

**CITY OF LACONIA PLANNING BOARD**  
Tuesday, November 10, 2015 – 6:30 PM  
City Hall Conference Room 200A  
*Approved December 1, 2015*

**I. Call to Order**

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

**II. Roll Call**

K. Graham called the roll with the following members present: Charlie St. Clair, Edwin Bones, Mike Limanni, Gail Denio, Jay Tivnan, David Bownes, William Contardo, Vice Chair; and Don Richards, Hamilton McLean, Michael DellaVecchia and Planning Board Chair, Warren Hutchins

Chair Hutchins stated there were 11 members present and a quorum was established. He named M. Limanni a voting member in J. Mailloux's absence.

Absent: Jerry Mailloux, Secretary

Staff: Planning Director Shanna Saunders, Assistant Planner Brandee Loughlin

Recording this meeting: Kalena Graham

**III. Presentations**

Addition of back language under the Wetlands and Water Quality ordinance Chapter 235-17-E (2) from the Conservation Commission

Dean Anson, Chair of the Conservation Commission, gave the presentation. He clarified the language and noted the language was originally in the ordinance before 2012, when it was rewritten. The change is to include smaller water bodies and streams in the buffer. The smaller areas is the pathway storm water gets moved to larger water bodies and contamination can occur. Without a buffer no vegetation will protect soils, prevent flooding and prevent damage. Streams naturally meander and need that buffer. D. Anson defined the term stream and noted that the language is the same used by the NHDOT and NHDES. D. Anson gave examples of the cemetery and other developments that have issues. There was questions on how the streams were measured. W. Contardo understands the idea but thinks this will impact the taxpayer's property in a negative way and put undue burden on the property owner. Balance the risk and reward. M. Limanni suggested looking at actual streams that have changed course to see possible impacts. There is frustration because the Conservation Commission is just asking the regulation be changed to what it was no more than 3 years ago. D. Bownes would like more information to inform citizens of the possible impact. Chair Hutchins thinks the definitions have to be clear and precise. Planning Director Saunders said the 30 ft buffer would be the smallest buffer in the city. The board would get the new information, discuss it then schedule another public hearing.

**IV. Extensions**

None

**V. Continued Public Hearings**

1. Appl#2015-0109SU amendment  
61 Pendleton Road MBL 152-190-40, 40.1, 40.2

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Proposal to the application and adjust lots 9, 10, & 11 and reconfigure lots 5, 6, & 7  
(This item was continued from October 6)

B. Loughlin told the board the application was complete and ready for hearing.

*W. Contardo made the motion to accept the application as complete and open the public hearing. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

Chair Hutchins called the public hearing to order at 7:15 pm.

Applicant: Steve Smith representing John and Jacqueline Remington spoke. In November 2013, the cluster subdivision was amended from 16 lots to 11 lots with elimination of the woods road. S. Smith handed out the last approval plan. This proposal is to eliminate a lot on the lake and go from 5 cluster lots to 4 and eliminate the road to service the other 3 lots on the other side of the parcel. The open space will remain as is. The road would be built as private to the cluster standards. There is a development agreement signed with the city originally but if a new developer comes in and wants to change lots again they would need to follow that agreement.

Staff review: B. Loughlin read the staff review. Staff recommends approval. S. Smith noted that because of the time of year, he may not be able to get the monumentation done until spring, dependent on the weather and requested a further mylar date. The revised dates are as follows: Plan revision: Dec 1 2015; site security: Jan 5, 2016; mylar and final plans: June 7, 2016 and the completion: Dec 6, 2016.

Abutters: None

Public: None

Chair Hutchins closed the public hearing at 7:31 pm.

*W. Contardo made the motion to approve the application with the revised conditions and revised dates stated in the Staff Review. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

**VI. Public Hearings**

**1. Amendment to Article III of the Zoning Ordinance regarding Off-Street parking and loading requirements; driveways and access**

Chair Hutchins opened the public hearing at 7:35 pm.

Planning Director Saunders gave the presentation. The ZTF was approached by the Public Works Dept because of the out of date ADA standards and asked to include language consistent with the

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federal standards. There was discussion with the ZTF about how this change would affect the small businesses, so there is an exception in which DOT agrees. The process would be to recommend the language to Council after hearing from the public.

Public: none

Chair Hutchins closed the public hearing at 7:39 pm.

C. St. Clair asked what the typical space would be and Planning Director Saunders said in a parking lot it is 9 ft by 19 ft and the parallel spaces are 22 ft by 9 ft. It is measured by Public Works. The change is only to accessible spaces. Parking requirements are based on the square footage of the building.

*D. Richards made the motion to recommend the proposed changes as submitted to the City Council. J. Tivnan seconded. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

**2. Appl#PL2015-0120SU**

12-16 Charles Street MBL 450-41-33 & 35

Proposal to abandon a right of way between the two properties to change boundary lines  
**(Acceptance & Decision)**

Planning Director Saunders told the board the application was complete and ready for hearing.

