

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Accepted July 13, 2013

6/1/2021 - Minutes

1. CALL TO ORDER

Chair Peter Brunette read the meeting intro and called the meeting to order at 6:31 PM

As Chair of the 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 while there is a physical location to observe and listen to the meeting, the meeting is also being conducted electronically, which was authorized pursuant to the Governor's Emergency Order. Participants may choose which option to use. 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;

In addition to the "in person" option, 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 or listen to this meeting through dialing the following phone # 1-646-558-8656. To participate in the meeting, you need to log on to Zoom: then type the Webinar ID: 824 1055 2970

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.

2. ROLL CALL

Members present at City Hall: Bruce Cheney, Charlie St. Clair, Michael DellaVecchia (7:53 PM)

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

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

5.1. Acceptance of minutes from May 4

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.

- 7.I. PL2019-0069SPamd; Endicott North, Pine Hollow Campground; request to extend the approval to add 36 more lots

Applicant: Bob Heavey addressed the Board via Zoom. He explained the project ran into issues with prices of materials skyrocketing as well as not being able to find anyone to hire to do the work. If he cannot find anyone the applicant will bring his own equipment up and do the work himself. Another option he is looking into is locating materials online and having it trucked in. Any work will not start until after Motorcycle week regardless.

S. Soucy asked about the entrances and B. Heavey noted there are two: one behind Looney Bin and the other across from the Broken Spoke area. Only one access is used, the other is for emergency access and that gate is always closed.

Staff supports the extension request.

Motion to approve the extension request for one year to June 7, 2022 made by K. Beattie, S. Jenna seconded. All voted in favor by roll call vote.

- 7.II. PL2019-0092SP; Endicott Street East MBL 187-72-7; Endicott Street East Solar; request to extend the approval to install solar garden on City property

Applicant: Mike Redding of New England Solar addressed the Board via Zoom. The request is for another year to see if a Bill will pass for municipalities to build to capacity. M. Redding explained the two programs. He noted the utility companies have also made it difficult. If all goes well, the applicant should be able to start the project spring of 2022.

Staff supports the extension request.

Motion to approve the extension request for one year to August 2, 2022 made by S. Jenna, B. Beliveau 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.
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. Expansion of the Historic Overlay District in the downtown area

Planning Director D. Trefethen noted that there was a procedural mistake for the last public hearing. Staff is still advocating the expansion.

The public hearing opened at 6:51 PM

Breanna Neal, owner of Polished and Proper Barbershop addressed the Board. She is in opposition and explained why. She agrees with the intentions but feels it impractical in the long term. She feels the City took one step forward and two steps back. The size of the district is excessive and there are a number of buildings that lack historical significance. She has a problem with a Commission having enough authority to tell businesses what they can or can't do. She feels the City should let downtown grow the way it has been before adding more restrictions. The downtown area is growing and it shouldn't be stopped now.

C. St. Clair was unsure how the expansion could hinder businesses when the idea is to work with the Commission. He feels now is the time to grow because of what is happening downtown.

B. Neal explained it would be an added process to a new business which is already daunting and this would be excessive. Incentives would be more enticing for those businesses. C. St. Clair understands but feels something has to be done sooner than later and his concern is now, not 10 years from now.

John Moriarty addressed the Board via Zoom. He thanked the Board for their time and work and gave a brief history of his family. He was speaking as a land owner in the downtown area. He feels the restrictions are too high already. It is costly to renovate older buildings and feels making the over into downtown will not help businesses go in, rather send them out. He brought up comments from when the HOD was originally being proposed. He hears the concerns of the Board but noted that dad judgement still happens. The business owners are the ones that pay the ultimate cost vs the property owner, who many times is not running the business. He was under the assumption from comments during the making of the district that there wouldn't be an expansion. S. Jenna noted that she was on the subcommittee of the HOD and there was always discussion about expansion. They just wanted to start off small.

Tara Shore, Chair of the HDC addressed the Board via Zoom. She backed S. Jenna's comment on the expansion always being a possibility. She noted that everyone currently sitting on the Commission is very focused on working with the community and business owners to create the best space possible for all incoming. She feels it is important to keep the character of the city. If not, those stories will be lost. She agrees the downtown is growing and excited to see that and feels the expansion would not hurt the area but improve it. The HOD was written with the intension of having appropriate ... in the area and the size vs what is going in a building, trying to maintain the character of the city.

Chair P. Brunette read the email from Melissa McCarthy of The Studio, a business owner in downtown Laconia, and a Ward 5 constituent. She asked her objection be put on record as she had a conflict in meetings. She is NOT in favor of this expansion. Existing restrictions on development are sufficient; adding a historic overlay will only constrict continuing economic advancement in downtown.

