

City of Rochester Planning Board
Monday December 4, 2017
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on January 8, 2018)

Members Present

Nel Sylvain, *Chair*
Dave Walker, *Vice Chair*
Matthew Kozinski, *Secretary*
Tim Fontneau
Robert May
Mark Sullivan
Tom Willis

Members Absent

Terry Dwyer, *excused*
James Gray, *excused*
Jeremy Hutchinson, *absent*
Kyle Starkweather, excused

Alternate Members Present

Joyce Bruckner

Staff: James B. Campbell, *Director of Planning & Development*
Seth Creighton, *Chief 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.)

Mr. Sylvain called the meeting to order at 7:00 p.m.

The Planning Secretary conducted the roll call.

III. Seating of Alternates

Ms. Bruckner voted in place of one of the vacant regular member positions.

IV. Communications from the Chair

Mr. Campbell announced there would be a change to item C under new applications from Quantum Real Estate Group. He said there will be an introduction from the applicant but there will not be a public hearing. Mr. Campbell said the application is not complete so the Board will not be accepting it. He also said the Board will decide whether or not they will be conducting a site walk.

Mr. Sylvain reminded the Board there will not be a workshop meeting for December, the next meeting will be on January 8, 2018.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. May to approve the November 20, 2017 meeting minutes. The motion carried unanimously.

VI. Extensions/Continued Applications:

A. D.R. Lemieux Builders, Inc., 114 Rochester Hill Road – Extension

Joel Runnals of Norway Plains Associates explained the request for extension. He said the applicant is in the process of getting financing through NH Housing Finance Authority and is hoping to hear back from them around the 15th of January.

Mr. Campbell said staff recommends granting the six month extension request.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the extension to June 6, 2018. The motion carried unanimously.

B. Paul & Sue Normand, 52 Pondview Lane – Subdivision

Mr. Runnals explained the history of the road which went back to 1978. He explained there are two houses on the lot to be subdivided because the way the Zoning Ordinance read in 2003 if you could prove the property could be subdivided you could build two homes on one lot.

Mr. Runnals said the applicant was granted a variance in 2012 to do a subdivision up to 4 lots but he only did three at the time. He said the two homes have the correct frontage and approved septic systems and wells.

Mr. Sylvain opened the public hearing. No one from the public was present to speak; he brought the discussion back to the Board.

Mr. Campbell said staff recommends accepting the application as complete and would recommend approval. He said the applicant is also requesting two waivers, one for topography and one from Subdivision Regulations 5.2.4 which discourages long narrow lots. He said staff supports both waiver requests.

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

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the two waivers. The motion carried unanimously.

Mr. Fontneau asked if the issues with the road have been resolved. Mr. Campbell said yes, they have been worked out.

There was a brief discussion regarding who maintains the road and if there is a home owners association. Mr. Runnals said the applicant maintains the road and yes, there is a HOA.

A motion was made by Mr. Fontneau and seconded by Mr. Sullivan to approve the application. The motion carried unanimously.

VII. New Applications:

A. Gary & Tiffany Randall, 0 Main Street – Conditional Use Permit

Christopher Berry of Berry Surveying & Engineering explained the conditional use plan. He said when the City did Comprehensive Rezoning the lot was rezoned as Neighborhood Mixed Use. He said this particular area doesn't have a lot of commercial activity where the neighborhood mixed use build to line shouldn't apply to construct a single family home; adding especially to an exciting lot of record.

Mr. Sylvain opened the public hearing.

Stan Patrakis of 6 Mill Street said he is opposed to the project.

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

Mr. Campbell said staff recommends accepting the application as complete and approving the application.

Mr. Fontneau asked if the conditional use permit is to allow the house to be built further back on the lot. Mr. Campbell said yes.

Mr. Willis asked if there is city water and sewer on site. Mr. Berry said he wasn't sure.

The applicant Tiffany Randall said when she contacted the City originally she was told there were city hook up there because there had been a house there before. She said she has talked with the builders and they told her there will be a storage tank with a grinder and a pump going up to the sewer system.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the conditional use permit. The motion carried unanimously.

B. Quantum Real Estate Group, LLC, 156 Old Dover Road – Subdivision

There was discussion whether the Board should take a vote to conduct a site walk or not.

FX Bruton, the Attorney for Quantum Real Estate Group said they are not looking to get into the project at this time, they would just like a site walk to be scheduled.

The Board decided to hold the site walk on Saturday December 9th at 9:00 a.m. Mr. Sylvain told the applicant to make sure the proposed road is staked out.

C. Waste Management of NH, 90 Rochester Neck Road & 214 Isinglass Drive – Site Plan

Anne Reichart explained the proposed site plan. She said nothing has really changed since they were before the Board in April with their preliminary site plan. Ms. Reichart said they have presented the application to the Conservation Commission and have held a site walk with them as well.

She said they have a several waiver requests; the first is for wetland buffer impacts; the second is from Site Plan Regulations for the scale of the application drawings; the type of printing, blue lines and black lines; a waiver from the Zoning Ordinance for underground utilities; and the fifth waiver request is from Chapter 50 stormwater.

Ms. Reichart said they are hoping by the end of 2018 to early 2019 they secure all the State permits that are needed. She said if that occurs they will begin the construction of Rochester Neck Road in 2019 with the road being open and ready to transfer to the City in 2020.

Ms. Reichart said this is a 58.6 acre expansion with a site life of about 11 years. She went on to explain the changes to the residential drop off; saying they will be changing the location to adjacent to the south entrance and will begin construction in 2018.

Mr. Sylvain opened the public hearing.

Barbara Scruton-Patch of 33 Walhowdon Way spoke about the trash that comes onto her property along with the smell and the noise.

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

Mr. Campbell said staff recommends the Board approve the waivers, accept the application as complete. He said the Board should define substantial development and substantial completion for this project. He said construction and completion for the residential drop off facility by January 1, 2020 and the completion of Rochester Neck Road including this land being transferred to the City of Rochester by January 1, 2021. He said substantial completion would be completion of the residential facility and Rochester Neck Road including transfer of the land to the City of Rochester and construction of the perimeter features of the TLR III South landfill area, particularly the area berms and supporting infrastructure. He said that would give them the vesting they would need if Zoning changed.

There was a discussion regarding underground utilities.

A motion was made by Mr. Fontneau and seconded by Mr. Walker 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. Fontneau and seconded by Mr. Walker to approve waiver request #1 regarding wetland and wetland buffers. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve waiver request #2 for scale of application drawings. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve waiver request #3 for the type of print on mylars. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve waiver request # 4 from Chapter 50 for stormwater. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve waiver request #5 for underground utilities. The motion carried. Mr. Willis opposed.

Mr. Fontneau asked how high the site will be. Ms. Reichart said it will be approximately 20 feet higher than the current site.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to put forth the conditions of active development and substantial completion as stated in the staff recommendations. The motion carried unanimously.

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

VIII. Other Business

Mr. Sylvain announced this would be Mr. Willis's last meeting and thanked him for his service.

Mr. Sylvain informed the Board the Retreat will be held on January 22, 2018 at 6:30 p.m., at the Annex building.

IX. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Kozinski to adjourn at 8:47 p.m. The motion carried unanimously.

Respectfully submitted,

Seth Creighton,
Chief Planner