*D. Richards made the motion to accept the application as complete and open the public hearing. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 7:51 pm.

Applicant: Phil Brouillard representing the property owners, Michael Little and Gordon Sanborn, spoke. The proposal is to get approval for a boundary line adjustment (BLA) on the right of way pass way (ROW). There was questionable ownership on the ROW that was settled in Superior Court. Currently, G. Sanborn has street frontage and M. Little does not but will after the ROW is abandoned and separated.

Staff Review: Planning Director Saunders read the staff review. Staff recommends approval.

Abutters: none

Public: none

Chair Hutchins closed the public hearing at 7:55 pm.

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*W. Contardo made the motion to approve the application with the conditions and dates stated in the Staff Review. H. McLean seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

**3. Appl#PL2015-0121SP amendment**

Rte 106/107 MBL 478-20-2

Lilac Valley Estates

Proposal to amend the unit style to have a small cape

**(Acceptance & Decision)**

B. Loughlin told the board the application was complete and ready for hearing.

*D. Richards made the motion to accept the application as complete and open the public hearing. J. Tivnan seconded the motion. **The motion passed unanimously 9 -0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 7:59 pm.

Applicant: Jon Rokeh representing Brady Sullivan spoke. J. Rokeh was before the board in 2008 for a similar application, to put in colonial homes which was later withdrawn. This proposal is for the cape style as an option to put in. This is along the line of affordable housing and fits in with the rest of the development. Chair Hutchins asked what the percentage of capes would be and J. Rokeh said may be up to 50%. The cape style has a smaller footprint and with the small lots will fit better. There are currently 3 houses built on John Drive. The original approval was for a manufactured cluster and has evolved since then.

Staff Review: B. Loughlin read the staff review. Style and price point are about the same range. This allows for more buyer options while keeping the original intention of the approval.

Abutters: none

Public: none

Chair Hutchins closed the public hearing at 8:05 pm.

*H. McLean made the motion to approve the application with the conditions and dates stated in the Staff Review. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

**VII. Application Acceptance**  
None

**VIII. New Business**

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Chair Hutchins noted that there was a special meeting last week and asked the board because of that, should procedure change and asked for suggestions. There was discussion on the notice process. D. Richards noted that a lot of people are seasonal and mail can get lost or delayed. C. St. Clair noted that even though there are postings for meetings, not everyone looks unless it affects them. M. Limanni noted that if there hasn't been much negative feedback about the current process, then why change it. Planning Director Saunders reiterated that the state law says only certified receipts are required and if we go outside of that, a gray area occurs. Chair Hutchins thanked the board for the discussion.

**IX. Old Business**

None

**X. Reports**

- A. Planning Department Report: Planning Director Saunders stated that DOT and DRED is studying the state's traveler's services and is looking for input. She handed out a map of the welcome center locations. There will be a public hearing in the near future for public input. She invited input and will forward any to the state. There is a Master Plan Advisory Team meeting Friday at noon and will be talking about the transportation chapter. There will also be a mini-charrette for the Weirs area on November 19 at the Weirs Community Center. Those plans should be available by the January 5 meeting.

**XI. Liaison Reports**

- A. Lakes Region Planning Commission: Chair Hutchins noted the commission provided \$70,000 value to Laconia: \$20,000 on the Colonial assessment, \$40,000 on the Madera property for Brownsfield assessment, and \$10,000 through a grant.
- B. Conservation Commission: Planning Director Saunders gave the update: acceptance of an additional Black Brook milfoil grant for hand pulling milfoil from the mouth of the brook from Spinnaker Cove to the Union Avenue Bridge. Easement walks are underway. Continued to clean trash out of the Winnepesaukee River utilizing divers working With Belknap County Conservation District.
- C. City Council: D. Bownes brought up the old oak tree at the Dunkin Donuts location. The city is moving forward on the arborist report from earlier in the fall, despite the application, to preserve the oak tree. Chair Hutchins stated that the board can require third party traffic engineer and arborist review of issues.

**XII. Other Business**

1. Chair Hutchins noted that the policy rules and procedures handout is homework for the board to look at and come back to the Dec meeting with suggested changes. The procedures are very much out of date.
2. He also brought up that the city clerk is trying to standardize the meeting process across the board and that the chairs are supposed to sign the approvals, which he does not feel comfortable in doing. To change that it needs to be voted by the board to change. There was discussion on the liability of signing documents.

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*D. Bownes made the motion to table the conversation to December 1, 2015. M. Limanni seconded the motion. **The motion passed unanimously 9-0.** Alternates C. St. Clair and M. DellaVecchia did not vote.*

**XIII. Minutes**

Approval of the minutes from October 6, 2015

*D. Richards made the motion to accept the minutes from October 6, 2015 as distributed. H. McLean seconded the motion. **The motion passed unanimously 9-0.***

**XIV. Adjournment**

*D. Richards made the motion to adjourn. D. Bownes seconded the motion. **The motion passed unanimously 9-0.***

The meeting adjourned at 8:47 pm.

Respectfully,  
K. Graham`