



City of Laconia
Zoning Board of Adjustment
Tuesday, February 16, 2021 - 6:30 PM
City Hall in the Armand A. Bolduc Council Chamber

2/16/2021 - Minutes

1. PUBLIC PARTICIPATION

S. Bogert read aloud the ZOOM meeting information.

2. CALL TO ORDER

S. Bogert called the meeting to order at 6:39 PM

3. ROLL CALL

Present: S. Bogert (Zoom); M. Foote; R. Maheu; G. Ober (Zoom); M. Dellavecchia
Alternate: M. Hayward (Zoom)

4. RECORDING SECRETARY

K. Santoro, Zoning Technician

5. STAFF IN ATTENDANCE

D. Trefethen, Director of Planning & Community Development

6. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

6.I. January 19, 2021 Zoning Board Of Adjustment Minutes (PDF)

M. Foote made a motion to accept the minutes of January 19, 2021 as presented.

R. Maheu seconded the motion.

Vote was taken by roll call. All in favor (5-0)

7. EXTENSIONS

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.

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. ZO2021-0001 Endicott St East Special Exception Application (PDF)

R. Maheu recused himself from the meeting. He noted his hearing aids are being repaired and he could not hear well enough to participate in the discussion and public hearing. At 6:44 he left the meeting. Alternate M. Hayward was seated for the remainder of the meeting.

Owner Roland Mainville briefly addressed the Board, he noted that they have a building permit for the first duplex, an allowed use, and are seeking a Special Exception to construct an additional duplex

unit, as multifamily units are allowed by Special Exception in the SFR (Shorefront Residential) Zone.

Jeffrey Lewis, of Northpoint Engineering, presented the application to the Board. He outlined the project. He informed the Board that they have a driveway permit from the State of NH DOT; they have filed a Site Plan with the Planning Board and are going to the Conservation Commission on February 17th.

J. Lewis noted that the lot is just over two acres in size, current density would allow for up to twelve units, the applicant is proposing four units in the form of two duplex buildings. He also noted that the lot is served by public water and sewer. J. Lewis addressed an abutters concern regarding drainage from the project, he informed the Board that as part of the Planning Board application a drainage study has been submitted. He briefly outlined the drainage plan, which will utilize a detention basin. The plan is compliant with Planning Board regulations and would not make the situation any worse, it may improve it.

M. DellaVecchia asked if the applicant had considered putting the units behind the wetlands. R. Mainville explained that due to the topography (steep slope) they opted not place the units there. M. Foote asked about relocating the second building (units 3&4) away from the buffer area. The applicant, R. Mainville, explained they tried to minimize impact while avoiding two driveways on Endicott St. E, and they tried to keep them away from the road as much as possible, they fit with the topography and are aesthetically pleasing. J. Lewis commented that they tried to maintain a balance. The application is being reviewed by the Conservation Commission as part of the application process to the Planning Board.

S. Bogert stated that the Zoning Board is there to address the use, the issues such as drainage and the buffer area are for the Planning Board and Conservation Commission.

At 7:06PM S. Bogert opened the public hearing.

There was one member of the public attending on Zoom. He did not have a comment on the application.

At 7:08 PM with no one to speak for or against the application, S. Bogert closed the public hearing.

D. Trefethen informed the Board that there are proposed changes to the Wetlands Ordinance that have gone through the Conservation Commission, have been presented to the Planning Board and the Planning Board has recommended approval to City Council. If the Council approves the changes, wetlands such as the one on this parcel, sometimes noted as "pocket wetlands" due to their small size would be exempt from the regulation and would not need a CUP. [For clarification, it was noted that a CUP is a Conditional Use Permit.]

G. Ober commented that she supports the application if it is consistent with the use and that the Planning Board and Conservation Commission will handle the other concerns.

G. Ober made a motion to approve Application ZO2021-0001SE for a Special Exception for Article V Section 235-26 to allow for a four-unit multifamily dwelling.

a. The use requested is specifically authorized in this chapter:

The use is specifically identified in the Table of Permitted as authorized in the chapter by Special Exception.

b. The requested use will not create undue traffic congestion or unduly impair pedestrian safety:

The proposed use is only four residential units with a single driveway entrance that should not have an undue impact of traffic congestion or unduly impair pedestrian safety.

c. The requested use will not overload any public water, drainage or sewer system or any other municipal system, nor will there be any significant increase in stormwater runoff onto adjacent property or streets.

Municipal water and sewer are available to serve this project of only 4 units, which will not overload either system. A stormwater management design and report ensure that runoff will not increase from

the site.

d. The requested use will not create excessive demand for municipal police, fire protection, schools or solid waste disposal services.

There will be no excessive demand will be created on municipal services from 4 residential units.

e. Any special provisions for the use as set forth in this chapter are fulfilled.
There are no special provisions set forth in the Ordinance.

f. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.
The subject parcel has an allowed density of 12 units (6 units per acre) and is only proposing 4 units. It will not create any public hazards and is well within the density requirements.

g. The proposed location is appropriate for the requested use.
The proposed location is on a State road in a residential district with available municipal utilities.

h. The requested use is consistent with the spirit and intent of this chapter and the Master Plan.
The proposed use is in all aspects consistent with the spirit and intent of the Ordinance and Master Plan.

M. DellaVecchia seconded the motion.
Vote was taken by roll call. All in favor (5-0)

10. OTHER BUSINESS

11. ADJOURNMENT

At 7:18 PM S. Bogert made a motion to adjourn the meeting.
M. Foote seconded the motion.
Vote was taken by roll call. All in favor. (5-0)