

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Accepted April 4, 2023

3/7/2023 - Minutes

1. CALL TO ORDER

6:33PM

2. ROLL CALL

Amy Lovisek, Robert Mora, Richard MacNeill, Bruce Cheney, Michael DellaVecchia, Peter Brunette, Brett Beliveau, Louis Joseph, and Scott McWilliams- alternates, both standing in as voting members.

3. RECORDING SECRETARY

Sheena Duncan, Conservation Planner Technician

4. STAFF IN ATTENDANCE

Dean Trefethen, Director of Planning and Development

Sheena Duncan, Conservation Planner Technician

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of February 7 minutes

Accepted as presented.

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. PL2022-0070SP, 0071CUP(perf zon); 35, 53, 71 Winnisquam Ave; Proposal to reconstruct retaining wall, boat ramp, boathouse and one residential building within the four parcels

Jessica Jacobson representing Knotty Marine stated that the seven "head in" parking spaces along Winnisquam Ave. presented to City Council had been approved. Sixteen parking spaces located on the condominium office at 60 Bay Street would be demarcated by signage specifically for marina use, with two additional space allowed for office use, for a total of 18 dedicated of site parking spaces with additional parking allowed on an "unassigned" basis. Geotechnical services will soon be complete.

P. Brunette asked if DES permitting was complete. J. Jacobson said that the permits were completed, and were in the stage of public comment, and were expected to be complete soon. S. McWilliams asked if the off site parking would include space for trailers hitched to vehicles- J. Jacobson said that

boats would be placed in the water for the season, and there would be no need for "day user" trailer parking. Those with trailers would be expected to remove the trailer, to return for pickup at a later time.

R. Mora asked if the proposed boat lift was still in the design, and if it would require a forklift- J. Jacobson said that it was, and that design was currently underway. R. Mora asked if the forklift would be used on Winnisquam Ave- J. Jacobson said that it would not.

S. McWilliams asked if there would be a full-time inspector on site during construction to protect the sewer syphon- She said that there would as part of the conditions of approval, and that a revised plan would be completed soon.

D. Trefethen said that Wes Anderson (Director of the Department of Public Works), the applicant, and the New Hampshire Department of Environmental Services are currently in the process of coming to an agreement regarding the reconstruction of the retaining walls on site, and W. Anderson would approve the permit when the design was satisfactory.

Open to the public at 6:50PM. There being no one to speak for or against the application, public comment closed at 6:51PM

D. Trefethen said that Staff recommends approval as all permits were either in place or were in the stage of finalization.

P. Brunette asked J. Jacobson if the applicant approved of the proposed deadlines outlines in the approval- she said that they did.

R. Mora asked if there has been any comments or issues from the abutters- D. Trefethen said that he was not sure.

P. Brunette sought a motion for approval of the Conditional Use Permit, and the Site Plan application based on the fact that all requirements had been met, there were no additional requirements from the Zoning Board, the development would achieve rehabilitation, improvement, and stabilization of the shore, with the conditions set forth in the staff report.

Motion B. Cheney to approve based on the suggested motion, seconded by M. DellaVecchia. All in favor.

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. PL2022-0114SP; 13 Summer Street; Creation of multifamily in existing structure

9.II. PL2023-0005SP; 8 Summer Street; Proposal to add one basement unit in existing structure to create a multifamily

Randy Otis presented his application to the Board, explaining that the proposal would not alter the footprint of the property, and all changes were internal. Zoning Board approval had been granted for density, and parking requirements were met. He said that he planned to live in the basement unit proposed.

Opened to the public at 6:59PM. There being no one to speak for or against, public comment closed at 6:59PM.

D. Trefethen said that based on the prior approval at ZBA, and the parking available on site, staff recommended approval. It is an allowed use in the UC District and is a much needed use.

S. McWilliams asked if the Fire Department had performed an inspection on the site, and if the applicant would seek a waiver for impact fees-

P. Brunette said that the applicant had not asked for a waiver. He asked if the Board believed that the application was complete and called for a vote to accept the application. All in favor.

