

City of Rochester Planning Board
Monday September 10, 2018
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on September 17, 2018)

Members Present

Nel Sylvain, *Chair*
Dave Walker, *Vice Chair*
Matthew Kozinski, *Secretary*
Mark Collopy
A. Terese Dwyer
Tim Fontneau
Robert May
Mark Sullivan

Members Absent

Alternate Members Present

Joyce Bruckner
James Gray
Donald Hamann

Staff: James B. 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.)

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 the vacant position.

IV. Communications from the Chair

Mr. Sylvain reminded the Board of the 2018 Law Lecture series and told them to contact the Planning Secretary if they are interested in attending.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. Collopy to approve the August 20, 2018 meeting minutes. The motion carried unanimously.

VI. Consent Agenda

Mr. Walker and Mr. Fontneau recused themselves from voting on these two projects. Mr. Sylvain seated Mr. Hamann to vote in place of

A. RAMA, Richard & Ruth Young, Michael Spurling – 72 Lafayette St., 19 Haig St., 19 Hoover St.

The applicant requested a continuance to the October 1, 2018 meeting.

B. Lily Rose Rev Trust of 2017, 63 Highland Street

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

VII. New Applications

A. Norman Vetter Rev Trust & Stacia Vetter Rev Trust, 53 Allen Street

Scott Lawler of Norway Plains Associates presented the plan for a contractor's storage yard. He said the property is vacant and has been recently cleared of the timber. Mr. Lawler said the applicant is proposing a 60' x 140' vehicle storage building and a 28' x 36' office building. He said the storage building will be used for company trucks, concrete forms, foundation materials such as windows, and rebar. Mr. Lawler said the proposed office building will be an office but will also have a workout room with showers and bathrooms for his employees.

Mr. Lawler said there will not be any storage of fuels or chemicals on the property and access to the property will be via a shared driveway from Allen Street. He went on to say there will be six to eight employees and the hours of operation are typically Monday thru Saturday 7:00am to 6:00pm.

Mr. Lawler explained the stormwater management system and explained there will need to be a drainage easement that will need to be recorded at the Registry of Deeds. He told the Board they located a small wetland located on the property and will be re-vegetated to provide some protection.

He went on to explain the building will be the same material and color as the applicant existing building on the abutting lot.

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 the Board accept the application as complete. He said the applicant is requesting two waivers, the first is from Site Plan Regulation 13.A.1 which requires that all stormwater drainage meet the specifications of Rochester's Chapter 50 rules. Mr. Campbell said the Department of Public Works suggests approving this increase because the rate of stormwater is decreasing and the increase in volume is not expected to affect the City's drainage system.

The second waiver is from Site Plan Regulations 13.B.3, there is to be no significant grading within 5-feet of any side or rear property line. Mr. Campbell said Staff supports this request conditional on the precedent conditions regarding easements noted below.

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

Mr. May asked what the traffic impact will be. Mr. Lawler said there will be between six to eight employees that will arrive in the morning then leave in the work vehicles.

Ms. Dwyer asked if the trucks will be cleaned out on the site. Mr. Lawler said they clean the trucks at the work site.

A motion was made by Mr. Fontneau and seconded by Ms. Dwyer to approve the two waiver requests. The motion carried unanimously.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the site plan. The motion carried unanimously.

B. Groen Construction, 122 Meaderboro Road – 2-Lot Subdivision

Christopher Berry of Berry Surveying & Engineering explained 2-Lot subdivision. He said the parcel consists of about 61 acres; they intend on carving out a minimum lot size out of the frontage and leaving the remaining land of 60 acres. Mr. Berry explained the road is a district 6 highway so there is a driveway/curb cut permit in with DOT.

He said they are not looking for approval tonight because some of the revisions that might take place for the next portion of the subdivision may affect how the lot lays out so they didn't want to finalize the plan and then have to come back for a lot line revision.

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 the applicant is requesting a continuance to the October 1st meeting.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to continue the application to the October 1, 2018 meeting. The motion carried unanimously.

C. Groen Construction, 122 Meaderboro Road – 6-Lot Subdivision

Mr. Berry explained the overview plan. He said they are proposing a small access road to access two lots toward the front and three larger building lots to the rear; the sixth lot will remain open and not built on at this time. He said the subdivision will be for the Groen family to build their homes on.

Mr. Berry explained the 2-lot subdivision along the frontage will be to offset the cost of constructing the road.

Mr. Berry told the Board the applicant has gone before the Conservation Commission for a Conditional Use Permit and they have conducted a site walk.

Mr. Berry said they have to work more on the design of the subdivision and go back to the TRG for additional review before they come back to the Board.

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 the project will require a Conditional Use Permit which the Conservation Commission supports. He said Public Works and Planning Staff requested some changes that would change some of the drainage.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to continue the application to the October 1, 2018 meeting. The motion carried unanimously.

VIII. Continued Applications

A. SDJ Development of Rochester, LLC, Fillmore Boulevard

Mr. Campbell said the applicant requested a continuance to the October 1st meeting.

A motion was made by Mr. Walker and seconded by Mr. Collopy to continue the application to the October 1, 2018 meeting. The motion carried unanimously.

IX. Other Business

A. Consent Agenda Discussion

An abutter for Lily Rose Rev Trust of 2017 said he received a notice of the meeting but wasn't given the opportunity to speak because the Board already approved the application.

A motion was made by Mr. Walker and seconded by Mr. Sullivan to reconsider Item VI B. The motion carried unanimously.

Mr. Fontneau and Mr. Walker recused themselves from voting on the consent agenda. Mr. Sylvain asked Mr. Hamann to vote in place of Mr. Fontneau and Mr. Gray to vote in place of Mr. Walker.

Abutter Kyle Repucci of 33 Jay Way said he is concerned the lot line revision will impact his property on Jay Way because the applicant currently has a car dealership located on Rte. 202. Mr. Sylvain and Mr. Campbell explained the application is only for a lot line revision, there are no further proposals and if there were any in the future he would get another notice.

A motion was made by Mr. Gray and seconded by Mr. Hamann to approve the consent agenda. The motion carried unanimously.

B. Other

Mr. Campbell said there is a vacant regular member position open due to the resignation of Mr. Starkweather. The Board held a ballot vote between Ms. Bruckner and Mr. Hamann. There will be a recommendation to the City Council to appoint Mr. Hamann to the regular member position by a 7 to 4 vote.

A motion was made by Mr. Walker and seconded by Mr. Sullivan to reconsider the decision on Stillwater Kennels. The motion carried unanimously.

Mr. Campbell said there was a lot of discussion at the last meeting regarding the number of dogs at the kennel. He said during the TRG meeting which he attended he read the note on the plan that said DES approved a two bedroom house and 20 dog kennel, which he assumed meant they were approved for 20 dogs. Mr. Campbell told the Board he contacted DES and was told their rules call out one dog per kennel, not 57 dogs for 20 kennels.

Mr. Campbell recommended bringing the applicant back to have this discussion with him.

Ms. Dwyer said she supported bringing the applicant back because there are too many lingering questions.

There was discussion regarding the number of dogs on site including the number of the applicant's personal dogs, how much the septic can handle, and the minutes from the August 20th meeting.

Mr. Walker said before the applicant comes back to the Board either he or the Planning Department need to have the answers from DES regarding the capacity of the septic system.

The motion to reconsider carried by a 6 -2 roll call vote.

X. Adjournment

A motion was made by Ms. Dwyer and seconded by Mr. Walker to adjourn at 8:23 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planning Secretary