The public hearing closed 7:31 PM

Motion to refer the proposed expansion of the Historic Overlay District in Downtown to City Council made by C. St. Clair, S. Jenna seconded. C. St. Clair emphasized that the HDC has put a lot of thought into the expansion and is aware of the negativity. The intent is not to impede business/property owners but to save the history of the buildings the City has. The HDC is there to work with the applicant to preserve the Historic look of Laconia. He feels it might encourage growth. B. Beliveau noted that everything old, isn't necessarily historic. The motion passed 5-3 with B. Cheney abstaining. (C. St. Clair, S. Jenna, K. Beattie, S. Hodgkins and P. Brunette for; R. MacNeill, B. Beliveau, S. Soucy against)

- 9.II. PL2021-0042SP, 0043SU; 884, 888, 928 White Oaks Rd; Proposal for a boundary line adjustment between lot 1 & 1.1 and site plan improvements on lot 2 for Innovation center and conference center with related parking and drainage upgrades

Motion to accept the application made by S. Jenna, R. MacNeill seconded. All voted in favor by roll call vote.

Applicant: Jon Rokeh and Jude Hamel were present via Zoom. J. Rokeh addressed the Board. He went over the proposal. Currently there is a connector between the house and barn. The plan is to demolish that and move the boundary line so the house and connector will be on one property and the barn on the other. The applicant will demolish the existing cottage and build a learning center/garage to house the equipment. Septic systems will be added on both sites. They are trying to make every part of the area something teachable. J. Rokeh noted that the learning center will be in the future and nothing will be built right now. J. Hamel mentioned that they have many night events where they need dark skies so any lighting will not be bright.

The public hearing opened at 8:07 PM

There was no one to speak for or against the application. The public hearing closed at 8:08 PM

Staff Review: Planning Director D. Trefethen read the staff review. He pointed out the project is proposed to be done in two phases so there is a two year timeline. If that second phase hasn't started by the deadline, the applicant will be back for extension.

Motion to approve the site plan and boundary line adjustment applications 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.III. PL2021-0045SP, 0046SU; 109 Weirs Blvd; Proposal to redevelop the property ~waiver requests for lighting and landscaping

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

Applicant: John Cronin, Peter Grenier, Chris Guida were present via Zoom. J. Cronin went over the proposal. The structures currently close to the property lines will be moved out of the setback and an additional unit will be constructed. They will have municipal water and sewer and the lighting will be kept as is except will be replaced to be dark sky compliant and the City regulations.

The public hearing opened at 8:23 PM

Abutter input:

Donna England of 98 Paugus Park Rd along with the Lavallee's, addressed the Board. The abutters have concerns with the new proposed structure and the proximity to the property lines and asked how tall the cottages will be. P. Grenier stated that all the new cottages will be one and a half story, approximately 17 ft in height and will be built on piers. D. England also had concerns with the amount of pavement and stormwater runoff. C. Guida pointed out that there is existing pavement on site and much of it is in disrepair. Parking meets the city regulations and there will be grass between each structure, the road and the lake. He also noted that the property will be regraded so water will run to the center of the property and that will remain vegetated. The abutter's main concern is the proximity of the additional cottage and the view will be lost. J. Cronin gave a brief history of the property. The existing well will be disconnected. A six foot white vinyl fence will be put up on the property line.

The public hearing closed at 8:42 PM

Staff review: Planning Director D. Trefethen read the staff review. He pointed out that trees need to be maintained and will add a condition for the fence. C. St. Clair asked about sidewalks and is concerned about stormwater runoff onto Weirs Blvd. Planning Director D. Trefethen noted that sidewalks are not a requirement on site plans when an existing development is redeveloping the area. He also noted that DPW is part of the review process and didn't have any issues with runoff. As far as the additional cottage issue is a civil issue between the two property owners. There was a question on the green space and to designate the trees that will be kept and have that reviewed by staff.

The board members have concerns with stormwater issues. C. Guida noted he can add more

stormwater treatment if the board required that.

Motion to approve the application with the additional conditions of trees to be review by the city, addition of a six-foot white vinyl fence, the well to be disconnected, greenspace added to the plan and not be greater than 60%, B. Cheney seconded. M. DellaVecchia would like to see the storm water on a separate plan and suggested tabling the application. There was suggestion to table the application for the applicant to get more information. J. Cronin added they will do whatever it takes to keep this moving forward. B. Beliveau amended the motion to table to July 13. B. Cheney asked requested the applicant work with staff and only come back if the applicant fails to provide an adequate plan to keep the forward progress. He reluctantly withdrew his second to the motion. C. St Clair seconded the motion. The motion passed 5-3 S. Jenna abstaining. (C. St Clair, M. DellaVecchia, B. Beliveau, S. Soucy, and P. Brunette for; B. Cheney, K. Beattie, R. MacNeill against)

The Board took a break at 9:20 PM

The Board returned at 9:28 PM

9.IV. PL2021-0047SP; 808 Weirs Blvd; Proposal to redevelop the property

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

Applicant: Mike Malynowski of Allen & Major Associates, Inc addressed the Board via Zoom. Also present via Zoom Manny Arora and Keylan Verma of Markis Investments and Don Blajda. M. Malynowski explained the project. The entrance will continue to be in the existing place. The plan is to keep the cottage closest to the waterfront. The hotel will be rebuilt is existing footprint but the building will be stopped to keep with the grade. The existing gravel at the pedestrian access will be changed to brick pavers. The base will be open graded. The main access areas will not be impervious. An extensive landscape plan has been prepared. Municipal water and sewer will have individual lines to each of the units and house where currently all the lines go into the house and then to the rest. A new underground power service will be installed. Private trash pick up with a screened area and gate.

S. Soucy asked about the radiant heated driveway and M. Malynowski explained. The applicant is still working on the winter runoff details on that.

The public hearing opened at 9:43 PM

There was no one to speak for or against the application. The public hearing closed at 9:44 PM

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

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

9.V. PL2021-0061SU; Endicott St East; Proposal to subdivide off an acre on the Colonial Road portion ~waiver requested for sidewalk and check list items: measurements, bearings, natural features, existing conditions plan, utilities, wetland delineation

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

Motion to continue the application to July 13 at the applicant's request made by K. Beattie, S. Jenna seconded. All voted in favor by roll call vote.

9.VI. PL2021-0063SP; 16 Academy St; Proposal to convert to three units with law office ~waiver requested 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: Phil Brouillard addressed the Board. He explained the proposal. There will two more doors to replace windows on the Courthouse side. He would like to keep the electrical the way it is, overhead, so a waiver is being requested.

The public hearing opened at 9:55 PM

There was no one to speak for or against the application. The public hearing closed at 9:56 PM

Staff Review: Planning Director D. Trefethen read the staff review. Staff supports the wavier for underground utilities.

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.

As the next applicant was on via Zoom and the following applicant present Chair P. Brunette let the Mass/ Reagan application go next.

9.VII. PL2021-0064SU; 375 Endicott St North, Cedar Lodge/Akwa; Boundary line adjustment

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

Applicant: Chris Duprey addressed the Board via Zoom. He explained these are the final steps in the process that has been accruing over the last few years. The application has ZBA approval as well.

The public hearing opened at 10:08 PM

There was no one to speak for or against the application. The public hearing closed at 10:09 PM

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

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

9.VIII. PL2021-0065SU; 34 Mass Ave/35 & 37 Reagan Way; Boundary Line Adjustment

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

Applicant: David Thompson addressed the Board. He explained the proposal.

The public hearing opened at 10:01 PM

There was no one to speak for or against the application. The public hearing closed at 10:02 PM

Staff Review: Planning Director D. Trefethen read the staff review. Staff supports the request. Belvedere Extension is not developed and the abutters do not want any development behind them. There is an undetermined ownership of that part of Belvedere.

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

Chair P. Brunette recused himself from the meeting but asked Secretary M. DellaVecchia to chair for the last application.

- 9.IX. PL2020-0098SPamd1, 0099CUPamd1(perf zoning), PL2021-0067SU; 49-63 Elm/10 Railroad Ave Proposal to amend the previous site plan and cup to add MBL 367-189-22 as well as a boundary line adjustment

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

Applicant: Peter Howard addressed the Board via Zoom. He explained the changes to the plan with the addition of 10 Railroad Ave. Recorded as of today, all the lots have been merged to make one. The existing buildings will be razed and replaced. There will be 11,000 sf of commercial space for 9 units and 20 residential units on the second and third floors. The boundary line adjustment is between the property owner the City to have a defined right of way on Railroad Ave. There will be street trees on all three street fronts along with a defined sidewalk. C. St. Clair would like to see concrete for sidewalk instead of asphalt.

The public hearing opened at 10:23 PM

Abutter input:

Peter Brunette of 15 Park Street addressed the Board via Zoom. This project abuts his lot. The sheet pilings have been put in and while they were going in they shook his house. He feels pilings don't need to go in as long as the structure is being built below grade of the hill. He had asked that the construction vehicles exit on only one side to lessen damage to the road. There is also concern of the proximity to the pilings to his cherry tree root system. He is in favor of the project but is concerned about the permanent damage of the surrounding areas. He asked that a condition be put on that any damage to surrounding streets be repaired.

P. Howard understands the concerns and clarified the setback and the construction details. He will pass along the concerns with the surround areas for consideration. He noted that there is nothing to support the land with out the sheet pilings when it is cut into. He also noted that DPW was over at the site looking at the roads that day and the applicant will pave the roads that get damaged as planned.

Wayne Hackett of the United Baptist church addressed the Board via Zoom. They have been raising money to fix the steeple in disrepair. With the vibration of the pilings being hammered in, he is afraid that it may fall into the church. Although he understands that the sheet pilings are needed. There were ideas and options discussed for revitalization efforts.

The public hearing closed at 11:01 PM

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

Motion to approve the amended site plan and boundary line adjustment made by B. Cheney, 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

13. PLANNING DEPT REPORT

Planning Director D. Trefethen discussed the new Governor's orders regarding meetings and that they might be ending June 11. He suggested the Board think about possible options.

Planning Director D. Trefethen brought up that E. Bones, who was the Vice Chair, decided to not be reappointed and that elections will be next month and to think about officers.

14. LIAISON REPORTS

15. OTHER BUSINESS

16. ADJOURNMENT

The meeting adjourned at 11:09 PM.

Respectfully,
K. Graham