

City of Rochester Planning Board
Monday June 7, 2021
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on June 21, 2021)

Members Present

Nel Sylvain, *Chair*
Mark Collopy, *Vice Chair*
Peter Bruckner
A. Terese Dwyer
Tim Fontneau
Mark Sullivan
Dave Walker

Members Absent

Robert May, excused
Daniel Rines, excused
Lance Whitehill, excused

Alternate Members Present

Paul Giuliano
Donald Hamann

Staff: Shanna B. Saunders, *Director of Planning & Development*
Crystal Galloway, *Planning Administrative Assistant II*

(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 Secretary conducted roll call.

III. Seating of Alternates

Mr. Giuliano voted in place of Mr. May.

IV. Communications from the Chair

There were no communications for the Chair.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. Collopy to approve the May 17, 2021 meeting minutes. The motion carried unanimously by a roll call vote.

VI. Discussion on surety for Chesley Farm Estates

Mr. Sylvain let the Board know this discussion is being moved to the June 21, 2021 meeting.

VII. Consent Agenda

A. Chesley Hill Partners, LLC and James & Mackenzie Colby, 233 & 247 Washington Street

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

VIII. New Applications

A. Rochester Security Systems, LLC, 195 Milton Road

Christopher Berry of Berry Surveying & Engineering present the plans for a 3-lot subdivision. He explained the property had been mined in the past with material being taken out of the center of the property but has ceased operations about 15 years ago. Mr. Berry said his office has surveyed the property for both topographics and wetlands to do a 3-lot subdivision. He explained they are proposing to subdivide off from the Milton Road frontage and will use the existing curb cut to provide the three driveways. He explained the lots will be serviced by municipal water but each lot will have their own septic systems.

Ms. Saunders told the Board there are no conditional use permits proposed or waiver requests. She said staff recommends the Board accept the application as complete.

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. Collopy to accept the application as complete. The motion carried unanimously.

Ms. Saunders went through the conditions of approval. She said in addition to the standard precedent conditions the City will need copies of the draft access and utility easements and a road maintenance agreement. Ms. Saunders explained under general and subsequent conditions, once it has been determined where the driveway will be located the Planning Department will provide an address. She said driveway permits will be applied for and granted by the Department of Public Works for each driveway. The shared drive will be considered a private road so there will be some criteria that will need to be met.

Mr. Fontneau asked what it will look like with one curb cut and three driveways. Mr. Berry explained there will be one cut and branch off quickly to each of the three lots.

A motion was made by Mr. Walker and seconded by Mr. Collopy to approve the 3-lot subdivision with the conditions set forth. The motion carried unanimously.

B. Andre & Edwinna Vanderzanden, 1225 Salmon Falls Road

Edwinna Vanderzanden presented the plan for a 2-lot subdivision. She explained the intent is to subdivide off 19+/- acres off a 78 acre parcel that has been in conservation easement for the last 20 years. Ms. Vanderzanden explained the purpose for the subdivision is to be clear what is and what is not part of the conservation easement.

Ms. Saunders told the Board the applicant is not seeking any waiver requests or conditional use permits. She said staff recommends the application be accepted as complete.

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 Ms. Dwyer to accept the application as complete. The motion carried unanimously.

Ms. Saunders reviewed the conditions of approval. She said there was a discrepancy regarding the acreage on the plan; plan notes including the future development of the buildable lot will need to meet the requirements of NFP1 Chapter 18. Ms. Saunders said any future development with the lot shall preserve the stone walls and to post "protected natural area" signs every 100 feet along the 5 foot wetland buffer.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the 2-lot subdivision with the conditions set forth. The motion carried unanimously.

C. Housing Authority of City of Rochester, 143 Brock Street

Doug Larosa of Civil Works New England explained the proposal is to provide a utility storage building. He said the building and pavement will cause some additional drainage runoff which will run towards the credit union. Mr. Larosa said there will be a bio-retention pond that will run along the back of the pavement. Mr. Larosa went on to explain the proposed landscaping.

Ms. Saunders said Staff recommends the Board accept the application as complete.

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. Collopy to accept the application as complete. The motion carried unanimously.

Ms. Saunders said aside from the standard conditions of approval staff will need a contingency plan for any contamination from the salt shed.

Mr. Collopy asked if the color scheme will match the existing structures. Mr. Larosa said it will and showed the Board the architectural renderings.

Mr. Fontneau asked how trucks will access the site. Mr. Larosa explained there will be two ways to access the site, the first is along the side of the maintenance building, and the second is next to the laundry mat.

Mr. Sylvain told the applicant there is to be no deviation from the approved plan unless they come back before the Board.

Mr. Walker asked what type of material will be used for the fence. Mr. Larosa said concrete embedded galvanized posts with six foot high stockade wood.

