

City of Rochester Planning Board

Monday June 21, 2021

City Hall Council Chambers

31 Wakefield Street, Rochester, NH

(These minutes were approved on July 12, 2021)

Members Present

Nel Sylvain, *Chair*

Mark Collopy, *Vice Chair*

Peter Bruckner

Tim Fontneau

Robert May

Daniel Rines

Mark Sullivan

David Walker

Members Absent

Terry Dwyer, excused

Alternate Members Present

Keith Fitts

Paul Giuliano

Donald Hamann

Lance Whitehill

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. Whitehill voted in place of Ms. Dwyer.

IV. Communications from the Chair

Mr. Sylvain welcomed Keith Fitts to the Board as an alternate member.

Mr. Sylvain announced the Board will be holding a workshop meeting on July 19th.

V. Opening Discussion/Comments

A. Public Comment

Item XII Compliance Hearing was moved up on the agenda for discussion.

Elizabeth Croy said she and her family have been waiting two years to move into the home they purchased at 24 Eisenhower Drive. She said at this time they are homeless because they had been renting a condo for three years while their house was being built but it was sold on May 21st. Ms. Croy said they were not made aware of the ongoing issues between the City and the developer.

Mr. Sylvain said this discussion will be continued to the July 12th meeting in order to have a representative from Public Works and Mr. Stricker present.

He apologized that this is happening but explained things need to be done correctly.

Ms. Croy said she understands it is not the City's fault, it's the developers fault for not communicating. She said had they known about everything two years ago they could have taken their money and gone elsewhere.

Tamsen Alper purchased 22 Eisenhower Drive thanked Ms. Saunders for the work and communication she's done for her and her husband.

Ms. Alper said there has been consistent inaccuracies, not only with what the City has been asking the developer to do, it's what has been happening with their house.

Mr. Sylvain asked for no further permits to be issued. Ms. Saunders said she would check with legal counsel to make sure there isn't another process that needs to be done to stop building permits.

A motion was made by Mr. Walker and seconded by Mr. Collopy to stop issuing building permits at Highfield Commons. The motion carried unanimously.

B. Discussion of general planning issues

There were no issues to be discussed.

VI. Approval of minutes

A motion was made by Mr. Walker and seconded by Mr. Collopy to approve the June 7, 2021 meeting minutes. The motion carried unanimously.

VII. Discussion on surety for Chesley Farm Estates

Ms. Saunders informed the Board the surety discussion will be continued to the July 19th workshop meeting. She said the residents and the developer are working with SUR on completion items and as built plans.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to continue the discussion to the July 19, 2021 meeting. The motion carried unanimously.

VIII. Granite Ridge Development District – Residential Zoning change discussion

Economic Development Director Michael Scala explained this is a continuation of a discussion to allow residential units in the Granite Ridge Development District. He said the Planning Department and Economic Development worked on putting together a draft ordinance for the Board. Mr. Scala said they have addressed a variety of items including use, setbacks, density, landscaping, green space, parking, height, and architectural

requirements. He explained this is just a first draft as they are still seeking the Board input in order to design what is best for the City.

Ms. Saunders said she is hoping to gather enough input to be able to have the final draft to the Board by the next meeting and then pass along to the City Council.

She explained residential will be permitted by conditional use permit, not permitted by right. She said residential can include large scale big-box (single floor units) and townhouse style (multi floor units) and shied away from single family and duplex units like at Point Place in Dover.

Ms. Saunders said there must be a 500 foot setback from Farmington Road/Route 11 in order to allow some of the smaller lots the ability to get in on residential units. She said there must be a 50 foot vegetated buffer from agricultural and residential-1 zoned properties. Mr. Fontneau suggested adding language describing what type of vegetated buffer would be required.

Ms. Saunders explained there will be two types of density, the first is the ratio of residential units to land area, and the second is ratio of residential square footage to commercial square footage.

Mr. Sylvain asked if they are attempting to require commercial on the ground floor with residential above. Ms. Saunders said yes in some. She said exclusive residential will be allowed as well as mixed use buildings. Mr. Scala explained some of the lots are large enough to have standalone residential and commercial units where some other lots are not large enough and would require a mixed use building.

Ms. Saunders said any parcel with access to the frontage road must have a commercial on the first floor. Mr. Sullivan referenced the former Economic Development managers 2017 plan to allow 60 percent commercial, 40 percent residential with a minimum unit size of 500 square feet with the theory that would control the density. He went on to say the residential/commercial timing and build whether its first floor or a standalone should be part of what the developer presents to the Board. Mr. Sylvain said he is concerned if the Board doesn't push the commercial aspect enough there will be nothing but residential units. Mr. Scala explained Dover allowed the developers of Point Plan to develop 50 percent of the residential to get a base but were not allowed to build any more until the commercial aspect was built. Mr. Bruckner suggested working with an Urban Design Consultant.

Ms. Saunders moved on to speak about sidewalks. She said there is to be sidewalks from the main entrance to any residential building and parking lot.

Ms. Saunders spoke about dumpsters and loading areas. She used phase I of the Ridge Marketplace as an example where a building fronts on two roadways but has utilities showing where it could have been easily screened with a façade.

