

**Rochester City Council Public Hearing
January 16, 2018
Council Chambers
7:00 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Mayor McCarley

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Terence O'Rourke, City Attorney
Gregg DeNobile, Resident
David Cline, Property Owner
Paul Martin, resident
Peter Nourse, Director of City
Services

COUNCILORS EXCUSED/ABSENT

Councilor Abbott
Councilor Walker

MINUTES

1. Call to Order

Mayor McCarley called the Public Hearing to order at 7:00 PM. Deputy City Clerk Cassie Givara took a silent roll call. All councilors were present except for Councilor Abbott and Councilor Walker, who were both excused/absent.

**2. Amendment to Chapter 42, of the General Ordinances,
Regarding Dimensional Standards – See Addendum A**

Mayor McCarley invited members of the public to come forward and speak.

Gregg DeNobile, resident, felt that the proposed zoning changes had come up abruptly, only a week after being presented to the Planning Board. Mr. DeNobile inquired whether there was a formal

downtown revitalization plan in place and what it proposed. He suggested that Council not take any action on zoning changes until there is a definite plan and goals in place. Mr. DeNobile also inquired about the cost of this proposed amendment, if it will be spot zoning, and if it will apply to all buildings downtown. Mr. DeNobile inquired what "DC" stood for as referenced in the proposed zoning amendment.

David Cline, Property Owner, spoke about his purchase in 2003 of properties at 141 and 145 North Main Street. Last year he purchased the adjacent property of 147-149 North Main Street which was zoned as office space. Under the previous ownership the property had sat vacant for a decade unable to be rented and had fallen into disrepair. Mr. Cline contends that this property is not economically viable as office space.

Mr. Cline proposes to turn the building into 6 moderately-priced rental units. He was unable to proceed due to the dimensional limitations requiring 5000 feet per residential unit. In his 1100 sqf property, that would only allow for 2 units which would not make sense economically after the cost of renovating and bringing the building up to code for rental. Mr. Cline had applied for a variance which was denied by the ZBA, but was advised to petition City Council for a change in the zoning. Mr. Cline asked for a change in the dimensional standards for rental units. He also pointed out that this proposed zoning amendment only covered the downtown section, where as his properties are just outside of that district. He requested that the downtown zone be extended over the bridge to accommodate his request and to help other property owners in the same area.

Councilor Gary clarified that "DC" as it is written in the zoning Ordinance stands for "Downtown Commercial."

Paul Martin, resident, asked for clarification on whether the proposed amendment applied to downtown only or other areas as well. Mayor McCarley answered that the proposed amendment only applies to downtown currently.

**3. Amendment to Chapter 16, Section 16.25 of the General Ordinances regarding Wastewater Rate and Fee Schedule
*See Addendum B***

No input

4. Amendment to Chapter 17, Section 17.34 of the General Ordinances, Regarding Water Rate and Fee Schedule - See *Addendum C*

Gregg DeNobile, resident, asked for clarification on the term “unmetered residential customer” which appears on the ordinance. Mr. Denobile asked how many residents were unmetered and how they obtained this status. Councilor Gray reported that “unmetered customers” refers to residents with private wells who still access the City sewer systems. Councilor Varney asked Peter Nourse, Director of City Services, how many unmetered customers were in the City of Rochester. Mr. Nourse replied that there were approximately 11 or 12 of these customers.

5. Adjournment

Mayor McCarley adjourned the City Council Public Hearing at 7:14 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

**Amendment to Chapter 42 of the General Ordinances of the
City of Rochester Regarding Dimensional Standards**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.19 Dimensional Regulations

b. Dimensional Provisions. General dimensional regulations and other regulations (as well as clarifications, notes, and references) specifically referenced to the tables follow.

- 8. Density Rings.** The density rings are shown on the Official City of Rochester's Zoning Map that is adopted as part of this Ordinance and only apply to multi-family dwellings/developments ***not within the DC Zone***. The rings are as follows:

The minimum lot area per dwelling unit within a one (1) mile radius of the center of Rochester shall be 5,000 square feet. The minimum lot area per dwelling unit outside of the one (1) mile radius of the center of Rochester. Shall be 7,500 square feet.

The minimum lot area per dwelling unit within a one-half (1/2) mile radius of the center of Gonic and East Rochester, shall be 5,000 square feet. The minimum lot area per dwelling unit outside of the one-half (1/2) mile radius of the center of Gonic and East Rochester, shall be 7,500 square feet.

For multi-family dwellings/developments within the DC Zone, the minimum lot per dwelling unit shall be 500 square feet.

Any lot that is partially within the radius of a density ring shall be treated as if it were entirely within the radius of the density ring.

The effective date of these amendments shall be upon passage.

Amendment to the City of Rochester's General Ordinances Relative to Chapter 17.34
Entitled "Water Rate and Fee Schedule"

THE CITY OF ROCHESTER ORDAINS:

I. That Chapter 17, Section 17.34 of the General Ordinances of the City of Rochester, entitled "Water Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Water Rates" and by replacing such portion of the ordinance with the following:

17.34 Water Rate and Fee Schedule

Quarterly Water Rates

Residential Customers without exemption:	\$5.55	per 100 cu. ft. of water use
Residential Customers with exemption:	\$2.40	
Commercial and industrial customers:	\$5.55	

Unmetered Residential Customers:	
Per quarter per unit without exemption:	\$148.53
Per quarter per unit with exemption:	\$74.25

Minimum Fee:	
Per quarter per unit without exemption:	\$21.09
Per quarter per unit with exemption:	\$16.91

II. That this ordinance amendment shall take effect on February 1, 2018

Amendment to the City of Rochester's General Ordinances Relative to Chapter 16.25
Entitled "Wastewater Rate and Fee Schedule"

THE CITY OF ROCHESTER ORDAINS:

I. That Chapter 16, Section 16.25 of the General Ordinances of the City of Rochester, entitled "Wastewater Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Wastewater Rates" and by replacing such portion of the ordinance with the following:

16.25 Wastewater Rate and Fee Schedule

Quarterly Wastewater Rates

Residential Customers without exemption:	\$6.75	per 100 cu. ft. of water use
Residential Customers with exemption:	\$4.49	per 100 cu. ft. of water use
Commercial and industrial customers:	\$6.75	per 100 cu. ft. of water use
High Volume Customer (I.e. customers using more than 5,000 units **monthly)	\$6.08	per 100 cu. ft. of water use

Unmetered Residential Customers:	
Per quarter per unit without exemption:	\$215.91
Per quarter per unit with exemption:	\$107.94

Sewer-Metered Customers:	\$6.75 per 100 cu. Ft.
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Minimum Fee:	
Per quarter per unit without exemption:	\$32.28
Per quarter per unit with exemption:	\$25.70

Septage Discharge:	\$52.00	per 500 gal. or portion thereof
RV Septage Discharge:	\$15.00	flat fee
Graywater Disposal	\$28.00	per 2000 gal. or portion thereof

II. That this ordinance amendment shall take effect on February 1, 2018