A motion was made by Mr. Walker and seconded by Mr. Bruckner to approve the site plan with the conditions set forth. The motion carried unanimously.

D. Ronald & Michelle Balcar, 20 Peaslee Road

Scott Lawler of Norway Plains Associates explained the amendment to a 2008 subdivision to relocate the driveway. He said the Department of Public Works has found the proposed location acceptable and the applicant has submitted a driveway permit.

Mr. Lawler said the proposed driveway will be 16 feet wide with 2 foot shoulders on each side and paved. He said they are proposing a small retaining wall to minimize impacts to the wetland buffer. Mr. Lawler said there are some buffer impacts at the beginning of the driveway from Peaslee Road as well as further up the driveway.

Ms. Saunders explained the Conservation Commission reviewed and approved this design because there will be little to no impact on the wetland buffer and the driveway was designed to carry stormwater away from the wetland.

Ms. Saunders said staff recommends the application be accepted as complete.

Mr. Sylvain opened the public hearing.

Mark Vander-Heyden spoke on behalf of his daughter and son in-law who reside at 214 Old Dover Road. He said they are concerned about potential runoff from the proposed driveway into the stream and affecting their well.

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

Ms. Saunders said staff recommends the Board approve the amendment. She said the conditions of approval are standard conditions.

Ms. Saunders spoke to some of the concerns from the abutter. She said this was reviewed by the Conservation Commission and Public Works who recommended approval.

Mr. Bruckner asked Mr. Lawler to address the concerns from the abutter. Mr. Lawler said stormwater will be collected at two locations along the driveway to eliminate the amount that would end up in the cross culvert.

Mr. Fontneau asked how long the driveway will be. Mr. Lawler said it will be 450 feet from the road to the buildable area. Mr. Lawler said they have tried to minimize the runoff that would end up at the culvert by dispersing it at two locations.

Mr. Sylvain asked what the distance is from the abutters well to the proposed driveway. Mr. Lawler said by looking at the aerial photo the abutter supplied it appears to be a sizeable piece of land between the abutters house and Peaslee Road and the development.

Ms. Dwyer asked where a potential third culvert could be located. Mr. Lawler explained they could put another cross culvert part way down the driveway.

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

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

A motion was made by Mr. Walker and seconded by Ms. Dwyer to approve the subdivision amendment with the conditions stated as well as requiring a third culvert. The motion carried unanimously.

E. Granite State Credit Union, 148 & 150 Farmington Road

Scott Lawler of Norway Plains Associates presented the plan to construct a 2,985 square foot credit union branch office. He explained there will be three designated drive up lanes on the back side of the office and the front will face Route 11. Mr. Lawler said they will have access from both Route 11 and Two Rod Road. He said there has been a trip analysis which concluded there would be 28 peak hour morning trips and 61 peak hour afternoon trips.

Mr. Lawler said stormwater will be captured via curbing and a closed drainage system and directed to a stormwater management system located in the northwesterly corner of the property. He said they are seeking a conditional use permit to allow for greater than 20 percent in the aquifer protection overlay, saying this development will yield approximately 39 percent total impervious coverage.

Mr. Lawler explained this project will be tied into City water at the main on Route 11. He said due to no accessible City sewer in the area they have designed a septic system.

Mr. Lawler said they have submitted a full lighting and landscaping plan in the application packet as well as a plan for a lot merger.

Ms. Saunders explained the City is involved in the driveway permit for access to Two Rod Road because it is a class six road. She said because it's a class six it's a little more complicated and not just a Planning Board decision, City Council has to get involved with issuing the permit.

Ms. Saunders told the Board staff recommends approving the conditional use permit because it is not a high hazard use in the aquifer protection overlay and believe the sites proposed drainage plan demonstrates stormwater will be sufficiently treated before being infiltrated.

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. Collopy to accept the application as complete. The motion carried unanimously.

Ms. Saunders reviewed the conditions of approval. She said there will need to be an agreement stating the City isn't liable for any requirements NHDOT may put on the Two Rod Road driveway permit.

Ms. Saunders explained the applicant will also have to apply for a Chapter 218 Stormwater permit.

Mr. Collopy expressed his concern for the amount of impervious surface. He said it's a lot of pavement for the size of the proposed building and lot. Mr. Lawler explained the owner feels comfortable with the number of parking spaces that are proposed.

Mr. Giuliano said he is concerned about the shared maintenance agreement. He said it seems a little too vague. Ms. Saunders explained the City had entered into an agreement with Tractor Supply when they built and will now add the credit union in as well.

Mr. Walker asked why the entrance and exit lanes onto Route 11 are only 12 feet wide. Mr. Lawler said a 24 foot wide access onto Route 11 is a standard roadway width.

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

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the site plan with the conditions stated. The motion carried. Mr. Giuliano opposed.

