

Laconia Planning Board Minutes February 3, 2015

Approved March 3, 2015

Present: W. Hutchins, **Chairman;** J. Mailloux, **Secretary;** G. Denio, L. Guild, J. Tivnan, H. McLean, D. Bownes

Absent: W. Contardo, D. Richards

Staff: S. Saunders, B. Loughlin

I. Call to Order

W. Hutchins called the meeting to order at 6:30 pm. W. Hutchins noted there was a quorum.

II. Presentations

NONE

III. Extensions

Appl# PL2013-0117SP, 0130CUP (wetland buffer), 0131CUP (driveway width), 207 Hilliard Rd MBL 175-107-7.1, is requesting an extension for the Completion date.

- a. **Plan Revisions:** March 4, 2014 – completed
- b. **Site Improvement Security:** April 2, 2014 – completed
- c. **Mylar, Final Plans:** April 4, 2014 – completed
- d. **Completion:** February 4, 2015, **new request: February 2, 2016**

Applicant: Don Nevers, one of the owners of the property was present to represent the application. He noted the building process has been started but had stalled due to problems with financing and they had to begin again so there was a three month delay. Excavation has been started, footings are in the ground and the frost wall has been poured.

S. Saunders recommended approval of the extension.

Motion: L. Guild made the motion to approve the extension to February 2 2016. J. Tivnan seconded the motion. The motion passed unanimously.

IV. Continued Public Hearings

None

V. Public Hearings

1. **Appl# PL2014-0127SP, 0132CUP (wetland)**

492 Endicott Street North

Proposal to construct a paintball park

Applicant: Tom Selling representing the owner, Ed Elfar and Marty Jacobs his consultant, were present. T. Selling stated the lot is 23 wooded acres across from Funspot. Ten years ago the area was logged, a gravel road and temporary culvert were installed. T. Selling introduced Marty Jacobs to discuss the paintball aspect.

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M. Jacobs has been involved in paintball for over 20 years. He operates indoor and outdoor parks just outside of Boston MA and another not far from Gillette Stadium. He stated they are not clearing the land but will be picking up anything dead and possibly bring in obstacles. The idea is to use the natural terrain on the fields. No permanent structures are proposed to be built, only two temporary storage trailers, one for an office, one for storage and porto potty are proposed. The fields will be in the wooded areas of the lot and roped off with yellow nylon rope. All games are organized and have referees. The idea is to use the natural resources for structures. Primarily the use will be in the summer but possibly spring and early fall. In Boston, they run only Saturday and Sunday, but at this parcel he is looking at every day but only during the day, not at night. No lights are proposed on the field but on the storage trailer and in the parking lot. There will be plantings and fencing in front of the trailers. The number of fields makes no difference to him. Teams will move from field to field as needed. The field areas are not set in stone and can be shifted around if need be. J. Mailloux asked about the range of the paintball once out of the guns and was told that rental guns are adjustable by staff to only go 280 feet per second. Players with their own guns have the speed checked and it can't be over 280 feet per second. About 95% of players rent vs bring their own. H. McLean asked why a shipping container is being used for storage and M. Jacobs said it has worked for him and for security. The storage is for the CO2 and nitrogen tanks.

W. Hutchins said in the future there may be a desire to change from temporary to permanent structures and would like the applicant to come back for review if that happens. T. Selling noted that in the application, he states they would be back in 3 to 5 years for permanent structures if the paint ball park goes well. The intent is to be running by July 4. T. Selling noted they received the driveway permit from DOT. The culvert has known wetlands on both sides of the drive. On the eastern side of the property the wetlands are classified as vernal pool. A bio retention pond is proposed off the parking lot that will serve many purposes. The swale will be 100 feet long, 8 feet wide 6-8 inches deep with a 6 inch berm. There are a bunch of salamanders in the area and that will provide a secondary breeding ground and for other wetland species to breed. The wetland application is pending review with the State. The project is subject to wetland approval and abutter approval. Originally the wetlands were going to have silt fence but as result of the vernal pool, silt sox will be used instead. That will prevent silt from going in to the wetland and provide a mean to have nature go underneath. H. McLean asked what "ground mounted" means and was told the storage trailers will be rested on the ground. That might require a little bit of gravel to keep level them but nothing will be brought in or dug. T. Selling said according to the soils report there is sandy loam. The paintballs are safe and non-toxic.

