

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Accepted March 2, 2021

2/4/2021 - Minutes

1. CALL TO ORDER

Chair P. Brunette read the meeting introduction:

As Chair of the Laconia Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;

We are utilizing the Zoom platform for this meeting where all members of the Board will have the ability to communicate, and the public will have access to watch the live YouTube video at <https://www.youtube.com/laconianh>, listen to this meeting through dialing the following phone # 1-312-626-6799 or participate with the Zoom app. Webinar ID, Webinar Password .

b) Providing public notice of the necessary information for accessing the meeting;

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the City of Laconia's website at laconianh.gov

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;

If anybody has a problem, please call 524-3877 x 249 or email at: planning@laconianh.gov

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

The meeting was called to order at 6:38 PM

2. ROLL CALL

Members present at City Hall: Charlie St. Clair, Bruce Cheney, Mike DellaVecchia (7:59 pm)

Members present via Zoom: Rich MacNeill, Kirk Beattie, Jewel Fox, Edwin Bones, Stacy Soucy, Brett Beliveau, Peter Brunette

Absent: Sarah Jenna

All members of the board via Zoom were alone in the room and quorum established.

Alternate members B. Beliveau and S. Soucy were seated as a voting members.

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen, Zoom Host Assistant Planner Rob Mora

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of Minutes from January 5

With no objections, Chair P. Brunette declared the minutes accepted

6. PRESENTATIONS

7. EXTENSIONS Note: The purpose of this agenda section is for the board to consider requests from applicants with previously approved projects to extend the deadline dates. The board may also deliberate the request, decide and conduct a final vote at this time. PUBLIC INPUT IS NOT TAKEN ON EXTENSION REQUESTS.

8. CONTINUED PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE VOTE Note: The purpose of this agenda section is for the Board to continue the Public Hearing for the applicant and the public to provide input. The Board may also deliberate the application, decide and conduct a final vote at this time.

8.I. PL20200066SU, 0067CUP(cluster), 0068CUP(wetland); Mile Hill Road, Mountain Lake Village; proposal for a 51 lot (18 in Belmont, 33 Laconia) cluster subdivision with underground utilities & sidewalk

Applicant: Phil Brouillard addressed the Board. Engineer for the project Jon Rokeh was present via Zoom. P. Brouillard told the Board they have addressed all the outstanding issues and is in agreement with the staff review. He is requesting to move forward with an approval.

The public hearing reopened at 6:42 PM.

Abutter input:

There was no one to speak for or against the application.

The public hearing closed at 6:42 PM

Staff Review: Planning Director D. Trefethen read the staff review. He brought up the memo from DPW regarding the sidewalks. It is important to take note that sidewalks are required, maintenance of future City services will be take care by the development and Homeowners Association prior to City acceptance.

Chair P. Brunette would like to have a follow up and agreement discussion between Public Works and Staff on the intent for expansion of infrastructure.

Motion to approve the application with the dates and conditions as stated in the staff review made by B. Cheney, C. St. Clair seconded. All voted in favor by roll call vote.

9. PUBLIC HEARINGS, POSSIBLE CONSIDERATION AND VOTE Note: The purpose of this agenda section is for the Board to have a presentation from the applicant and open a Public Hearing for the public to provide input. The Board may also deliberate the application, decide and conduct a final vote at this time.

9.I. Updates to the Wetlands Conservation and Water Quality Overlay District 235:17 and Shoreland Protection District 235:19

Conservation Technician Ashley Ruprecht and Conservation Chair Dean Anson addressed the Board via Zoom. After last month's presentation, the only change was to include that and/all portable toilets be located no less than 30 ft from any waterbody or wetland. D. Anson thanks staff for efforts to make the language clearer for applicant. He noted that Conservation is in support of the revision.

The public hearing opened at 6:56 PM

Public input:

There was no one to speak for or against the revisions to the ordinance.

The public hearing closed at 6:57 PM

Motion to refer the revisions to the Wetlands Conservation and Water Quality Overlay District 235:17 and Shoreland Protection District 235:19 to City Council made by R. MacNeill, S. Soucy seconded. Motion passed but B. Cheney abstained.

