

CITY COUNCIL WORK SESSION

MASTER PLAN UPDATE

June 25, 2007 – 6:00 p.m.

Eileen Dondero Foley Council Chambers

City Council Present: Mayor Marchand, Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Reynolds, Pantelakos (6:45 p.m.), Whitehouse, Smith and Hynes

Officials Present: John P. Bohenko, City Manager; Suzanne Woodland, Assistant City Attorney; Cindy Hayden, Deputy City Manager; Rick Taintor, Planning Consultant, Rick Hopley, Building Inspector, Planning Board members; John Ricci, Chair; Jerry Hejtmanek, Vice Chair; Donald Coker, Anthony Coviello, MaryLiz Geffert and Dianne M. Kirby, Deputy City Clerk

I. Call to Order

At 6:05 p.m., Mayor Marchand called the meeting to order and said that this is a joint work session to update the Council on the Master Plan.

II. Introduction

John Ricci, Chair, Planning Board stated that the updating of the Master Plan started in October 2005 with a goal of being done roughly in March 2007. He said that along the way the board has had 30+ meetings and expended about 600 hours of human capital trying to get to where they are today. He stated that they are 50% of the way through the total process. He stated that the goal of the Planning Board is to be completed by June 2008. Mr. Ricci turned the meeting over to Cindy Hayden, Deputy City Manager and Rick Taintor, Planning Consultant.

III. Presentation

Cindy Hayden, Deputy City Manager, stated the Planning Board gets its authority to carry out the Master Plan from State statute, primarily RSA 674, which gives the Planning Board the responsibility to plan, prepare, amend and update the Master Plan. She said the law is pretty broad and states it has to be statements, principles, maps and charts to give legal standing to ordinances and land use regulations that the city may adopt. She stated the Master Plan is adopted by the Planning Board following a public hearing and then gets amended every 5-10 years. She said the nuts and bolts of the Master Plan are goals and policies which are broad statements of what the community wants in the future and is broken out by elements – land use, housing, transportation, and so on. She stated that real key parts of the Master Plan are the actions and strategies that are laid out under each goal and objective. She stated that those actions fall into two broad categories, regulatory and non-regulatory. She stated that regulatory actions are changes to zoning ordinances, site reviews or subdivision regulations or other city ordinances and non-regulatory actions tend to be capital improvement projects, but

can be establishing a committee or some other type of action that doesn't have a price tag associated with it. She stated that one of the actions in the Master Plan is that every year the Planning Board updates the community on what has been accomplished in the past year. She stated that Rick Taintor, Planning Consultant will be reviewing the regulatory then she will review the non-regulatory actions.

Rich Taintor, Planning Consultant reviewed the regulatory actions/strategies stating that they have accomplished the Zoning Ordinance Audit Report, New Zoning Ordinance Structure, First Consultant Draft of Revised Zoning Ordinance, First Consultant Draft of Revised Site Review Regulations and Special Zoning Issues and Referrals. He outlined the Zoning Ordinance Audit Recommendations, reviewed the new ordinance structure and format as well as the focus areas and additional efforts needed. He reviewed the Zoning Ordinance Revision Project schedule forming a time line for items to be completed.

Cindy Hayden, Deputy Manager discussed the non-regulatory aspects. She stated that the prime wetlands mapping has been completed and she reviewed projects for improving the quality of wetland areas. She discussed the acquisition by the Nature Conservancy of 263 acres adjacent to the City's Great Bog property. She stated that they are partnering with other agencies on conservation projects. Ms. Hayden reviewed the status of ongoing implementation of Peirce Island Master Plan, the expanded recreational opportunities, and the upgrade and enhancement of neighborhood parks, sustainable practices, the design/construction of the new library, and the preservation of historic buildings. She discussed the projects recognizing the city's cultural assets, heritage and public art. She further reviewed the city's affordable housing supply, the programs to assist first time homebuyers, social service programs, and water conservation programs. She stated that they continue to implement Phase II & III of the Sewerage Improvement plan, provide guidance on proper hazardous waste disposal methods, considering the feasibility of converting city vehicles to alternative fuels, continue systematic upgrades of traffic signal systems, creating a system of multimodal transportation centers that facilitate use of public transit & other modes and working with NHDOT to identify and prioritize major infrastructure needs such as Memorial Bridge rehab.

John Ricci, Chair, Planning Commission stated that he looks forward to the Council's continued support of the Planning Board revisions to the Master Plan.

IV. Questions and Discussion

Assistant Mayor Ferrini stated that the Council has approved most of what has come through, but there is a rather large loose end out there that was voted down by the Council after the public hearing on May 21st regarding the PUD Ordinance. He stated that the PUD Ordinance itself is a very well written document. He stated that it is detail oriented, does what it is suppose to do and addresses the concerns of the Master Plan. He stated the major objections of the Master Plan regarding corridors and how they are developed is still contained within the PUD. He stated that he had some suggested offerings that he thought resulted out of the public's input from the public hearing and he would be greatly pleased if the Planning Board could find it within them self to look at it again and bring it forward.

He suggested the following changes

- Section F – Dimensional and Intensity Regulations.

Assistant Mayor Ferrini stated that within this section we are talking about set backs and yard dimensions. He stated that it indicates 50 feet, maximum structural coverage 50%, minimum open space 20%. He said that taking into consideration the design standard set forth by Mr. Taintor and page 45 of his report of September 2006, Mr. Taintor talks about a 100 foot front yard set back, 60 feet height limit, 30% maximum lot coverage. He stated that 30% open space is required and he thought the Planning Board might want to find a way that would be politically and technically more acceptable to increase the buffers a bit as there was confusion when it was presented as to whether the buffers were indeed Route 1 and not a green space.

