

CITY OF LACONIA PLANNING BOARD
Tuesday, September 1, 2015 – 6:30 PM
City Hall Conference Room 200A
Accepted October 6, 2015

I. Call to Order

W. Hutchins called the meeting to order at 6:30 pm.

II. Roll Call

K. Graham called the roll with the following members present: Mike Limanni, Michael DellaVecchia, Charlie St Clair, Gail Denio, Edwin Bones, Jerry Mailloux, Secretary; Councilor David Bownes, Don Richards, Hamilton McLean and Chair, Warren Hutchins

Absent: William Contardo, Jay Tivnan

Staff present: Planning Director Shanna Saunders and Assistant Planner Brandee Loughlin

Chair Hutchins noted the M. Limanni and C. St Clair will be a voting member in the absence of J. Tivnan and W. Contardo.

Edwin Bones introduced himself and gave his background which is previously in construction. Charlie St Clair introduced himself and gave his background which is previously teaching and law. Mike Limanni introduced himself. He is currently in the education sector. Chair Hutchins explained the process to the new members.

III. Presentations

Director Saunders went over the events from the Master Plan Charrette that occurred on Friday and Saturday. She will have some graphics at the next planning board meeting. Chair Hutchins thanked Mayor Engler for his participation over the weekend.

IV. Extensions

1. Appl# PL2010-0010SP Scenic Rd, Map/Lot 130-234-1 & 124-234-3, Meredith Bay's Midrise Condos, is requesting an extension for site security and the completion date.

a. Plan Revision: November 9, 2010 – Complete

b. Site Security: April 5, 2011, Oct 4, 2011, Oct 2, 2012, Oct 1, 2013, Oct 7, 2014, Oct 6, 2015 **New request: Oct 4, 2016**

c. Mylar, Final Plans: April 5, 2011, Oct 4, 2011, January 12, 2012 - Complete

d. Completion: Oct 4, 2011, Oct 2, 2012 Oct 1, 2013, Oct 7, 2014, Oct 6, 2015 **New request: Oct 4, 2016**

Applicant: Chris Dupery represents Akwa Water Front LLC. The request is for the three building complex known as Midrise. Meredith Bay owns most of the block of Scenic Road for future development with exception of one single family home. The big complex known as Bluegill is occupied and the townhome units are under construction. The amenities tie all the condominiums together. He is looking to start building next spring. B. Loughlin noted staff has no issues with the request. Charlie St Clair asked about the rough part of Scenic Road and C. Dupery said the final coat will be put in after the construction of Spindle View. D. Bownes' concern that there will be more extensions and C. Duprey is hoping to start construction in the spring. C. Duprey noted that the developer is very committed to development on Scenic Road.

*D. Richards made the motion to approve the extension request. H. McLean seconded the motion. **The motion passed unanimously 9-0.***

V. Continued Public Hearings

None

VI. Public Hearings

1. Appl#PL2015-0092SP

Messer St MBL 406-158-30

Proposal to construct vehicle display area with porous pavement

(Application Acceptance & Decision)

B. Loughlin stated the application was complete and ready for hearing.

*D. Richards made the motion to accept the application as complete and opened the public hearing. H. McLean seconded the motion. **The motion passed unanimously 9 -0.***

Chair Hutchins called the public hearing to order at 6:51 pm.

Applicant: Peter Howard of Steve Smith and Associates was present, representing Irwin Corporation. The site is the former PSNH coal tar site. Surface soil mediation has been done on site and on site monitoring will be ongoing with DES and PSNH. Restrictions do not limit this proposal. One restriction is no disturbance below 20 inches of the surface. P. Howard read the restrictions. PSNH, now Eversource, is subject to review by DES and ultimately will be the responsible party. ZBA has granted approval of the use and street tree requirements. The applicant has been working with the state and railroad and has secured a shoreland impact permit. Numerous options we looked at, but runoff is a concern being directly on the river so porous pavement was the best option. P. Howard explained the difference between porous vs regular pavement. Porous pavement can take up to a 50 year event with the water infiltrating back into the ground instead of running off or being stored underground. This eliminates the need to catch the storm water. The top layer of the soil will be taken off about 9 inches so there will be slight elevation. There will be no striping that way Irwin will have the freedom to layout the cars in any order. The curb cut will be across from the boat ramp into Opechee. An official pedestrian crossing to the track is needed. The applicant has been working with Brian Lombard of the Bureau of Rail and Transit on the location and Peter Howard will get that on to the plan. E. Bones asked how long porous pavement has been around and was told 10-15 years. When the pavement fails, it will need to be taken up and replaced. No lighting is proposed in that area due to the "no disturbance". The flag pole Island will be kept. D. Richards asked about security. P. Howard discussed the easement that Irwin is willing to grant to close out the river walk loop with fencing incorporated. There is a lot of vandalism in that area.