- 9.II. PL2020-0017SP, 0118SU, PL2020-0114CUP(warehouse), 2021-0003CUP(alt Parking); 645 & 639 Union Ave/60 Mechanic; Proposal to change the use from daycare to warehouse and construct 12,847 sf paved parking lot exclusively for Cantin employees and boundary line adjustment between lots 22 & 25

Motion to accept the application as complete made by K. Beattie, B. Cheney seconded. All voted in favor by roll call vote.

Application: Tom Selling and Tom Cantin addressed the Board. T. Selling explained the proposal. The applications have been to two technical review meetings and all the concerns have been met. C. St. Clair asked if the two apartments at 645 Union will stay and T. Cantin said once the lease it up in June they will be gone. Cantin's has 55 employees and by moving the employees there is more room for customers.

The public hearing opened at 7:07 PM

Abutter input:

There was no one to speak for or against the revisions to the ordinance.

The public hearing closed at 7:07 PM

Staff Review: Planning Director D. Trefethen read the staff review. He noted that an easement will be required. DPW will be doing work on Mechanic Street this year and the work on the stormwater basin will be worked on at the same time. The applicant agrees with the staff review. Lot coverage will increase by 2% to make it 78%.

Motion to approve the application with the dates and conditions as stated in the staff review made by E. Bones, B. Beliveau seconded. All voted in favor by roll call vote.

- 9.III. PL2020-0123SP; 409-461 (427) Province Road, Gilbert Block; Proposal to construct a storage shell to house materials

Motion to accept the application as complete made by B. Cheney, K. Beattie seconded. All voted in favor by roll call vote.

Applicant: Brian Gilbert addressed the Board. He is proposing a steel Quonset hut with a dirt floor and no electricity or water. This is only to house materials. This will not be visible from the road. It is located 150 ft from Durkee Brook.

The public hearing opened at 7:17 PM

Abutter input:

There was no one to speak for or against the revisions to the ordinance.

The public hearing closed at 7:18 PM

Staff Review: Planning Director D. Trefethen read the staff review. B. Beliveau asked if there is a maintenance shed on site and was told yes. B. Gilbert noted that this will be the only building without a concrete floor on the site.

Motion to approve the application with the dates and conditions as stated in the staff review made by K. Beattie, R. MacNeill seconded. All voted in favor by roll call vote.

9.IV. PL2021-0001SU; 56-126 Doris Ray Court; Proposal to subdivide one lot into two

Motion to accept the application as complete made by J. Fox, E. Bones seconded. All voted in favor by roll call vote.

Applicant: Steve Smith addressed the Board. He explained the proposal. The existing lot is 12.4 acres with frontage on Elm Street. After the subdivision the parcel with the buildings will be 11.07 acres and the new lot will be 1.37 acres. The area to be subdivided off is rarely used and is currently gravel, used for overflow parking. There are existing sidewalks and street trees.

Chair P. Brunette asked who the future purchaser would be on the new lot and was told Scott Everette. With that, Chair P. Brunette recused himself and asked Vice Chair E. Bones if he could Chair this application.

The public hearing opened at 7:27 PM

Abutter input:

There was no one to speak for or against the revisions to the ordinance.

The public hearing closed at 7:27 PM

Staff Review: Planning Director D. Trefethen read the staff review. Staff would like the utilities shown on the mylar. S. Smith noted that the applicant is not sure where the utilities will be located until a site plan is made. Staff understood the comment.

Motion to approve the application with the dates and conditions as stated in the staff review made by R. MacNeill, B. Beliveau seconded. Majority voted in favor, S. Soucy opposed.

Chair P. Brunette came back at 7:32 PM

9.V. PL2021-0002CUP(wetland); 50 Carriage Ln; Proposal to construct single family home with deck and use lawn in the 50 ft wetland buffer

Motion to accept the application as complete made by E. Bones, K. Beattie seconded. All voted in favor by roll call vote.