Ms. Saunders said staff is recommending 20,000 square feet of amenity per 100 units to include walking trails, playgrounds, tennis/pickleball, ballfields, and swimming pools.

Mr. Collopy asked about solar, saying he doesn't want the towers that have been popping up in the city.

Mr. May said he is concerned with competing with downtown and slowing the efforts to revitalize downtown.

Mr. Scala explained the number of projects going on right now with downtown.

Mr. Walker asked how much of phase II of the Ridge Marketplace is going towards residential. Mr. Scala said approximately 45,000 square feet.

IX. Discussion on building height requirements in the Downtown Commercial zone

Ms. Saunders informed the Board the Historic District Commission had a very robust discussion at their last meeting. She said she invited them to the meeting to share their ideas.

The Chair of the Historic District Commission Molly Meulenbroek said the Commission realizes the city is entering a new phase and will see more development and redevelopment of properties that will require additional stories. She said it's important to honor the properties the City already has so it's important that any new building or addition doesn't overshadow some of the anchor buildings.

Ms. Meulenbroek said the church steeples are a prominent part of the city's streetscapes and views, so when thinking about adding height to buildings you need to think about how it will obstruct the view coming into town and iconic Rochester views.

Ms. Meulenbroek said Mr. Bruckner put together a visualization how different heights of buildings would change the center of North Main Street.

Ms. Saunders let the Board know a representative from the Fire Department was also present to answer and questions they might have.

Mr. Sylvain asked if the required sprinkler system would be adequate to slow down a fire. Assistant Fire Chief Tim Wilder explained due to the codes that are in effect now yes, the systems would be adequate.

Mr. Fontneau asked if new equipment would be needed if there is a seven story building. Mr. Wilder said buildings will get larger than the equipment can operate, that's where the building code takes over which increases the safety margins.

Mr. Bruckner showed the Board an aerial view of North Main Street with visuals of what buildings would like at 75 feet tall. He showed the Board different elevations in comparison to what is existing and some options to break it up. Mr. Bruckner suggested allowing a 55 foot elevation, have a ten foot setback then go up to 75 feet. He said there are a lot of issues the Board will want to bring into the mix such as facades.

Ms. Meulenbroek said they talk about feet instead of stories because the height of each story could vary. She said at the street level the commercial story is higher and the residential units above are typically smaller but it could vary.

There was discussion regarding future development and whether or not the existing buildings would be torn down and rebuilt to the new height.

Mr. Sylvain asked about parking. Mr. Scala told the Board some of the developers he is working with have plans for parking under the buildings.

Ms. Saunders asked the Board their thoughts regarding height. Mr. Sylvain said to start with the suggestions of Mr. Bruckner and Ms. Meulenbroek of 55 feet with a 10 foot setback and up to 75 feet.

X. Consent Agenda

A. EIP Communications II, LLC, 156 Lowell Street

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

Mr. Sylvain called a recess at 8:52pm

Mr. Sylvain called the meeting back to order at 9:02pm

XI. Continued Applications

A. JRS, LLC, 14 Wadleigh Road

Mr. Lala of Lala Associates Engineering explained the proposal to add a second story on the main building of the existing motel. He said both existing pavement is adequate for the additional parking spaces that will be needed. Mr. Lala said there is a small pond on the site, further explaining where the wetland is located.

Ms. Saunders explained they are requesting a waiver request from Site Plan Regulation Article II for surveyed property line. She said staff supports the request because the property was surveyed in the past and the City has plans on file. Ms. Saunders said staff feels the application is complete enough for the Board to accept it 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 waiver as complete. The motion carried unanimously.

Ms. Saunders reviewed the conditions of approval. She said Public Works has noted the backflow prevention devices on both domestic and fire need to be upgraded.

Ms. Saunders explained one of the conditions states this property is a lodging facility only, which means there are to be no long term stays or apartment use.

Mr. Fontneau asked what the definition of long term stay would be. Ms. Saunders explained visitors to a lodging facility have their primary residence elsewhere, there is to be no registering of vehicles.

Owner Mr. Patel explained right now he has nine rooms that are rented to a group from General Linen, they leave around 4:30 in the morning and return around 5:00 in the evening. He said they could be there for 2 to 3 months for their project.

A motion was made by Mr. Fontneau and seconded by Mr. May to approve the waiver request. The motion carried unanimously.

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

XII. Compliance Hearing

SDJ Development of Rochester, LLC, Fillmore Boulevard/Eisenhower Drive

This item was moved and discussed under item V opening discussions.

XIII. Review of May 2021 surety and inspections

Ms. Saunders explained the Village at Clark Brook has asked for a draw down which she is in the process of reviewing.

Ms. Saunders said continuation bonds have been received for all outstanding sureties from Waste Management.

XIV. Other Business

A. Update from Planning Staff

Ms. Saunders did not have an update.

B. Other

Mr. Sylvain asked if there have been any applications for Planners. Ms. Saunders said there is an interview scheduled for the week of June 28th.

XV. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Collopy to adjourn at 9:39 p.m. The motion carried unanimously.

Respectfully submitted,

Crystal Galloway,
Planning Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development