Mr. Sylvain called a recess at 7:55pm

Mr. Sylvain called the meeting back to order at 8:03pm

F. Easter Seals New Hampshire, Inc., 215 Rochester Hill Road

The Board combined this item with item G for discussion.

A motion was made by Mr. Fontneau and seconded by Ms. Dwyer to approve the subdivision with the conditions set forth. The motion carried unanimously.

G. Easter Seals New Hampshire, Inc., 215 Rochester Hill Road

Scott Lawler of Norway Plains Associates presented the plan for a 2-lot subdivision and site plan to construct a 25,000 square foot senior housing facility.

Mr. Lawler explained they are proposing a subdivision of the 142 acre parcel which has frontage on both Rochester Hill Road and Tebbetts Road. He said the front half of the subdivision is 21.17 acres and will be associated with the proposed site plan development. Mr. Lawler said the remaining 121.63 acres has frontage off from Tebbetts Road and has a purchase and sales signed agreement with The Society for the Protection of New Hampshire Forests for conservation.

Mr. Lawler explained the site plan to construct an 80-unit senior housing facility. He said it will consist of three stories, 74 units will be one bedroom and 6 two bedroom units.

Mr. Lawler said the existing driveway will be terminated by means of a crash gate to only be used for emergencies. He said they will construct Healthcare Drive to extend it down to the proposed development due to better site distance for traffic.

Mr. Lawler said they have submitted a parking wavier to allow for 109 parking spaces.

Mr. Lawler went on to explain the stormwater management system. He said they have designed the system to collect the runoff of impervious surfaces and direct it to either of two infiltration basins located at the toe of the slopes. He said the basins have been designed to meet the City of Rochester Chapter 218 as well as NHDES Alteration of Terrain bureau.

Mr. Lawler said the new building will be serviced by municipal water as well as underground utilities. He went on to explain the sanitary sewer for the new building and the existing home health care facility will be collected gravity collection system then pumped up to a manhole on Rochester Hill Road.

Mr. Lawler explained they are requesting a waiver to allow 20-foot high pole lights rather than the 15-foot that is allowed. He said they feel the taller light poles would match the height of the building better.

Mr. Lawler told the Board there are two conditional use permits requested. The first is to allow senior housing in the agricultural zone. The second is for impacts in the Conservation Overlay District.

Mr. Lawler said they are applying for an AoT permit, NHDES Waste Water Bureau for the design of the pump station, NHDOT for the expansion of Healthcare Drive, FAA for obstruction evaluation, and the Construction General permit associated with the movement of earth being greater than one acre.

Ms. Saunders said staff recommends the subdivision application as well as the site plan application be accepted as complete.

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. Walter and seconded by Mr. Collopy to accept both the subdivision and site plan applications be accepted as complete. The motion carried unanimously.

Ms. Saunders went through the conditions of approval for the subdivision. She said subsequent conditions # 4, 5, and 6 regarding construction cost estimate and performance guarantee need to be removed.

Ms. Saunders went on to review the conditions of approval for the site plan. She said a white stop line needs to be added to the end of Healthcare Drive and Route 108. The Fire Department has asked that on the northwest side of the building at least a 25-foot minimum path be required. They have also asked that one or two more fire hydrants be added to the site as well.

Ms. Saunders said she is in discussions with the City Attorney regarding senior housing. She asked the applicant if they are proposing a deed restriction. Christopher Mill of Easter Seals New Hampshire explained the funding requirements will run for 99 years and will require targeting to individuals 62 years or older.

Ms. Saunders continued reviewing the conditions of approval and said staff recommends approval of both the subdivision and site plan.

Ms. Dwyer asked where staff and guests for the building will park. Mr. Lawler explained there is some shared overflow parking with the Homemakers building. He said there would be limited staff at the facility.

Mr. Fontneau asked about the request from the Fire Department to increase the walking path around the building to 20 feet. Ms. Saunders said she believes it is so they are able to get fire apparatus around the building.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the Conditional Use Permits to allow Senior Housing in the Agricultural Zone and for Impacts to the Conservation Overlay District. The motion carried unanimously.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to approve the waiver requests for Site Plan Regulation Section 6(6)(a) and Site Plan Regulation Section 10(A). The motion carried unanimously.

A motion was made by Mr. Fontneau and seconded by Mr. Bruckner to approve the site plan with the conditions set forth. The motion carried unanimously.

H. Green & Company, 19 Old Gonic Road

Joe Coronati of Jones and Beach Engineers presented the plans for a preliminary site plan. He explained the property is located along Axe Handle Brook and has frontage on both Old Gonic Road and Emerson Avenue. Mr. Coronati said they are looking to develop a rental townhouse community that connects from Old Gonic Road to Emerson Avenue. Mr. Coronati said they are looking for feedback from the Board and abutters as they start the design process. He said they attended the TRG meeting with staff and have some detailed comments to start working from.

