

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

3/2/2021 - Minutes

1. CALL TO ORDER

Chair Peter Brunette read the meeting into:

INTRODUCTION FOR ELECTRONIC MEETINGS

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 894 8885 6414.

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 6:39 PM

2. ROLL CALL

Members present at City Hall: Michael DellaVecchia

Members present via Zoom: Kirk Beattie, Rich MacNeill, Charile St. Clair, Sarah Jenna, Brett Beliveau, Susan Hodgkins, Stacey Soucy, Peter Brunette

Absent: Bruce Cheney, Edwin Bones

All three alternate members B. Beliveau, S. Soucy and S. Hodgkins were seated as voting members.

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of minutes from February 4

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

With no objection from the Board, Chair P. Brunette moved item 15 to the top of the agenda.

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.

7.I. PL2020-0018CUP(wetland); Drummer Trail; request to extend the approval to construct single family home within the 50' wetland buffer

Applicant: Atty Phil Brouillard explained the request. The new owner plans to build this spring.

Motion to approve the extension request made by S. Jenna, S. Hodgkins seconded. All voted in favor by roll call vote.

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. PL2013-0100SP amd2; 264 Lakeside Ave, Tower Hill Tavern; Request to amend the original approval to allow for indoor live music & DJ's until close at 1 am

Motion to table the application to April 6 made by S. Jenna, seconded. All voted in favor by roll call vote.

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

Applicant: Kent Brown, of Brown Engineering addressed the Board via Zoom. He explained the drainage concern from the last meeting and that it has been rectified.

The public hearing opened at 7:10 PM. There was no one to speak for or against the application.

The public hearing closed at 7:10 PM

Planning Director D. Trefethen reiterated more on the drainage. The new sites, 38, 40, 42, 44, 46, are going to be built up with a retaining wall and swale that will direct to an area on White Oaks Rd, where the drainage currently goes. Most of the slope will be eliminated on the applicant's property. There will be equal or less runoff on the adjacent property. The existing storm water structure and where drainage line goes. As shown on the old plans they go to Endicott East through a line in an enclosed system. He feels there should be less water on the adjacent property. The water will be captured, treated and in most cases perk into the ground. C. St. Clair asked if years down the road this stops working can the City make the system be fixed. Planning Director D. Trefethen noted that would be a civil matter between the two properties and not a City issue.

Motion to approve the application with the dates and conditions as stated in the staff review made by B.

Beliveau, K. Beattie 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.

Planning Director D. Trefethen explained the process of the revocations. The Board will separately hear the public hearing then do one motion for all revocations.

- 9.I. Revocation of 01-008SU; Jomish Realty Trust/Marco Estates, White Oaks Road MBL 235-241- 4; previously approved 25 lot subdivision; the project has expired and applicant is not moving forward

There was no representative for the application.

The public hearing opened at 7:20 PM. There was no one to speak for or against the application.

The public hearing closed at 7:21 PM

- 9.II. Revocation of 05-006SU, 05-007CUP (wetland); Bossey, New Hope Drive MBL 260-249-10; previously approved 22 lot subdivision; project expired and a different plan to be proposed

Atty Ethan Wood represented the application. He brought up an agreement that has been recorded with the City. He is unsure if this document will have any affect on the revocation as he just found out about it and is not sure of the background. He cautioned the board on revoking.

The public hearing opened at 7:25 PM. There was no one to speak for or against the application.

The public hearing closed at 7:22 PM

- 9.III. Revocation of PL2019-0124SU; Knot Brown/Gouin, 55 Bay Street/6 Winnisquam Ave MBL 450- 13-29/450-245-28; previously approved boundary line adjustment, project not moving forward

Atty P. Brouillard represented the application. The applicant has no objection with the revocation.

The public hearing opened at 7:26 PM. There was no one to speak for or against the application.

The public hearing closed at 7:27 PM

- 9.IV. Revocation of PL2019-0093SU; Leonard & Leighton, 67 & 79 Maiden Lady Cove MBL 105-403- 2, 2.1, 1; previously approved boundary line adjustment; project not moving forward

Planning Director D. Trefethen noted this was requested by the applicant.

The public hearing opened at 7:28 PM. There was no one to speak for or against the application.

The public hearing closed at 7:28 PM

Motion to revoke White Oaks Road, Bay/Winnisquam Ave and Maiden Lady Cove as described and leaving on the table New Hope Drive for further investigation made B. Beliveau, K. Beattie seconded. All voted in favor by roll call vote.

- 9.V. PL2021-0008SU, 0021CUP(wetland); 224 Endicott St East, MBL 164-72-5; Proposal to construct 2 duplex condominiums (4 residential units) ~waiver requested for outdoor lighting and landscaping, waiver requested for sidewalks

The Board accepted the application as complete.

Applicant: Roland Mainville and Jeff Lewis of Northpoint Engineering addressed the Board. R. Mainville gave a brief background of the property since 2004. The proposal is to construct 2 duplex, for a total of 4 units. The applicant went to the Conservation Commission and the Technical review and passed.