Applicant: Dawn and Miles Sheffer addressed the Board. D. Sheffer explained the proposal. This would be their retirement home and asked that the wetland buffer be set back to 30 ft. The Conservation Commission has approved the proposal. E. Bones is not in favor of the buffer reduction and asked why we have one if the Board keeps giving approval to go into the buffer. He suggested the applicant reduce the size of the home and deck to not be in the buffer. D. Sheffer noted they were uniformed or

misinformed of the 50 ft setback to the pond. The recently found out that the neighboring lot received relief of the 50 ft setback and there are few left to be built on in the neighborhood. The applicant would like to build a 2400 sf cape style house. E. Bones' issue is that the house is too large on a too small lot.

The public hearing opened at 7:39 PM

Abutter input:

There was no one to speak for or against the revisions to the ordinance.

The public hearing closed at 7:40 PM

Staff Review: Planning Director D. Trefethen read the staff review. He understands the comments on the buffer. He urged the Board to keep in mind that the revision to the wetland ordinance may result in this pond not having buffers, but Staff has not made that determination yet. The lot has not been in its nature state except right near the water. It has been mowed and taken care of for many years. E. Bones feels that the envelope is being pushed as much as it can. C. St. Clair noted that the Conservation Commission thoroughly looks at these applications and he relies heavily on them for their feedback, but also understands E. Bones' comments. B. Cheney feels it unfair to this applicant since others have recently received approval and doesn't understand why not this application. R. MacNeill noted that the Board has approved some applications the Conservation did not approve.

Motion to deny the application made by E. Bones, P. Brunette seconded. The motion failed 6-3, in favor E. Bones, B. Beliveau, P. Brunette; oppose C. St. Clair, B. Cheney, R. MacNeill, K. Beattie, J. Fox, S. Soucy.

Motion to approve the application with the dates and conditions as stated in the staff review made by C. St. Clair, B. Cheney. The motion passed 5-3, C. St. Clair, B. Cheney, J. Fox, S. Soucy, P. Brunette; oppose E. Bones, R. MacNeill, B. Beliveau.

M. DellaVecchia joined the meeting at 7:59 PM and S. Soucy stepped down as a voting member.

9.VI. PL2021-0004SP; 12 Normand Circle; Proposal to add 14 RVs to existing site

Motion to accept the application as complete made by C. St. Clair, K. Beattie seconded. All voted in favor by roll call vote.

Applicant: Kent Brown of Brown Engineering addressed the Board via Zoom. The RV Park is seasonal and the expansion will be seasonal as well. The lot is served by municipal water and sewer as well as the expansion. Planning Director D. Trefethen explained abutter concerns and the property vegetative buffer. Staff doesn't feel that drainage is an issue because nothing is changing from the current drainage features are being added to treat and keep on site.

The public hearing opened at 8:06 PM

Abutter input:

Chair P. Brunette brought up the letter from the abutter, Keith Normand. Planning Director D. Trefethen noted that concern is proper vegetative buffer and stormwater drainage.

Normand Properties LLC, Guy Normand, addressed the Board via Zoom. He stated when the site was first designed, the only allowable sites, due to green space, was what is currently there. The main concern is lots 38, 40, 42, 44 and 46. When it rains it flows down and worried about the impact of their site. He also asked for an engineered wall and fence to make there is some kind of barrier between the two lots to discourage "visiting", vandalism or encroachment from the sites.

Keith Normand addressed the Board via Zoom. He would like the runoff stipulations be addressed.

Planning Director D. Trefethen read an email received and forwarded to the Board February 3 regarding the size of the awnings. He noted that the proposed new lots are the same width as the current lots and if they work on the existing, they should work on the proposed.

R. MacNeill noted that the drainage pipe looks to be offsite according to the plan and that would mean that runoff doesn't stay on the site. Planning Director D. Trefethen noted that and suggested the Board table the application for Staff to review this with the applicant.

The public hearing closed at 8:12 PM

Motion to table the application to March 2 made by C. St. Clair, K. Beattie seconded. All voted in favor by roll call vote.