P. Brunette, seeking a motion, said that this was a permitted use, there was already a variance in place for density, the applicant was prepared to move on to the building permitting process. Bruce Cheney motioned to approve based on that statement, seconded by S. McWilliams.

R. Mora asked if the applicant was applying for a waiver of fees- R. Otis said that he would like to.

D. Trefethen said that the waiver could be processed at the following meeting and that the applicant could request the waiver and receive the approval of the request with whatever conditions, post approval of the application.

Vote: All in favor, motion approved.

9.III. PL2023-0006SP; 686 & 708 Union Ave; Proposal to add 7 units in an existing multifamily structure and merge the lots to make one

P. Brunette asked D. Trefethen if the application was in a state ready to be accepted by the Planning Board- D. Trefethen said that it was.

Motion by R. Mora to accept the application as presented, seconded by R. MacNeill, all in favor, application accepted.

Casey Gowrie presented the plan to merge two lots, adding seven new dwelling units within existing structures. There will be no exterior changes, save for the removal of impervious surface, and re-configuration of parking spaces to allow for a total of forty-four parking spaces. There will be 19 separate dwelling units (where 12 currently exist), one of which currently contains five boarding house rooms. In addition, two commercial use units will remain on site in their existing condition.

Michael Malynowski, PE described the layout of the tandem spaces, and changes to the existing pavement.

*S. McWilliams asked for clarification of the numbering of units six and seven- C. Gowrie said that there had been a numbering mistake that would be corrected.

P. Brunette commented that the boarding house use was a good fit for the area, and had previously been a far more common practice.

Open to the public at 7:17PM. There being no one to speak for or against, public hearing at 7:17PM.

D. Trefethen commented that the applicant met all requirements set forth in the City's Site Plan Regulations. Impact fees for the development would total roughly \$24,000.00, and there had been no discussion of waiver, but the applicant could likely apply because the project would be considered "in-fill". Any fee waivers could be considered at the following month's meeting. The project meets all Zoning requirements, and is a needed use in the city.

S. McWilliams asked the applicant if they would be living on site- C. Gowrie said that they would not. S. McWilliams asked the Board to consider limiting the fee waiver, not to give the full 80% reduction.

Seeking a motion to approve the application, Peter Brunette stated that the proposal was a desperately need use. It would increase existing greenspace, create a higher intensity use within existing development, noting the conditions in the staff report should be added to the motion.

Motion B. Beliveau to approve the application based on the afore mentioned discussion, seconded by L. Joseph. All in favor.

9.IV. PL2023-0007SP, 0008CUP(auto sales); 263 Court Street; Proposal to change the use of the building to auto sales (no service)

Trevor Bladecki presented his proposal for Conditional Use Permit and Change of use to allow for a used auto dealership. He explained that the parking layout met local zoning requirements, and was a similar use found in surrounding neighborhoods.

The Board found that the application was complete, accepting unanimously as such.

T. Bladecki said that there would be 15 display spaces, 2 for employees, and 1 ADA van accessible space. There would be no changed to the existing pavement, or buildings.

D. Trefethen said that an approval of this application would not affect future plans for redevelopment that had been submitted previously for conceptual review.

P. Brunette asked how long the property had been sitting empty- T. Bladecki said that it was roughly two years since the property had been in use.

Opened to the public at 7:26PM. There being no one to speak for or against, public closed at 7:26 PM.

D. Trefethen commented that staff recommended approval as there were no outstanding zoning requirements or unusual circumstances.

R. Mora asked if the parking demarcated on the plan would be subject to a five foot side set back- it was determined that the plan in the packet was an older rendition that has since been updated, but that the five foot setback was in effect.

D. Trefethen said that a visual screening, fence of vegetative would be required between this property and the residential uses adjacent, and marked on the plan.

S. McWilliams expressed concern regarding another car lot in the gateway area to the city, due to the large number of car lots and related used already existing along Court Street / Union Ave.

D. Trefethen said that the neighborhood already had a gas station, a service station, and so forth, but it was difficult to make a determination of this application due to aesthetics.

P. Brunette said that this was an issue that would have to be addressed in the masterplan and ordinance, not at the hearing of this particular application.