Clarification on the waivers: There are three waiver requested: one for a landscaping plan, a lighting plan and sidewalks. The common area is small and limited and the developer wanted the property owners to plant what they want. The lighting will be residential style as if on single family homes on the structure. No poles proposed. There are no sidewalks in the immediate area for it to make sense to put in sidewalks. The applicant that a building permit for units one and two. This is a small scale development. C. St. Clair asked if sidewalks could go in the state ROW and Planning Director D. Trefethen said sometimes they allow and sometimes not. He noted that from Sterling Drive to Plantation there is a sidewalk that hasn't been maintained. Neither the State or the City wanted the maintain it and it is in the ROW so not the property owners. R. MacNeill asked about the lighting and Planning Director D. Trefethen noted that it is only residential standard lighting and no need to look at it.

The public hearing opened at 7:46 PM. There was no one to speak for or against the application.

The public hearing closed at 7:46 PM

Staff Review: Planning Director D. Trefethen brought attention to condition 2a where there is already vegetation along the Endicott East and asking that to be maintained for a natural canopy. B. Beliveau brought up the CUP for the wetland buffer and doesn't see how the storm water structure would work without impacting the wetlands. Planning Director D. Trefethen explained about the upcoming revisions in the ordinance that would exempt certain areas, this being one. Staff has reviewed the proper stormwater maintenance and the applicant is creating a rain garden to hold water and percolate. It there is a lot that would flow into the wetland as it currently does. B. Beliveau noted that the property flows toward the wetland. Planning Director D. Trefethen offered that the Board could add a request that at the building permit level to have drip edge treatment for control of roof runoff. Either gutter or crushed stone, or both as an example.

Chair P. Brunette brought up sidewalks and noted to keep in mind that the purpose is to increase in d improve infrastructure in the City. He feels the City should step up and connect the sidewalks and maintain them. The issue needs to be addressed. S. Hodgkins asked about the waivers and Planning Director D. Trefethen explained. She feels that being condominium, the landscaping should have cohesive aesthetics and the developer should have a plan. M. DellaVecchia is ok with the lighting and sidewalk waiver requests but would like to see a landscaping plan as well. Unit 4 is only a few feet from the setback and has concern with screening. He would like to see trees along the road. R. Mainville noted that Conservation Commission gave recommendations for planting. He noted that they left trees for a buffer and will plant other screening.

Motion to approve the wavier for lighting plan made by S. Jenna, S. Soucy seconded. All voted in favor by roll call vote.

Motion to deny the waiver for landscaping plan and suggested putting a note on the plan of Conservation's recommendations and screening along Endicott East to be reviewed by Staff made by M. DellaVecchia, C. St. Clair seconded. All voted in favor by roll call vote.

Motion to approve the sidewalk waiver made by S. Jenna, S. Hodgkins seconded. Motion passed with M. DellaVecchia, C. St. Clair abstaining; S. Jenna, K. Beattie, S. Hodgkins, B. Beliveau, S. Soucy in favor; R. MacNeill, P. Brunette against.

Motion to approve the subdivision and conditional user permit with the dates and conditions as stated in the staff review made by M. DellaVecchia, J. Jenna seconded. All voted in favor by roll call vote.

- 9.VI. PL2021-0015CUP(wetland); 18 Gilman St, MBL 410-90-42; Proposal to construct a single family dwelling with attached garage within the 50 ft wetland buffer and ~waiver request for underground

utilities

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

Applicant: Dan Higginson addressed the Board via Zoom. He explained that this is the last vacant lot on the street. The applicant is proposing a house with garage and part of the garage will be in wetland buffer. The waiver request for underground utilities is because all the houses have been constructed with overhead and would need to go under the road to make underground which would mean tearing up the street. The application went to the Conservation Commission and they had no issue with the proposal. The applicant is constructing small swales for the roof and driveway runoff.

The public hearing opened at 8:32 PM. There was no one to speak for or against the application.

The public hearing closed at 8:33 PM

Staff Review: Planning Director D. Trefethen read the staff review.

Motion to approve the conditional use permit and the waiver for underground utilities with the dates and conditions as stated in the staff review made by S. Jenna, B. Beliveau seconded. All voted in favor by roll call vote.

- 9.VII. PL2021-0016SP; 59 Doe Ave, Craft Beer Xchange; Proposal to add 24 parking spaces to support 2400 sf outdoor seating addition; ~waiver request for sidewalk

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

Applicant: Peter Howard addressed the Board via Zoom. He noted that Steve Smith & Associates is now partner with Dubois & King. P. Howard gave a brief history of the project since 2019. Last summer the applicant had put table outside due to the pandemic and it was successful so they would like to keep that going. However, doing that and the thought that eventually the restaurants will be open to full capacity, they will need more parking. A waiver was requested and received on the original approval and the applicant was hoping it would be approved again as the nearest sidewalk is over the hill on a narrow right of way.