- 9.VII. PL2021-0005CUP(wetland); Leighton Ave North MBL 21-253-16 & 17; Proposal to revert back to the original 30-foot wetland buffer from the 50-foot buffer to allow for construction of a single-family residence and attached deck

Motion to accept the application as complete made by B. Beliveau, C. St. Clair seconded. All voted in favor by roll call vote.

Applicant: Spencer Tate, Certified Wetland Scientist with Meridian Construction addressed the Board via Zoom. The applicant is amenable with the staff review. Only the driveway will impact the 50 ft wetland buffer. Conservation Commission gave a conditional approval. The structure and septic meet state and local regulation.

The public hearing opened at 8:24 PM

Abutter input:

Rick and Wendy Wilson addressed the Board via Zoom. Significant problems with similar develop conc with runoff. S. Tate noted that staff has requested cross culverts and the applicant twill put in stone drip edge along the structures. DPW wants no sheet runoff from the driveway so the applicant is moving the driveway closer to the wetland. R. MacNeill asked if a third party would be needed during the construction process and Planning Director D. Trefethen noted that Staff will be keeping an eye on it.

The public hearing closed at 8:38PM

Staff Review: Planning Director D. Trefethen read the staff review. Staff added "leave trees and/or stumps in front area" and "direct any roof runoff away from road"

Motion to approve the application with the dates and conditions as stated in the staff review made by B. Beliveau, B. Cheney. All voted in favor by roll call vote.

- 9.VIII. PL2021-0007SU; 30 & 50 Church Street, City of Laconia; Proposal to subdivide the two lots to make three

B. Cheney stepped out of the room recusing himself. S. Soucy returned to be a voting member.

Motion to accept the application as complete made by C. St. Clair, B. Beliveau seconded. All voted in favor by roll call vote.

Applicant: Planning Director D. Trefethen addressed the Board as the City's agent/applicant. He gave a brief background of the parcels. The City purchased lots 30 and 50 and are retaining the parking spaces and need a lot to encompass the parking area.

Side note: The City is exempt from the regulations and Planning Board is just advisory. The application

went to eh ZBA for creating a nonconforming lot without road frontage. The New lot will be what is the current parking area with 81 spaces. There is a small utility shed in the north east corner and that will remain. There is already cross easement for the rights to pass and repass. Revised easements will be needed once the subdivision is in place to show that the City will be responsible for plowing. The demolition permit for the church has not been withdrawn or issued yet. There is some private parking on the lots. B. Beliveau asked if someone purchases one of the lot but takes all the parking how it would be handled. Planning Director D. Trefethen said the City will be in control of what uses will be going into the buildings and the number of parking spaces required will be considered. The idea is to have a use that minimizes use of the parking lot to preserve as many for general parking as possible.

The public hearing opened at 8:56 PM

Abutter input:

John Moriarty, Chair of the library Board of Trustees addressed the Board. He appreciated the word. He noted that the church and the library's cycle never overlapped so there was not a worry about the connection. Approximately a year ago the library voted to close the connection and had concern that folks would cut across the crass to create more of a dangerous traffic pattern.

Planning Director D. Trefethen noted that putting a gate across the section will be made a condition for formality. B. Beliveau noted that before the use of the parking lot was limited but that will grow with the sale of the properties and feels a traffic study should be done. Planning Director D. Trefethen noted that DPW is looking at changing the flow of the driveway on each side of the church. For the demolition permit: The Diocese requested the Heritage Commission table the application until they are ready to make a decision on the Church.

B. Beliveau acknowledged the application with the construction of a gate between the library and parking lot and a traffic study be done on Church Street. R. MacNeill seconded.

B. Cheney returned.

10. APPLICATION ACCEPTANCE Note: The purpose of this agenda section is to publicize that a Planning Board application has been submitted AND for the Planning Board to determine if the application is complete enough to begin the review process. PUBLIC INPUT IS NOT TAKEN AT THIS TIME. If the application is accepted the Planning Board will schedule a Public Hearing at which time the application will be heard and public comments will be accepted. Information about applications can be obtained on the city's web site or by calling the Planning office.