- Section G

He stated that in Section G, in terms of how we access circulation and parking if there were a way to perhaps specify the right turn only that would be helpful.

- Section H – Landscaping

He said if we could look at a way to specify where the board already indicates under H – Landscaping very effectively – plantings should be provided around all building structures, access ways, loading areas and property lines. He requested if that could be beefed up a little too some how have a little more guarantee of a cover and a buffer. He said that the board might even consider burning in some of those areas. He said it is unclear under H-3 and if there was a way to perhaps include a ratio of trees or some sort of way to make the cover a little more apparent in terms of buffering that might speak to some of the residents concerns. He stated that he appreciated the hard work that the Planning Board put into this plan.

John Ricci, Chair, Planning Board, asked what Assistant Mayor Ferrini means when he says increase the buffer.

Assistant Mayor Ferrini stated that if the buffer is presently 50 feet, make it 100 feet. He stated that a longer and more defined buffer is needed to ensure people of two things.

- That the buffer is indeed a green space and not Route 1
- That the buffer, given that we are looking at some larger parcels, could be a little bit bigger now.

He stated that one of the things the Planning Board might find difficult is that it is easier to consider a broader buffer with a 10 acre parcel than with a smaller parcel and maybe a stripped version of that depending upon what you see in the inventory of parcels, but the expressed concern that the Council received is that people don't want anything there. He said

that looking at what the Master Plan says and what the Council voted on, it is fair to say that a more well defined extension of a buffering area in parcels that would permit and where there are trees and plantings mentioned that they be done in a more precise and numerated way so that people would have an understanding and that there is a lot of ground cover so the residents have a better consensus of what they will and will not see.

Donald Coker, Planning Board said that he is speaking as a single individual member of the board and in no way represents the views of the Planning Board. He stated that the suggestions of Assistant Mayor Ferrini are good, but the Planning Board has beat this matter to death. He said that as a member of the Planning Board they look at things from a development point of view. He stated that the board did the best job they could possibly do and was very disappointed in the Council's vote. He stated that the Council looks at it from a political point of view, where you have people complaining to the Council. He stated he is not sure what the answer is, but requested the Council recognize the difference in the points of view.

Councilor Reynolds asked if Mr. Taintor could offer some perspective to put Assistant Mayor Ferrini's dimensional and intensity regulations requirements into proportional terms or percentage terms that link to width of roadway in front of the property and dimensions of the property which would put lot sized into proportional terms. He stated that it was unclear whether the roadway was considered part of the buffer.

Rick Taintor, Planning Consultant, stated that one of the issues the Council needs to balance this with is, what the ultimate goal for the corridor is. One of the things the board talked about during the Master Plan was trying to upgrade the quality of the corridor. He said there are ways to interpret that. He stated that the board discussed pushing traffic behind buildings, but that is counter to pushing buildings back from the street? He said it is one of those choices that have to be made.

Anthony Coviello, Planning Board stated that he is in agreement with all the changes made by Assistant Mayor Ferrini except the right turn only. He stated that perception and reality are different things. He said he wants to do what the traffic engineers and experts say is right. He said there are things that look like the Planning Board have not thought about, but have actually been hashed out thoroughly. He cautioned the Council on the right turn only area.

Councilor Smith agreed with Assistant Mayor Ferrini's recommendations. He stated that a roadway is not a buffer. He said this is completely unacceptable and we promised the people 10 years ago to protect them and protect all of them not just one. He said some of the parking waiver he does not agree with. He stated that as for traffic coming on and off the back road, he knows it has been discussed. He agrees with Mr. Coviello that traffic issues should be left for the Traffic & Safety board and traffic engineers. He stated that we all know what is going to happen on Route 1 eventually. He stated that there is going to be a medium strip going in and it will be right turn in and right turn out regardless. He stated that no one is saying that the board didn't look at everything, only that there are other issues. He hoped the Planning Board will go back to tighten it up and bring it back and maybe the results will be different.

Councilor Dwyer stated that this is a corridor concept. She stated that we are caught between positioning code based thinking to design and form based thinking. She stated how important it is going to be to give a clear picture of the form. She stated the form for the corridor is the goal. She requested to know what we want that corridor to look like and how do we want that corridor protected. She said we need to look at the impact of it and we need to have communication between the Planning Board and the Council so we don't waste a lot of time. Donald Coker, Planning Board asked about a draft recommendation. Councilor Dwyer stated that would be for the legal department and the City Manager to decide. She said she doesn't want to create more work for everyone.

John Ricci, Chair, Planning Board asked how many times the Planning Board is going to have to revise this. He stated that his biggest fear is that the board is going to get all their homework done and ready for the big test and somebody will change the test.

Assistant Mayor Ferrini stated that this item has a lot more impact than some of the others and for that reason the procedure might be changed. He suggested that if the Planning Board comes up with a draft, it might be good to get together again after the Councilors have had a chance to review it. He stated that this area is very sensitive and we need to be very careful about it.

Cindy Hayden, Deputy City Manager stated that those two parcels are zoned for something now and someday something will get built there. She said the Planning Board was trying to make sure what eventually goes there is better than it is now zoned for.

Councilor Smith said that normally at second reading with any ordinance that comes up, the Council can make their changes and it will then come back. Normally it would have been sent back to the Planning Board and he feels that it is the right thing to send it back now. He stated that he does hope that this will come back to the Council.

Mayor Marchand stated that we have covered at least one item that seems to be a priority in terms of the Council and hopefully we have communicated to the Planning Board some of the suggestions which might make it better.

VI. Adjournment

At 7:50 p.m., Mayor Marchand closed the meeting.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk