

**CITY OF LACONIA PLANNING BOARD**

Tuesday, April 5, 2016 – 6:30 PM

City Hall Conference Room 200A

*Accepted May 3, 2016*

**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, Jay Tivnan, Edwin Bones, Gail Denio, Jerry Mailloux, Secretary; David Bownes, William Contardo, Vice Chair; and Don Richards, Hamilton McLean and Planning Board Chair, Warren Hutchins

Absent: Charlie St. Clair, Mike DellaVecchia

Chair Hutchins stated there were nine (9) voting members present and a quorum was established.

Staff: Planning Director Shanna Saunders, Assistant Planner Brandee Loughlin

Recording this meeting: Kalena Graham

Chair Hutchins told the audience of the applications that were not going to be heard and were to be continued.

Chair Hutchins gave his thanks to Planning Director Saunders for her service with the city as it was her last day.

**III. Presentations**

None

**IV. Extensions**

**1. Appl# 06-007 SU Map/Lot 173-248-3, 1144 Weirs Blvd, Proctor's Lake House Cottages** is requesting an extension for the completion date.

- a. Plan Revision: Done
- b. Mylar, final plans: Done
- c. Site Restoration Security: Done
- d. Completion: 11/13/07, 11/4/08, 11/3/09, 4/5/11, 4/3/12, 4/2/13, 4/1/14, 4/7/15, 4/5/16; **new request April 4, 2017**

Applicant: Fred Clausen and son, Pat Clausen were present. Fred Clausen echoed what was said about Planning Director Saunders. He explained that an extension was given last year with caveat of meeting as to what the next steps would be. His main concern is the market. Attorney Rod Dyer was hired to look at the legalities. Both Att. Dyer and F. Clausen still feel the annual extension request shouldn't be required based on the findings that were submitted. The proposal is to do a condo conversion and the only thing not done is file with the Attorney General's office. The condominium documents are written, they just need to be submitted. F. Clausen handed out a chart of condominium market values from Eastern Shores that the Assessor gave him. This development is similar to Proctor's. Proctor's is the only condo conversion still in process. F. Clausen feels the extensions should be open ended but will settle with the yearly extension

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requests if that is what the board wants him to do. The intent is to keep the project going. The units have never been appraised. H. McLean asked if F. Clausen feels the improvements that have been made over the years had increased the value and was told yes. The rental market would not bring in the revenue as a condominium would.

Planning Director Saunders has been speaking with legal and was told the board has the right to require the applicant to come back to keep an eye on the project. There have been no regulation changes that would effect this conversion so there is no basis to deny. However, returning to the board every year gives the board the opportunity to keep a look out for other changes. Planning Director Saunders stated the attorneys recommend approval on the annual extension

*J. Mailloux made the motion to approve the extension request until April 4, 2017. W. Contardo seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

**V. Continued Public Hearings**

1. Appl# PL2015-0138SP

153 Church St MBL 426-44-6

Proposal to demolish vacant building and add landscaping in its place

(Acceptance & Decision)

*D. Richards made the motion to grant the continuance of the application to May 3, 2016. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

2. Appl#PL2016-0015SP amendment

Provencal Road MBL 480-350-4

Appleridge Apartments

Waiver request for underground utilities

(Acceptance & Decision)

*D. Richards made the motion to grant the continuance of the application to May 3, 2016. G. Denio seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

**VI. Public Hearings**

1. Appl#PL2016-0016SU

Provencal Road MBL 482-160-1

Two lot subdivision

(Decision)

*D. Richards made the motion to grant the continuance of the application to May 3, 2016. J. Tivnan seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

2. Appl#PL2016-0029CR

34 County Dr MBL 384-332-1

Conceptual Review for proposal of addition to existing correctional facility

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*Approval of this application is not required but the County is going through the process as a courtesy to abutters and public.*

Chair Hutchins explained what the conceptual review is and opened the public hearing at 7:11 pm.