M. DellaVecchia said that this business would likely lead to the improvement of the lot which had issues with deferred maintenance.

D. Trefethen said that under the conditions of the staff report, a requirement for a 42" or taller visual screening to be established to screen the surrounding residences from the parking lot, particularly along the rear of the property should be added.

Seeking a motion to approve both the CUP and the Change of Use, P. Brunette Stated that the applications were for a use permitted in the zone, and that they met all existing requirements, subject to statements outlined in the staff report, to include requirement for a 42" or taller visual screening to be established to screen the surrounding residences from the parking lot, particularly along the rear of the property.

Motion by R. Mora to approve the Conditional Use Permit, and Change of Use, seconded by B. Beliveau. Motion passed eight for, one against- S. McWilliams.

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

S. McWilliams stated that on numerous occasions applicants had come to the Board seemingly unaware of the ability to receive a waiver, when they were eligible, and he felt that it was the Board's duty to ensure that applicants as well as the public, were informed of their rights when the occasion called.

P. Brunette stated that he would be appalled to find that applicants had not been counseled by staff on the application process and all its aspects.

M. DellaVecchia stated that the fee waiver should simply be replaced by a reduced, more reasonable rate overall.

A Lovisek inquired whether staff typically review fee waivers with applicants- d. Trefethen stated that they are not always discussed. It is typically discussed with those with proposals from nonprofit organizations, and that some repeat applicants who knew about the waiver would repeatedly request it.

P. Brunette asked if applicants received a packet or some other form that explained fee waivers- D. Trefethen said that there is a checklist with the application, and that "waivers' were on that list.

B. Beliveau asked if, in addition to the checklist, the applicant see the staff review- D. Trefethen said that they saw the review for their case only.

P. Brunette said that applicants should be aware of impact fees before they came to the Board, and they should know why they are before the Board, adding that many applicants arrived not really understanding what they were there for. He said that there should be a simple process outlined in a form, that would allow applicants to be informed about the process and the ability to receive a fee waiver (for impact fees).

R. Mora asked that D. Trefethen provide a list of the last ten fee waivers that were granted, so that the Board could understand better what kind of applications they were allowing impact fees for.

12. OLD BUSINESS

P. Brunette stated that 1103 Union Ave (a recent Conditional Use Permit to allow for a used car lot at 1103 Union Ave) was currently violation the requirement not to park vehicle along the Zion Hill right of way. He requested that a letter be sent to the applicant to cease and desist. D. Trefethen said that two letters of violation had been sent.

P. Brunette requested that the applicant be contacted to return to Planning Board for a potential over turn of CUP due to violation of the conditions.

- 12.I. Discussion of whether the City should adopt an ordinance, pursuant to NH RSA 674:22 and RSA 674:23, declaring a temporary moratorium on the issuance of building permits or the granting of subdivision or site plan approval due to the City's, "lack of capacity to accommodate anticipated growth in the absence of such an ordinance."

The board did not discuss this agenda item and took no action.

13. PLANNING DEPT REPORT

D. Trefethen stated that there had been a zoom meeting regarding the Sate School Property. The developer was currently in the process of getting feedback from NHDOT, the Water Department and so forth.

P. Brunette asked if D. Trefethen had yet reached out to third party reviewers to address the expected needs, or if he would wait until a proposal came. D. Trefethen said that the applicant would reach out to staff first, and that due to the size of the project there would likely be need for a firm to address the quantity of design issues, and inspections.

P. Brunette asked if the Master Plan was adequate to deal with this development. D. Trefethen said that he thought it was and that more discussions among staff directors would be had.

R. MacNeill asked if there were utilities in the ground- d. Trefethen said that the site has access to Municipal water and sewer. R. MacNeill asked if there would be need for an Alteration of Terrain from the Army Corps of Engineers- D. Trefethen said that it would require an Alteration of Terrain at the state level, and would be considered a development of regional impact.

14. LIAISON REPORTS

15. OTHER BUSINESS

16. ADJOURNMENT

B. Beliveau motioned to adjourn, seconded by R. Mora. All in favor. Meeting Adjourned at 8:33PM.