new business venture and the pricing of the units not being seen as the affordable choice. Ms. Saunders explained that large national conglomerates are buying manufactured housing parks. Ms. Saunders discussed the state law that requires a MFH Park sale to be first offered to the residents as a Coop. Ms. Saunders discussed the current zoning for MFH parks and that there are still parks that can continue to build out their park per what was approved prior.

Mr. O’Connor discussed the density rings within the three City centers, Downtown, East Rochester, and Gonic. Mr. O’Connor explained the conservation subdivisions that allow higher density outside of the density rings and the accessory dwelling units that are allowed in all zones as long as they are attached to a single family home with a maximum size of 800 sf. Mr. O’Connor discussed the Downtown Commercial Zone housing and the Residential-2 housing and the types of units within each zone. Mr. O’Connor discussed the affordable housing being built today including a 10-unit homeless shelter, a 53 unit buildout of a grandfathered MFH Park, 102 HUD restricted affordable housing units, 65-unit affordable senior living housing facility, and 16 affordable duplex units. Mr. O’Connor went over the current housing under construction.

Ms. Saunders explained that there was an ask for the Planning staff to re-look at the manufactured housing ordinance within the City and given all the data Planning staff recommend that no changes be made to manufactured housing in the existing ordinance in specific. Ms. Saunders discussed possibly making changes to affordable housing, in general, including working closer with the community loan fund regarding Coop-parks, updating the accessory dwelling unit ordinance to allow larger units, updating the Conservation Subdivision Ordinance, incentivizing affordable units into more development proposals, completing a Housing Master Plan and she asked for any other ideas from the Board.

Mr. Walker asked if the accessory dwelling units must be attached to the primary home. Ms. Saunders explained that they do not have to be attached and can also be above a garage, but detached needs a special exception from the ZBA.

Ms. Saunders said the Land Use Master Plan was last done in 2002. Ms. Saunders discussed the other Master Plans that will begin to be updated as well. Ms. Saunders turned the discussion over to the Board.

Mr. May asked about manufactured homes being allowed in the agricultural zone and if that means a park can be put in? Ms. Saunders explained that it allows for a manufactured home to be put on its own lot, but a park cannot be built. Mr. May asked about the state law allowing residents to create a Coop and if it pertains to in all sales including in-state sales. Ms. Saunders explained that it does include in-state sales.

Mr. Walker asked if there are any regulations or requirements for the mini homes. Ms. Saunders explained that the mini homes are not prohibited but what holds up the tiny home developers is the building codes and minimum room requirements.

Ms. Saunders asked if there was any feedback on Staff suggestions, including updating the ADU size, updating the conservation subdivision ordinance, and incentivizing affordable housing like Dover does. Mr. Hamann explained that he would like to see some incentives for affordable housing.

Mr. de Geofroy asked what the background is on the 800 sf maximum for the accessory dwelling unit and if there was a reason to not increase the ADU maximum. Ms. Saunders explained that the number may have come from a state statute. Ms. Saunders offered to do some research to see what other towns/cities are doing for ADUs.

Mr. Collopy agrees that the City has plenty of manufactured housing parks. Mr. Collopy explained that affordable housing is an issue, but so is housing in general. Mr. Collopy discussed the subdivisions that have been approved but still have had no groundbreaking development. Mr. Collopy discussed evaluating the infrastructure in order to make sure our environment can support the housing that will be put in in the future. Mr. Collopy supports updating the Master Plans.

Mr. Fitts requested getting more information on the percentage that other towns have of manufactured housing parks. Mr. Fitts expressed his concern with developers' expressing opinions about affordable housing regulations in the City, as they have a vested interest.

Mr. de Geofroy expressed his concern with the issue for consolidation with housing and how it increases rents across the board. Mr. de Geofroy said that he supports working with CLF but wants to know what that looks like for the City. Ms. Saunders explained that it is important to let residents know that they are a resource and that they are willing to come to a meeting to discuss their mission.

Mr. Walker asked how many Manufactured Coops there are within the City. Mr. O'Connor said there are 4 within the City. Mr. Richardson said Silverbell, and Windswept are Coops.

Mr. Collopy discussed the variety of projects that have come forth and that there seems to be a good blend of them all.

Mr. May supports reviewing the ADU ordinance.

Mr. Bruckner explained that he supports looking at the affordable housing and make it more of an incentive for developers.

VIII. Surety Release Request for The Homeless Center for Strafford County, 202 Washington Street in the amount of \$30,444.01

Ms. Saunders explained that Planning and Department of Public Works reviewed the release and staff supports the release of the surety. Ms. Saunders said the landscaping is beautiful and that the applicant did a great job finishing up.

Mr. Walker made a motion to release the surety in the amount of \$30,444.01. Mr. May seconded the motion. The motion carried by a unanimous voice vote.

IX. Surety Release Request for EIP Holdings II, LLC, 156A Lowell Street in the amount of \$8,931.24 plus interest

Ms. Saunders explained the surety is for a cell phone tower that had some erosion control and Public Works has reviewed it and is recommending release.

Mr. Walker asked if there is any surety being held in case of removal of the tower. Ms. Saunders explained that state law prohibits the city from holding money for that reason.

Mr. Walker made a motion to approve the release of surety in the amount of \$8,931.24 plus interest. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

X. Review of inspections and surety for August 2022

Ms. Saunders went over the inspections for the month of August.

Ms. Saunders discussed the surety report for August. Ms. Saunders explained staff is still working with Lydall, Village at Clark Brook, and Waste Management to get draw downs complete. Ms. Saunders discussed Highfields expired bonds and that staff is in communication with them. Ms. Saunders explained that there is no work being done at Highfields at the moment.

Mr. Walker asked about Boston North Construction that will be expiring in October 2022. Ms. Saunders said they have received one letter.

Mr. Collopy asked if Highfields is ready for winter. Ms. Saunders said that Highfields is looking good for the winter. Ms. Saunders said that Renee Mclsaac started today as the Planner I. Ms. Saunders explained that Ms. Mclsaac will be sending letters to all current development reminding them of winter stabilization.

Mr. Fitts commented that notes pertaining to Highfields are not visible on the spreadsheet.

Mr. Sullivan asked about the additional surety being held for EIP Holdings II, LLC in the amount of \$30,000.00. Ms. Saunders discussed getting together with legal counsel and finance office to determine if that needs to be released as well.

Mr. Sullivan asked for an update on the DiBerto subdivision and the \$95,000.00 that is being held. Ms. Saunders explained that staff continues to be in negotiation with them.

XI. Other Business

A. Planning Update

Ms. Saunders discussed the Conservation Subdivision on Autumn Street and staff is proposing a joint site walk with Planning Board and Conservation Commission on September 27 at 4 p.m. starting at the Sandina Drive cul-de-sac. Ms. Saunders explained to the Planning Board that it will be posted as a joint meeting so that planning board members can attend.

Ms. Saunders discussed the Rochester Listens session scheduled for September 22, 2022 at 7 p.m. at the Gonic Elementary School.

Ms. Saunders discussed the draft solar ordinance and getting a third party review before bringing it back to the Planning Board.

B. Other

No other business to discuss

XII. Adjournment

Mr. Walker made a motion to adjourn the meeting at 7:20 p.m. Mr. Bruckner seconded the motion. The motion carried by a unanimous voice vote.

Respectfully submitted,

Ashley Greene
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development