

**City of Rochester Planning Board**  
Monday October 15, 2018  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on November 5, 2018)*

Members Present

Nel Sylvain, *Chair*  
Dave Walker, *Vice Chair*  
Matthew Kozinski, *Secretary*  
Mark Collopy  
Terry Dwyer  
Donald Hamann  
Robert May  
Mark Sullivan

Members Absent

Tim Fontneau, *excused*  
Joyce Bruckner, *absent*

Alternate Members Present

James Gray

Staff: James Campbell, *Director of Planning & Development*  
Crystal Galloway, *Planning Secretary*  
Seth Creighton, *Chief Planner*  
Michelle Mears, *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.)

---

Mr. Sylvain called the meeting to order at 7:01 p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

There were no alternates present.

**IV. Communications from the Chair**

Mr. Sylvain congratulated Mr. Hamann on becoming a full voting member of the Board.

Mr. Sylvain held a moment of silence for former City Councilor Alan Reid-Erikson who passed away last week.

---

**V. Approval of minutes**

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

---

## **VI. Surety review and update from the Assistant City Engineer**

Assistant City Engineer Owen Friend-Gray told the Board he and Mr. Creighton did site visit within the last week and are able to wrap up some of the projects that are on the books. Mr. Friend-Gray said he is recommending surety releases for Eastern Propane and Jaeger USA which have both been done for a month or so.

*A motion was made by Mr. Walker and seconded by Mr. Collopy to release surety in the amount of \$2,800.00 plus interest for Eastern Propane. The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Mr. Collopy to release surety in the amount of \$10,850.76 plus interest for Jaeger USA. The motion carried unanimously.*

Mr. Friend-Gray went on to explain the surety for Highfield Commons have been renewed; we are just waiting to get a copy of the continuation letter.

He said the developer for the England Road subdivision has been in contact with Staff concerning the surety bond that will expire in a few days. Mr. Friend-Gray said the developer is working to get the bond renewed.

Mr. Friend-Gray said the Heritage Street project is still inadequately funded and the City is currently in litigation with the developer. He said once the case is settled he will be back to update the Board of the outcome.

Mr. Friend-Gray told the Board the developer for Great Woods Development has submitted the paperwork for a partial surety release for phase I of the project. He said the developer, Mr. Miller would like to take the release and use it as surety towards phase II of the project. Mr. Friend-Gray said DPW fully supports the release for the completed portions of phase I and would leave a balance of \$12,337.71 for remaining minor work remaining.

*A motion was made by Mr. Walker and seconded by Mr. Collopy to release surety in the amount of \$52,662.29 for Great Woods Development. The motion carried unanimously.*

Mr. Friend-Gray went on to talk about Elmo Lane, he said the developer has talked with staff about a number of proposals however, none of them have come to fruition. Mr. Friend-Gray said he would recommend releasing the surety but add a modification to the notice of decision to eliminate the requirement to raise the roadway to a Class V standard. He added any future development of the site or roadway will require a posting of surety.

The Board discussed the developer currently using the site as a truck stop. Mr. Campbell said he will check with NHDOT for any applications or approvals.

*A motion was made by Mr. Sylvain and seconded by Mr. Hamann to hold the current surety until the Board gets information from NHDOT. The motion carried. Mr. Sullivan opposed.*

Lastly, Mr. Friend-Gray talked about the Aloe Pines development. He said they are still inadequately funded and he and the Planning Department has been working on it. Mr. Campbell told the Board he has been dealing with the association and people that own units and it is quite a mess.

---

## **VII. Representative from the Fire Department to discuss Life Safety Codes and Regulations**

Assistant Fire Chief Tim Wilder said he was before the Board to answer any questions regarding Life Safety Codes and Regulations.

Mr. Walker asked if the Fire Department is requiring developers to install a cistern for water. Mr. Wilder explained they are not, further explaining the requirement is a water supply. He said how that is achieved is up to the developer; the Fire Department reviews the plan and approves it before it moves onto the Planning Board.

Mr. Walker asked if they are mandating sprinkler systems in duplex units. Mr. Wilder said yes, it's a City Ordinance.

Mr. Sylvain said an applicant told the Board they were required to install a cistern at a TRG meeting. Mr. Wilder said it would be the applicants choice to do the cistern, adding it's only a requirement to supply water. Mr. Sullivan asked if all these codes are discussed at TRG and it's not a case of a preliminary meeting and then later on the applicant is told they need to comply with one of the codes. Mr. Wilder said that is correct and added it is only for new development.

---

## **VIII. Opening Discussion/Comments**

### **A. Public Comment**

Gregg DeNobile of Chesley Hill Road asked for a list of what if required from the Fire Department. He asked if the City has a fire truck that carries water and can bring water to the sight, and how much water flow is required.

Mr. DeNobile said there are a lot of questions that need to be answered before action is taken.

Steve Beaudion of Hemlock Street spoke about RSA 47:22 which requires the City to have on file and available to the public three copies of every observed code in the State of New Hampshire.

Cliff Newton of Old Dover Road said the Board is right to be concerned with all the codes. He went on to talk about the NFPA codes and grandfathering.

### **B. Discussion of general planning issues**

Mr. Gray asked Staff to write a summary of the last two speakers and provide it to the City Manager.

---

## **IX. Public Hearing on amendments to the Site Plan and Subdivision Regulations**

Mr. Campbell went over the amendments to the Site Plan and Subdivision Regulations. He said the requirements for as-builts, mylar drawings and digital submission have been updated.

Mr. Campbell said the language for Performance Guarantees has also been updated as well as the Stormwater Regulations.

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

*A motion was made by Mr. Walker and seconded by Mr. Hamann to adopt the amendments to the Site Plan & Subdivision Regulations. The motion carried unanimously.*

---

## **X. Discussion on possible amendments to the Site Plan & Subdivision Regulations and Zoning Ordinance regarding density amendments and Historical District Ordinance amendments**

Mr. Campbell explained this has been worked on for a while. The consultants have made their recommendations for amendments in both the Site Plan & Subdivision Regulations and Zoning Ordinance. He said they also have recommendations for the Historic Overlay District.

There was a brief discussion regarding timeframes for vacant properties upkeep and tax options. Ms. Mears said they haven't discussed a timeframe yet.

Mr. Sullivan asked what the plan is for the Board to review the changes. Ms. Dwyer suggested holding a retreat meeting to be able to work through the changes and get the details worked out.

The Board agreed they will hold an additional meeting on October 22<sup>nd</sup> from 6:30pm to 8:30pm.

Mr. Sullivan asked that there be a map available for the Board to look at.

---

## **XI. Consent Agenda**

### **A. Quantum Real Estate Group, LLC, 156 Old Dover Road**

*A motion was made by Mr. Collopy and seconded by Mr. Sullivan to remove the Item A from the Consent Agenda for discussion. The motion carried unanimously.*

Mr. Campbell said it is not unusual for applicants to request extensions. He referred to an email from the abutters stating the applicant received State permits in July and August; Mr. Campbell explained the plans and engineering have to be finalized after those are received and can take a little time to finish.

*A motion was made by Mr. Collopy and seconded by Mr. May to approve the extension to April 16, 2019 as requested. The motion carried. Mr. Walker opposed.*

---

## **XII. Other Business**

There was no other business to discuss.

---

## **XIII. Adjournment**

*A motion was made by Mr. Walker and seconded by Mr. Collopy to adjourn at 8:10 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal Galloway,  
Planning Secretary