Staff Review: B. Loughlin read the staff report. Staff recommends approval with conditions. She added a plan revision 5 e that the word "hydrophilic" should replace "hydrophobic", condition V that "detail sheet of the culvert to include streambed stabilization rock at the bottom". Once the square footage of the playing field is determined, the impact fee will be determined as well. H. McLean stated that after a few years, constriction trailers don't look good and feels they are tacky and T. Selling noted that is what the fencing will help with. L. Guild's concern was the porto potty, he would like to see the proposal succeed without looking tacky. T. Selling hears the concerns loud and clear and expects to be able to make the necessary upgrades from temporary to permanent in the next few years. W. Hutchins noted there should be a condition that if the

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proposal fails that the trailers and any other items be picked up and not just left on the premise. S. Saunders said the Board could put a condition of approval that the temporary items brought on site be maintained. H. McLean would like to see the storage trailers and porto potty set on a gravel apron so they won't get muddy. Under condition 5 after impact fee temp that the structures and surrounding land must be maintained and the fields be cleared of miscellaneous items. D. Bownes is concerned with the language "temp structure must be maintained" and S. Saunders said could be tied to property maintenance code. H. McLean asked about the terrain and concerned with the site from the road. T. Selling said the tops of the trailers will be flush with the road surface and on a berm and will not be seen from the road. He hopes to put more vegetation in to help with screening. DOT requires a minimum of 15 foot paved entry area with 4 foot wide shoulders. The light at the entrance may be solar powered and one in the parking lot will not be. There will be a sign with a gate that will be closed and locked at the end of operation hours. T. Selling said the property owner did not have to give 125 ft buffer from the abutters, but the fields are roped off at least 125 feet and signs will be put up to not go off the property. If the fields are too close then they will be moved over. G. Denio asked about recycling and T. Selling said they are not serving food the only trash would be beverage bottles and what the paintball products come in, which would mostly be recyclable.

Abutters: Mike Foote of 222 Rollercoaster Road abuts the property on a number of sides. M. Foote is on the ConCom and has found this application interesting and thinks this will be good for the City, to have a family attraction in the area. He has been to big sites and there will be impacts on the property with people on it. His concern is the access in as the pipe is crossed. He likes hearing the natural bottom in the culvert but worries that a one foot pipe might not be big enough. He would like to see a two and half to three feet size pipe. The crossing will last longer than the proposal and should be able to hold what the future will bring. S. Saunders noted that the City is comfortable with the size of the pipe. T. Selling thinks larger pipe will hold larger flow and balancing quality vs quantity.

Public: None

W. Hutchins closed the public hearing.

Motion: J. Mailloux made the motion to approve the application with the dates and conditions adding: plan revision e: sheets 5 & 6 must be revised to reflect use of hydrophilic plants, not hydrophobic, f: detail sheet of culvert must be revised to include the use of streambed stabilization rock in the culvert, condition added prior to start of work: l, if the business is closed for longer than 12 months, all "infrastructure" must be removed, including items from the field and the storage trailers and porto potty, j: temporary structure must be maintained per the City's property maintenance code and the surrounding land and apron must be maintained-potentially with gravel to avoid muddy area, k: no permanent structure to be built without returning to the pb. D. Bownes seconded the motion. The motion passed unanimously.

- 2. Consideration of updating Subdivision Regulations, Section 6.2** to include the method for early street acceptance as recommended by City Council

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S. Saunders noted the document is the exact language as last month with changes highlighted in yellow. She noted that section B doesn't fall under Planning Board jurisdiction so the Board is only approving the process for the subdivision. She doesn't want more confusion for the customer. W. Hutchins asked if section B could be kept for reference only. H. McLean needs clarification on what the requirements are for the expedited application. S. Saunders said that is left to the Public Works Director.

Pubic: K. Morrissette was under the impression that the process was two years, when really it was allowed in the regs for 1 year originally. D. Bownes thinks the city was concerned that they would lose control. P. Moynihan said the design of the checklist covers all the items of concern. As long as the right party is verifying the list.