Staff Review: B. Loughlin read the staff review. This is the third porous pavement proposal in the last six months. There are sidewalks currently along Messer Street and any damage done would need to be repaired in kind. Staff requests the porous pavement maintenance plan posted in the business office as a reminder of the different treatment and maintenance. Staff is working with the applicant to finalize the easement. Staff added a condition to the plan revisions: k "a sign approved by Planning and DPW is to be installed at the exit of the lot to warn of pedestrian crossing", and another addition to section 3, h: "the applicant to obtain DOT Rail approval for a pedestrian crossing". Staff recommends approval of the application.

C. St Clair would like to see the cars be allowed to cross the railroad tracks rather than just pedestrian crossing and not have the curb cut off Messer Street.

Abutters: none

Public: none

Chair Hutchins closed the public hearing at 7:26 pm.

D. Bownes would like to see a second entrance over the railroad track. Would be nice to see what the railroad would say as access for the property instead of the Messer Street.

*J. Mailloux made the motion to approve the application with conditions noted with the addition of Plan Revision k “a sign approved by Planning and DPW is to be installed at the exit of the lot to warn of pedestrian crossing”, and another addition to section 3, h: “the applicant to obtain DOT Rail approval for a pedestrian crossing” in the staff review. D. Richards seconded the motion. **The motion passed unanimously 9-0.***

2. Appl#PL2015-0103SP amendment

155 Court Street MBL 450-51-63

Proposal to merge units 1 & 3

(Application Acceptance & Decision)

B. Loughlin stated the application was complete and ready for hearing.

D. Richards made the motion to accept the application as complete and opened the public hearing. G. Denio seconded the motion. The motion passed unanimously -0.

Chair Hutchins called the public hearing to order at 7:36 pm

Applicant: Peter Howard from Steve Smith and Associates and Mike McCarthy, the owner, were present. Previously the site was approved in 2014 for the Dollar Tree and the rest of the units were proposed as retail. M. McCarthy has secured a company for the other two units and they will occupy units one and three. The new company is Wall Board Supply, a construction supplier out of New England and this will be a satellite store for Londonderry. 1,000 square foot of the space will be retail and the rest will be storage. Delivery trucks will be parked in the back to load and unload. The dumpsters will be moved to near the property line, instead of near the building. Lighting will not change. The current overhead doors will be expanded to 18 feet.

Staff Review: B. Loughlin read the staff review. She noted the intersection of Fair Street and Court was reviewed under the last proposal and DPW had no concerns with traffic. Staff requests traffic be monitored closely and recommends approval. According to M. McCarthy, most of the delivery will be in the rear and come off a boom truck. The warehouse won't be heated and there is room for the boom truck to sit overnight inside, if needed.

D. Bownes' concern is the drainage. P. Howard explained the drainage. Infiltration along the property edge of pavement has been extended in the rear of the property. Staff has no concerns with the drainage.

Abutters: none

Public: none

Chair Hutchins closed the public hearing at 7:56 pm.

*D. Bownes made the motion to approve the application with conditions noted in the staff review. H. McLean seconded the motion. **The motion passed unanimously 9-0.***

S. Saunders left at 8:00 pm.

3. Appl#PL2015-0104SU

125 Water Street MBL 441-233-10

Proposal to donate off a parcel of land to City for WOW trail

(Application Acceptance & Decision)

B. Loughlin stated the application was complete and ready for hearing.

*D. Richards made the motion to accept the application as complete and opened the public hearing. G. Denio seconded the motion. **The motion passed unanimously 9-0.***

Chair Hutchins called the public hearing to order at 8:03 pm.

Applicant: Gretchen Gandini of the WOW Trail spoke. She explained there is a small section off New Salem Street and Water Street where two sheds are located and can't be removed because of their historical value. The donation of the land will allow the trail to go behind the sheds. The proposal is to subdivide that small portion and the WOW group will accept the donation of land, later to be given to the city for the WOW Trail.

Staff Review: B. Loughlin read the staff review. She noted a waiver for the filing fee was requested. Staff recommends granting the waiver. When deed transfer takes place, applicant must verify right of ways that may exist and be sure the rights transfer with ownership. Since this is a city project this subdivision is exempt from meeting the minimum lot size or frontage requirements. B. Loughlin said Council will accept the property after the transfer and the board can recommend a public hearing at City Council.

Abutters: none

Public: none

Mike Buiel, the manager of Statham tire spoke. He stated the owner couldn't be present but knows she was proud to help out any way possible.

Chair Hutchins closed the public hearing at 8:10 pm.

*D. Richards made the motion to approve the waiver request for fees. D. Bownes seconded the motion. **The motion passed unanimously 9-0.***

*H. McLean made the motion to approve the application with conditions noted in the staff review. D. Richards seconded the motion. **The motion passed unanimously 9-0.***

4. Appl# 2015-0105SU amendment

556 Weirs Blvd MBL 216-248-2

Proposal to request a change units 1-4 to primary residence

(Application Acceptance & Decision)

B. Loughlin stated the application was complete and ready for hearing.

*D. Richards made the motion to accept the application as complete and opened the public hearing. G. Denio seconded the motion. **The motion passed unanimously 9-0.***

Chair Hutchins called the public hearing to order at 8:15pm

Applicant: Jeff Ouellette, who is in process of purchasing unit 3 spoke. The mortgage company is hesitant on giving a mortgage when the deed says the units can not be used as a primary residence. The proposal is to change that.

Staff Review: B. Loughlin read the staff review. The condominiums were approved in 1985 for seasonal year round use. Only units five and six were approved for year round residence. The assumption was for less of a tax burden. DPW would like verification of the sewer line being greater than five feet deep. The units are currently being used year round and there have been no issues. The condo docs have sections that need to be revised as well.

Abutter: none

Public: none

Chair Hutchins closed the public hearing at 8:21 pm.

*D. Richards made the motion to approve the application with conditions noted in the staff review. H. McLean seconded the motion. **The motion passed unanimously 9-0.***

VII. Application Acceptance

None

VIII. New Business

None

IX. Old Business

None

X. Reports

- A. Planning Department Report: B. Loughlin stated the FW Webb building aka River's Edge apartments are under construction. The foundation and rough site grading have started and should be stabilized by winter.
- B. Main Street Bridge construction update: striping will happen tomorrow and the project should be completed by Sept 21.
- C. Chinburg held an open house for the rentals. Chair Hutchins asked when the next open house is advertised, if the board could get an email so they can take a look at the finished product. The RFQ (request for quotes) on two projects just went out.
- D. Grants: \$75,000 grant to help improve water quality in the Weirs. \$400,000 transportation alternative program grant which is for the riverwalk and sidewalks for schools and the downtown area.
- E. On a separate note: the owner for Dunkin Donuts came in to speak with Director Saunders and mentioned he would like to take down the big oak tree that was required to stay as per the last approval. B. Loughlin suggested the board drive by before the application comes.

XI. Liaison Reports

- A. Lakes Region Planning Commission: W. Hutchins stated there was no meeting and there is nothing to report.
- B. Conservation Commission: B. Loughlin a milfoil subcommittee has been formed and are welcoming new members. A grant was submitted on milfoil. River clean-up project will be part of the Day of Caring.
- C. City Council: D. Bownes stated the Council will hold a series of public hearings targeting residents of the Commercial Resort zone for input on what kind of changes the public would consider.

XII. Other Business

There was discussion on how to get the people in the weirs to speak up.

J. Mailloux left at 8:37 pm.

XIII. Minutes

Acceptance of the minutes from July 7

H. McLean made the motion to approve the minutes from July 7, 2015. D. Richards second the motion. The motion passed with 7 members for and 2 abstentions due to the fact of not being present.

XIV. Adjournment

*D. Richards made the motion to adjourn at 8:40 pm. G. Denio seconded the motion. **The motion passed unanimously 9-0.***