11. NEW BUSINESS

- 11.I. Re-appoint Charlie St. Clair as the PB representative on the Historic District Commission due to expire at the end of March, 2021

Motion to reappoint C. St. Clair to another term of the HDC made by K. Beattie, B. Beliveau seconded. All voted in favor by roll call vote.

Planning Director D. Trefethen explained the revocation process and gave a brief history of each.

- 11.II. Revocation of 01-008SU; Jomish Realty Trust/Marco Estates, White Oaks Road MBL 235-241-4; Vote to start the revocation process of the approved 25 lot subdivision; the project has expired and applicant is not moving forward

Motion to start the revocation process and schedule a public hearing for March 2 made by B. Beliveau, C. St. Clair seconded. All voted in favor by roll call vote.

- 11.III. Revocation of 05-006SU, 05-007CUP (wetland); Bossey, New Hope Drive MBL 260-249-10; Vote to start the revocation process of the approved 22 lot subdivision; project expired and a different plan to be proposed

Motion to start the revocation process and schedule a public hearing for March 2 made by B. Beliveau, C. St. Clair seconded. All voted in favor by roll call vote.

- 11.IV. Revocation of PL2019-0093SU; Leonard & Leighton, 67 & 79 Maiden Lady Cove MBL 105-403-2, 2.1, 1; Vote to start the revocation process of the approved boundary line adjustment; project not moving forward

Motion to start the revocation process and schedule a public hearing for March 2 made by B. Beliveau, C. St. Clair seconded. All voted in favor by roll call vote.

- 11.V. Revocation of PI2019-0124SU; Knot Brown/Gouin, 55 Bay Street/6 Winnisquam Ave MBL 450-13-29/450-245-28; Vote to start the revocation process of the approved boundary line adjustment, project not moving forward

Motion to start the revocation process and schedule a public hearing for March 2 made by B. Beliveau, C. St. Clair seconded. All voted in favor by roll call vote.

12. OLD BUSINESS

M. DellaVecchia read a letter he wrote to the Board regarding the waiver that was approved at 570 Union Ave at the January 5 meeting. He would like Union Ave to look better and he feels that approving that waiver for street trees does the opposite. That is the only area where there are no trees along the road. He has nothing against Cantin's, in fact he goes there but feels the waiver was approved without good cause. He stated that a person on the Board that voted to approve the waiver can motion to reconsider this motion of the waiver. Chair P. Brunette agrees that Union Ave needs help. C. St. Clair noted he is willing to bring up the reconsideration and it was worth exploring.

Motion to bring the reconsideration of the waiver for street trees made at the January 5, 2021 Planning Board meeting for 570 Union Ave to March 2, 2021 made by C. St. Clair, J. Fox. The motion passed 5-4. M. DellaVecchia, C. St. Clair, R. MacNeill, J. Fox, B. Beliveau in favor; B. Cheney, K. Beattie, E. Bones, P. Brunette against. B. Cheney noted his vote because he questions if it was legal and fair to the applicant. He also noted that he resents the comment that M. DellaVecchia is the only member with concerns and suggested asking the City's Legal Counsel first before scheduling a public hearing.

13. PLANNING DEPT REPORT

Planning Director D. Trefethen mentioned that the Master Plan Steering Committee's (MPSC) restart of meetings will be Feb 11 at 6:30 pm via Zoom. He also noted that S. Jenna will not be able to be on the committee and the Board would need to appoint another member. Currently R. MacNeill and P. Brunette are on the committee and that S. Soucy had showed interest in the past.

Motion to appoint S. Soucy to the MPSC made by E. Bones, J. Fox seconded. All voted in favor by roll call vote.

14. LIAISON REPORTS

LRPC: Nothing to report

ConCom: Nothing to report

Council: Nothing to report

HDC: C. St. Clair deferred to Assistant Planner R. Mora since he gave a presentation. He briefly went over what was presented regarding form based code.

15. OTHER BUSINESS

16. ADJOURNMENT

The meeting adjourned at 9:43 PM.

Respectfully,
K. Graham