**City of Rochester Planning Board**

Monday March 2, 2015

City Council Chambers

31 Wakefield Street, Rochester, NH 03867

*(These minutes were approved on March 16, 2015)*

*Members Present*

Nel Sylvain, *Chair*

Rick Healey, Vice Chair

Matthew Kozinski, Secretary

Charles Grassie, Jr.

James Gray

Mark Sullivan

Dave Walker

Tom Willis

*Members Absent*

Tim Fontneau, excused

Robert Jaffin, excused

*Alternate Members Present*

Fred Leonard

Robert May

Staff: James Campbell, Director of Planning & Development

 Crystal DeButts, 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. Healey called the meeting to order at 7:00 p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Leonard voted in place of Mr. Jaffin and Mr. May voted in place of Mr. Fontneau.

**IV. Communications from the Chair**

Mr. Sylvain reminded the Board registration for the Spring Conference is now open.

**V. Approval of minutes**

*A motion was made by Mr. Walker and seconded by Mr. Kozinski to approve the February 23, 2015 meeting minutes. The motion carried unanimously.*

**VI. New Applications**

 **A. 201 Storage, LLC, 201 Highland Street**

Mike Sievert of MJS Engineering explained to the Board they are requesting an amendment to the approved site plan. Mr. Sievert went on to say they are seeking approval for the second building as well as three changes to the site plan. He said they would like to change the fencing in the front from chain link to an ornamental fence, and eliminate the fencing from the rest of the site. Mr. Sievert said the second change would be to the buildings that boarder the rear perimeter. He explained they would also like to change the material from aluminum to metal so that everything will match.

Mr. Gray asked if the developer has approached the abutter with all the proposed changes as they had a number of issues when the project originally came before the Board. Mr. Sievert said they have had discussions with the abutter and are okay with all the changes.

Mr. Sylvain opened the public hearing.

Sarah Nice of Woodland Green informed the Board the developer had discussed all the proposed changes with her and she supports all the changes being made.

Mr. Walker asked where the HVAC system would be located. Mr. Sievert said it was not shown on the plan however, he believed it will be located on the roof. Mr. Walker asked what the roof height is. Mr. Sievert stated it is approximately 9 feet plus 2 to 3 feet for the HVAC units.

Mr. May asked if there would be a generator and if so where would it be located. Mr. Sievert said yes, there would be a generator located behind the main building and all lines for it would be run underground.

Mr. Sylvain said the Board will need to know what the dimensions are for the HVAC units on the roof are as they may require screening. He went on to say there will be a stipulation in the notice of decision for the dimensions of the units and the location of the generator will need to be shown on the plan before any permits will be given. Mr. Sylvain went on to say he is concerned with staggered roof that is proposed for the second building as there may be issues during the winter with drifting and snow loads.

Mr. Willis asked what the proposed ornamental fencing will look like and how high it will be. Mr. Sievert said they haven’t chosen a fence yet but it will be 6 feet high black rod iron. He went on to say there will still be a keyed gate to gain access to the facility.

Mr. Willis asked what they will use for security. Mr. Sievert said they will have security cameras. Mr. May asked if there were any concerns from police. Mr. Sievert said there weren’t any concerns discussed at TRG.

*A motion was made by Mr. Sylvain and seconded by Mr. Healey to approve the application with the following stipulations:*

* *The plan is to show the HVAC units with screening*
* *The plan is to show the location of the generator*
* *The roofline is to be the first rendition shown*
* *The plan is to show the type of fence to be used*
* *Must have working cameras on site*

*The motion carried. Mr. Walker opposed*

**B. Ervine Fazeekas, Milton Road/Flat Rock Bridge Road**

Mr. Campbell explained the Engineer requested a postponement due to a family emergency.

*A motion was made by Mr. Sylvain and seconded by Mr. Walker to postpone to the March 16th meeting. The motion carried unanimously.*

 **C. Quantum Real Estate Group, LLC, 66 Rochester Hill Road**

FX Bruton said he is representing Quantum Real Estate Group, LLC. He went on to say they are proposing 40 townhouse style units that they brought before the Board in September as a preliminary site plan. Attorney Bruton said they took the comments from that meeting and made the changes to the site plan. He went on to say the project went before the Conservation Commission for the conditional use permit at which time the abutter stated he had some concerns regarding the wetlands and the Conservation Commission thought it would be a good idea to have a third party soil scientist review the property.