Mr. Coronati explained the parcel is approximately 32 acres made up of mostly woodlands, a little bit of wetlands and floodplain, and field. He said the proposal is to create a couple neighborhoods with looping roadways. He told the Board all the units they are proposing will be three bedroom, all with two car garages, and space for two cars in each driveway. Mr. Coronati said the roads will be privately owned and maintained including for trash pick-up.

Mr. Coronati showed the Board architectural renderings of the proposed units. He said each unit will have a deck on either the front or the back of the unit depending on which site has more privacy. He said they will keep as many of the existing trees as possible and where needed they will add more for buffering.

Mr. Coronati said they are proposing installing walking trails along the brook.

Mr. Sylvain opened the public hearing.

Paul Pratt of Cedarbrook Village asked approximately how far off from the stonewall to the complex the units will be. Mr. Coronati said they are approximately 50 feet off from the right-of-way line plus the width of Old Gonic Road.

Sandy Fournier of Cedarbrook Village asked how long the project will take to complete. Mr. Coronati said approximately 3 to 4 years for the buildout.

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

Mr. Giuliano asked if they have a management plan for the rental units. Mr. Coronati explained the applicant has an in house management group that would handle rental issues internally.

Mr. Walker asked about buffers to the neighboring homes on State Street. Mr. Coronati said they will be using fencing and tall trees.

Mr. Collopy expressed concerns over traffic on Brock Street from both Route 125 and Washington Street. He also asked the applicant to look at sidewalks on Emerson Avenue.

Mr. Coronati said they have hired a Traffic Engineer who will look at both intersections.

Mr. Fontneau said if they are going to build these multifamily rental units between two different types of uses there needs to be more than just the setbacks, there needs to be a buffer zone.

Mr. Sylvain asked for a larger setback for the units that abut the properties on State Street.

Mr. Sullivan asked if the Department of Public Works has looked at the streets and given an indication of what might be entailed.

I. 10 Farmington Road, LLC, 14 & 10 Farmington Road

Mr. Sylvain told the Board the applicant had requested a continuation the July 12th meeting.

A motion was made by Mr. Walker and seconded by Mr. Giuliano to continue the application the July 12, 2021 meeting as requested. The motion carried unanimously.

IX. Continued Applications

A. EFI Express, LLC, 0 Tebbetts Road

Robin Wonderlick explained the layout of the building. He said the owner's apartment will be above the maintenance bays and office. Mr. Wonderlick said the building will be made of pre-fabricated corrugated steel that is dove grey with a black roof and trim.

Ms. Saunders said the plans before the Board are the last piece needed. She said there is still a conditional use permit and waivers that need to be approved.

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

Mr. Fontneau asked about the tower on the plan. Mr. Wonerlick explained it's a stairwell access to the roof and the apartment.

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

A motion was made by Mr. Fontneau and seconded by Ms. Dwyer to approve waivers for Site Plan Regulation Section 10(A) Parking and Site Plan Regulation Section 7(F) Signage Design. The motion carried. Mr. Walker opposed.

A motion was made by Mr. Fontneau and seconded by Ms. Dwyer to approve the site plan with the conditions set forth. The motion carried. Mr. Walker and Mr. Sylvain opposed.

B. JRS, LLC, 14 Wadleigh Road

The applicant's engineer was not present at the meeting. Mr. Sylvain suggested continuing the application to the workshop meeting on June 21st.

A motion was made by Mr. Collopy and seconded by Mr. Walker to continue the application to the June 21, 2021 meeting. The motion carried unanimously.

C. Farmington Associates Properties, LLC, 68 Farmington Road

Mr. Sylvain told the Board the applicant had requested a continuance to the July 12th meeting.

A motion was made by Mr. Walker and seconded by Ms. Dwyer to continue the application to the July 12, 2021 meeting as requested. The motion carried unanimously.

X. Other Business

A. Recommendation for re-appointment for Donald Hamann to the Strafford Regional Planning Commission

A motion was made by Mr. Walker and seconded by Mr. Fontneau to recommend Donald Hamann for re-appointment to the Strafford Regional Planning Commission. The motion carried unanimously.

B. Planning Update

Ms. Saunders informed the Board that Seth Creighton, Chief Planner has taken a position with the town of Franklin and his last day with Rochester would be June 11th.

Mr. Bruckner said Mr. Creighton is a very talented, professional, capable person and the Board should express it's gratitude for his service.

C. Other

Mr. Sullivan asked when impact fees will be going to City Council. Ms. Saunders it is on her plate to get it to Council as soon as she can.

XI. Adjournment

A motion was made by Ms. Dwyer and seconded by Mr. Walker to adjourn at 9:23 p.m. The motion carried unanimously by a roll call vote.

Respectfully submitted,

Crystal Galloway,
Planning Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development