The public hearing opened at 8:42 PM. There was no one to speak for or against the application.

The public hearing closed at 8:43 PM

Staff Review: Planning Director D. Trefethen read the staff review. He asked P. Howard to go over the stormwater. P. Howard explained they are isolating the new runoff from the proposal. It will be caught in a swale and go right to existing catch basins, through an oversized perforated pipe surrounded by stone.

K. Beattie had concern with occupancy numbers and how it could change the capacity as well as emergency egress. Planning Director D. Trefethen noted that conditions could be added for the Fire Dept review as well as internal facilities be looked at.

Motion to approve the sidewalk waiver made by B. Beliveau, S. Jenna seconded. The motion passed with M. DellaVecchia, S. Jenna, K. Beattie, R. MacNeill, S. Hodgkins, B. Beliveau, S. Soucy in favor and P. Brunette against and C. St. Clair abstaining.

Motion to approve the amended site plan with the dates and conditions as stated in the staff review made by S. Jenna, B. Beliveau seconded. All voted in favor by roll call vote.

9.VIII. PL2021-0017SU; 730 Endicott St N; Proposal for a boundary line adjustment between 114-252-1 & 2

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

Applicant: Steven Grant addressed the Board. He explained the boundary line adjustment. He noted that when the site was originally approved the State would not allow sidewalks so there are no sidewalks.

The public hearing opened at 9:00 PM. There was no one to speak for or against the application.

The public hearing closed at 9:00 PM

Staff Review: Planning Director D. Trefethen read the staff review. He explained the reasoning for the weird lines.

Motion to approve the boundary line adjustment with the dates and conditions as stated in the staff review made by K. Beattie, S. Jenna seconded. All voted in favor by roll call vote.

9.IX. PL2021-0018SP; 1197 Union Ave, HK Powersports; Proposal to construct 50' x 144' warehouse and associated drainage and landscaping

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

Applicant: Steve Whalley addressed the Board. Atty Phil Brouillard was also present. S. Whalley explained the proposal and that it will be similar and mostly not be seen from Union Ave. There will be minimal impact and will be in character with the rest of the structures. He has been there for 36 years and they keep growing. Atty P. Brouillard stated that the building will be freestanding, and the only utility will be for lights. The applicant has no objections with the staff review. S. Soucy asked if the building was going to be higher than the rest and S. Whalley stated the elevation is higher but all the buildings are relatively the same height.

The public hearing opened at 9:06 PM. There was no one to speak for or against the application.

The public hearing closed at 9:07 PM

Staff Review: Planning Director D. Trefethen read the staff review. He added that it is nice to see expansions and such success.

Motion to approve the site plan with the dates and conditions as stated in the staff review made K. Beattie, C. St. Clair seconded. All voted in favor by roll call vote.

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

12. OLD BUSINESS

M. DellaVecchia brought up sidewalks waivers and the fact that we need to come up with a plan. He thought E. Bones was coming up with a plan and Planning Director D. Trefethen noted that E. Bones has

spoken with DPW. B. Beliveau think the City should come up with a cost per foot and a list of priority areas.

12.I. Reconsideration of waiver of street tree request for 570 Union Ave

Planning Director D. Trefethen explained the reconsideration process.

Applicant: Tom Cantin gave a brief history. He reviewed the video regarding the concern and addressed the concerns. All of Canton's properties have vegetation. The display lots house vehicles that don't move often enough. He noted that he is not trying to get away with anything and also has concern with the aesthetics of Union Ave and the City as a whole. Cantin's takes pride in their properties. Common sense inter to the rule. After the approval in January, the process was started. He plans to plant Spreading Yeaus in front the used car lot. They are not taller than a bumper of a car. Trees defeat the intent of a display lot. M. DellaVecchia has no disrespect of the business. S. Jenna feels that the request is reasonable for a waiver. C. St. Clair noted that most of the trees along the streets in the city have disappeared. B. Beliveau noted that trees can be substituted with a vegetative buffer that will enhance the view. He suggested thinking about changing the wording to alternate vegetation in the regulations. Chair P. Brunette agreed. M. DellaVecchia asked if the applicant could plant trees on another property was told no.

Motion to revoke the waiver granted for 570 Union Ave on January 5, 2021 made by M. DellaVecchia. Motion died for lack of second.

13. PLANNING DEPT REPORT

Planning Director D. Trefethen noted that with J. Fox's resignation there is a full member position available. He noted that normally the alternate who has been there the longest gets first dibs. B. Beliveau said he would consider.

Master Plan Steering Committee met and the next meeting is March 4.

14. LIAISON REPORTS

ConCom: S. Soucy mentioned that Conservation Commission went over the Endicott East project.

HDC: C. St. Clair mentioned that there is a lot in the works with the Commission and they are doing a presentation in April.

15. OTHER BUSINESS

Chair P. Brunette brought up the Planning & Zoning Conference in April and suggested signing up.

16. ADJOURNMENT

The meeting adjourned at 9:24 PM

Respectfully,
K. Graham