Bob Stowell of Tritech Engineering explained the layout is the same as proposed in September, and they have been to TRG 3 more times since then. He said there had been an issue with the sprinkler system and how it would be separated from the main water supply, but that has been worked out with the fire department. Mr. Stowell went on to explain the elevations and said they worked with City Staff regarding the look of the buildings.

NH Certified Wetlands Scientist Thomas Sokoloski of Schauer Environmental Consultants, LLC told the Board he reviewed the areas not delineated earlier and explained to the Board the areas he took samples from and investigated. He went on to say the methodologies require the presence of indicators for the three parameters: hydric soils, hydrophytic vegetation and evidence of hydrology at or near the surface for 14 days during the growing season need to be present. Mr. Sokoloski said overall the majority of the vegetation on site typically grows in upland rather than wetland settings. He said he also found a large amount of bittersweet which is not found in wetland areas. He went on to explain all 12 soil probes conclusively exhibited characteristics of non-hydric soils, explaining poorly drained soil would be black or very dark brown mineral surface layers underlain by gray subsoil layers. He said most of the subsoil layers observed in the 12 probe locations had bright colors which indicate that they do not experience extended periods of saturation.

Mr. Sylvain opened the public hearing.

Attorney Jerry Grossman stated he was there representing Frank Chiaramitaro who owns the abutting property. Attorney Grossman said his client isn’t against the project he just has concerns such as wetland and wetland buffer delineations; incomplete and potentially inaccurate density calculations; non-conformance of parking areas; no proposed recreation areas or facilities; fire safety and municipal water supply; inadequate side line buffers to abutting property; flow of untreated storm water to abutting property; unsubstantiated request for wetlands disruption; and inadequate and inappropriately located snow storage locations.

Mr. Sylvain said there are serious issues. He went on to say the Board will need time to review the materials given by both the applicant and the abutter.

Mr. Sylvain stated a lot of the issues brought up by the abutter have been addressed by staff. Mr. Leonard suggested both Attorneys’ review the material.

Mr. Willis asked if the units would be condo’s with owners or rentals. Mr. Stowell said they will be both, it would depend on the economy but they will be starting out as rentals. Mr. Willis asked if there will be a manager on site. Mr. Stowell said no, they will be using a management company in town.

Mr. Sullivan said there had been 66 points made in the City Engineers memo and asked if those items have been addressed. Mr. Campbell informed the Board those issues have been addressed.

Mr. Willis asked if there would be a master meter for the utilities. Mr. Stowell said that was one of the issues still being worked out.

Mr. Gray suggested City Staff investigate the abutters concerns. Mr. Grassie said he would like the Board to get a memo from staff with their determination and recommendations.

Mr. Walker asked how long it would take the Planning Staff to address the issues. Mr. Campbell said staff should have answers within 2 weeks.

Mr. Sylvain asked if the Mr. Chiaramitaro has a copy of the plans. Mr. Stowell said the plans are on file with the Planning Department.

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

*A motion was made by Mr. Sylvain and seconded by Mr. Walker to continue to the March 16, 2015 meeting. The motion carried unanimously.*

**VII. Other Business**

Mr. Campbell informed the Board One Wakefield Street had a Special Downtown review to renovate the upper floors from office space to apartments and leave the lower level as retail space. He went on to say the applicant had also been approved by the City Council for 79E.

Mr. Campbell asked if any of the Board Members had any issues with the project.

Mr. Willis asked if there would be any structural changes. Mr. Campbell said no, they would just be renovating the interior.

No one had any issues with the project being reviewed as Special Downtown.

Mr. Walker asked for an update regarding revoking the approval for the Ebony Lane development. Mr. Campbell said he did meet with the City Attorney; however he didn’t believe it should be discussed behind closed doors.

Mr. Sylvain informed the Board they will meet with the City Attorney at 6:30pm on March 16th.

**VIII.** **Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Healey to adjourn at 8:36 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal DeButts,

Planning Secretary