

**City of Rochester Planning Board**  
Monday October 16, 2017  
City Council Chambers  
31 Wakefield Street, Rochester, NH 03867  
*(These minutes were approved on November 6, 2017)*

Members Present

Nel Sylvain, *Chair*  
Dave Walker, *Vice Chair*  
Matthew Kozinski, *Secretary*  
Tim Fontneau  
Tom Willis

Members Absent

Robert May, *excused*  
Mark Sullivan, *excused*  
James Gray, *excused*  
Kyle Starkweather, *excused*  
Joyce Bruckner, *absent*

Alternate Members Present

Terry Dwyer  
Jeremy Hutchinson

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.)

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Mr. Sylvain called the meeting to order at 7:00p.m.

The Planning Secretary conducted the roll call.

**III. Seating of Alternates**

Mr. Hutchinson voted in place of vacant position one and Ms. Dwyer voted in place of Mr. May.

**IV. Communications from the Chair**

Mr. Sylvain referenced an email sent from the Government Channel Coordinator reminding people to be mindful because the microphones pick up every little noise.

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Mr. Sylvain said he met with the City Manager and it was decided that only the developers and their engineers will be allowed to set up visuals such as plans.

## **V. Surety update from City Engineer / Review of September surety & inspections**

City Engineer Owen Friend-Gray went through the list of performance guarantees and said they are all adequately funded. He said there are four projects that are complete and recommends releasing the surety. Mr. Friend-Gray said VW of Rochester, Falcon Sheds, and LAARS Heating Systems are all complete and all the necessary departments have signed off on them.

*A motion was made by Mr. Walker and seconded by Ms. Dwyer to release the surety in the amount of \$12,653.54 plus interest for VW of Rochester. The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Ms. Dwyer to release the surety in the amount of \$725.34 plus interest for Falcon Sheds. The motion carried unanimously.*

*A motion was made by Mr. Walker and seconded by Ms. Dwyer to release the surety in the amount of \$53,324.33 plus interest for LAARS Heating Systems. The motion carried unanimously.*

Mr. Friend-Gray went on to talk about the surety for subdivisions. He said there are three inadequately funded projects; Heritage Street, Elmo Lane, and Chesley Hill Road development.

Mr. Willis asked what positive steps are being made for the Chesley Hill Road development; adding the developer has recently sold a number of lots. Mr. Friend-Gray said he's hopeful that helps him along but they have done a few drainage upgrades and things that were required to the continued wet issues on the abutting property downhill. He said there have also been open discussions about what the next steps are and how they can reach a final point.

Mr. Friend-Gray said the only other project he wanted to bring up is Kelmar; saying they have had issues in the past but they have recently renewed their letter of credit and it is sufficient should the City need to step in and take over. He said the developer hasn't made much progress in the last two years and would recommend the Planning Department reach out to the developer to see if they will be progressing or if the surety needs to be pulled.

*A motion was made by Mr. Walker and seconded by Ms. Dwyer to have the Planning Department staff to reach out to the developer of Kelmar with the assumption of the City getting ready to pull surety to finish the job. The motion carried unanimously,*

There was a brief discussion on guidelines for timing of projects and when it should start.

Lastly Mr. Friend-Gray spoke about surety held for certificates of occupancy. He said the Aloe Pine project remains inadequately funded and the Planning Department is working on that. He said the letter of credit for 93 Charles Street expired some time ago but has spoken with the Fire Department and Code Enforcement and determined an administrative method for handling the problem. Mr. Sylvain asked that staff review the notice of decision for the next workshop meeting.

Mr. Friend-Gray said 326 Rochester Hill Road, Hope on Haven Hill is recommended for release as all the vegetation survived the summer.

*A motion was made by Mr. Walker and seconded by Ms. Dwyer to release the letter of credit for Hope on Haven Hill. The motion carried unanimously.*

## **VI. Opening Discussion/Comments**

### **A. Public Comment**

Lou Archambault of Chesley Hill Road talked about Eversource being in his neighborhood to cut trees from Donald Street down to Norman Street. He said once they cut them a couple days later someone checked on the poles that were there.

He spoke about a walking path from Norman Street to Donald Street and speaking to the developer about putting in a road. Mr. Archambault also questioned if the sidewalk could be winding instead of straight.

Paul Martin of 35 Brenda Lane spoke about four Wetland and Soil Scientists that have lost their New Hampshire license in the last ten years.

He mentioned a resident that spoke before the Board at the August workshop meeting during public comment; vernal pools; and wetland delineations.

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

Mr. Fontneau asked that "public comment" at the workshop meetings be defined. He said the Board just heard comment that a lot of questions are being asked without a response and it's presumed it's because none of the member have the answer.

Mr. Fontneau said he thought the public comment portion of the workshop meetings were for taking comments not for question and answer.

Mr. Fontneau suggested reviewing the surety review process and what the rules and regulations are. There was some discussion as to what agenda this should go on and what staff should supply for documentation.

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## **VII. Approval of minutes**

*A motion was made by Mr. Walker and seconded by Mr. Willis to approve the October 2, 2017 meeting minutes. The motion carried unanimously.*

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## **IX. Other Business**

Mr. Sylvain asked for clarification for taking public comment at the workshop meetings.

Mr. Willis said the Public Works Committee will be looking at the sidewalks for the Birchwood Development on Chesley Hill Road that the Board just approved.

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## **X. Adjournment**

*A motion was made by Ms. Dwyer and seconded by Mr. Walker to adjourn at 8:04 p.m. The motion carried unanimously.*

Respectfully submitted,

Crystal Galloway,  
*Planning Secretary*