K. Morrissette questioned on pg 15, the non-refundable deposit and P. Moynihan responded. The full intention is to give back if all the escrow is in place. D. Bownes suggested to eliminate the words. K. Morrissette continued with his comments. K. Morrissette thinks that the part of "public interest" should be taken out because it makes it confusing. D. Bownes suggested keeping the language in.

K. Morrissette believes that having to create a home owners association just to maintain some drainage shouldn't be done. It should be the City's responsibility and open swales should be caught at Planning Board level. P. Moynihan would like to see the words kept in and possibly modify the wording. S. Saunders stated the reason is that the drainage is not being maintained by the abutters. W. Hutchins noted that the Board could approve a waiver for that part of the regulation. K. Morrissette thinks that should be determined at the Planning Board process for the Home Owners Association and J. Mailloux said that it just a reminder for the Board and leaves the option for a waiver request up to the developer.

W. Hutchins suggested passing the changes and have Staff come back with the suggestions for waiver language later.

W. Hutchins closed the public hearing.

Motion: D. Bownes made the motion to approve the updated subdivision regulations as outlined in section 6.2 provided to the Board and to include further amendments to paragraph a, waiver specifications be recommended to the Planning Dept and the typos be changed and section b state that is jurisdiction of the Council and eliminate 1-5. G. Denio seconded the motion. The motion passed unanimously.

W. Hutchins thanked K. Morrissette for his help in the process and the roads that he has put in the city.

VI. Application Acceptance

1. Appl#PL2015-0001SP, 0002CUP(wetland)

93 Lexington Dr MBL 376-324-5

Proposal to construct 47,520 sq ft addition to existing building

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S. Saunders told the Board the application is complete and ready to schedule a public hearing.

Motion: L. Guild made the motion to accept the application as complete and scheduled the public hearing for March 3, 2015. Seconded by G. Denio. The motion passed unanimously.

2. Appl#PL2015-0003DR

143 Endicott St North MBL 156-252-14

Design Review to construct a self-storage facility with a main office building and onsite manager quarters

S. Saunders told the Board the application is complete and ready to schedule a public hearing.

Motion: D. Bownes made the motion to accept the application as complete and scheduled the public hearing for March 3, 2015. Seconded by J. Tivnan. The motion passed unanimously.

3. Appl# PL2015-0004SU

Meredith Ctr Rd MBL36-153-27

Proposal to subdivide 2 parcels off 82.6 acres

S. Saunders told the Board the application is complete and ready to schedule a public hearing.

Motion: L. Guild made the motion to accept the application as complete and scheduled the public hearing for March 3, 2015. Seconded by J. Tivnan. The motion passed unanimously.

VII. New Business

None

VIII. Old Business

1. Consideration of Zoning Ordinance, Section 235-23 Uses as it relates to the Commercial Resort zone (CR) in the Weirs

Saunders noted the ZTF was not ready for Public Hearing. There will be another meeting Thursday, February 5, to finalize the draft and she hopes to have information for the March public hearing.

IX. Reports

A. Planning Department Report: S. Saunders noted the date for the medical marijuana zoning ordinance change had been moved up and said it will be a joint meeting with the ZTF and Planning Board, for Wednesday, February 11 at 6:30 pm at City Hall.

B. Tuesday at 9 am there will be a public input meeting for the Main Street Bridge project.

X. Liaison Reports

A. Lakes Region Planning Commission: W. Hutchins had nothing to report. The bills in Concord are still being reviewed.

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- B. Conservation Commission: W. Contardo was absent. S. Saunders had an addition to her report that the Midstate Region Coordinating Council is looking for additional members to help volunteer or serve on the board. They focus on rides for elderly.
- C. City Council: D. Bownes had nothing to report.

XI. Other Business

None

XII. Minutes

Approval of the minutes from January 6

Motion: H. McLean made the motion to approve the minutes with the changes noted and J. Tivnan seconded the motion. The motion passed unanimously.

XIII. Adjournment

Motion: G. Denio made the motion to adjourn and J. Tivnan seconded the motion.

The meeting adjourned at 8:34 pm.

Respectfully,
K. Graham`