Applicant: Anthony Mento of SMT Architecture, Kevin Leonard of Northpoint Engineering and Keith Gray, Belknap County Department of Corrections Superintendent were present. The addition will be a low secure facility to house inmates that have graduated into the programs and reintegrated back into general population. The addition will be single story with easy access to the exterior. Chair Hutchins asked if the addition will be built to expand and A. Mento said the low impact was the approach. Keith Gray spoke and explained the process. The inmates will be assessed for drug use and will be counseled then trained. Eventually they would like to have electronic monitoring and have them living in the community. Currently they have work release programs with surrounding companies. H. McLean asked the average stay and was told that many are sent with a 12 months sentence and a lot with addiction. The maximum time in the county jail is only 12 months, after that amount of time is the State Prison. Currently there is limited space and the addition will help. Because of the limited space there is a problem with down time. The existing facility will be upgraded. In 1987 the newer part of the jail was built for 87 beds now they house 120 beds. In 2012 the population was 135. In the last few months the number has been in the 80s. The oldest part of the jail will be shut down because it would be too costly to upgrade. The addition will add 64 beds. Regardless of the crime the time starts at the county level. A. Mento said the size of the addition is based on the need. If the need for more inmates arise, then they will look into additions to the maximum security side. H. McLean asked how it can hold up and A. Mento said will be constructed like college dorm facility to be able to take the abuse. The wall system is made of wood but the studs will be wrapped in plywood and wallboard coated for protection. The exterior is fiber cement panels. Most of the inmates don't abuse the surroundings because they want to get the help and get out. The site is comparable to Sullivan County. D. Bownes applauded the county for the proposal. J. Mailloux asked if the lighting would meet the city standards and B. Loughlin said yes. Lighting at egress and controlled.

Kevin Leonard gave the explanation on the site plan. County Drive will be reconstructed and the Sheriff's parking lot will be reconstructed too. There are 11 spaces with two handicap. The amount of spaces will not change. A new access drive will be put in the back of the building. Landscaping will be put in by the jail part of the building and street trees will be put in along Main Street. New light poles will be put in around the back and front and doorway lights as well. The back drive will not be lit. K. Leonard stated there is a monitor well that was put in somewhere around the time of the removal of an underground tank. That is currently unused. He thinks the tank was taken out in 1988 with the addition. J. Mailloux asked about sidewalk from County Drive to blueberry and Public Works Director Paul Moynihan, who was in the audience, said there had been nothing discussed in conversation about sidewalks.

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Staff review: B. Loughlin read the staff review. She noted the County has been open with the City on everything. They had met with a few departments already on what was needed. DOT is in support of the additional drive.

P. Moynihan noted there was a request a long time ago to put a driveway off Main Street in across the road at the church site, 1206 Old North Main Street, and it was denied. But this time DOT position is ok with it.

Abutters: None

Public: None

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

*H. McLean made the motion to approve the application with the conditions and dates, in an advisory capacity. D. Richards seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

3. Appl#PL2016-0032SU

92, 108, 120 Frank Bean & 432 Province MBL 476-351-1,2,3 & 477-147-2

Boundary line adjustments between city lot and private lot

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.** Alternate M. Limanni did not vote.*

Chair Hutchins opened the public hearing at 8:00 pm.

Applicant: Paul Moynihan, Director of Public Works and Michael Bemis of Steve Smith and Associates were present. Abutting property owner, Brian Gilbert was present as well. Public Works Director Moynihan stated that this is part of a project under state order of DES for the old burn dump from in the years 1920-1950. The city negotiated with abutters and purchased the lots. The burn dump was located on the opposite side of Reed Auto. Scheduled to cap the areas with 2 to 3 feet of clean fill to be put down and then tapered down on the abutting property.

M. Bemis talked about the boundary line adjustment. The adjustment is between two land owners, the city and Gilbert. The city purchased all three lots. An access point for the lot behind will be moved to the other side of the lot. It is an equal land swap of 7,593 sq ft each. The grade will change slightly with the raising. Public Works Director Moynihan said he has been working with consultants for many years and abutter's water has been and still is being checked. Frank Bean Road was constructed in 1963 when the state put in the bypass. Morin Road stops and merges with Frank Bean. They have found burned material 25 ft down. Any landfills prior to 1981

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had less strict rules. An activity use restriction (AUR) has been put on the property forever. The state has special requirements that would be needed for doing anything on the parcel. There are currently no buildings or activity on the lot.

Staff Review: B. Loughlin read the staff review. Staff recommends approval of the boundary line adjustment.

Abutters: Sherry Reed of Reeds Auto at 93-113 Frank Bean Road, feels a restriction should be on the property forever and to not allow any further digging on the property. Public Works Director Moynihan said the AUR is what the government restricts on the site. They have no intention to dig. Planning Director Saunders thinks the larger oversee would be DES. Public Works Director Moynihan added that the deed will clearly indicate what is in the AUR.

Billy Reed of 89 and 113 Province Road spoke. In 2003 he came before the board to not let the property get dug up. He has a few wells that have tested ok. The dump closed in 1954 and in his front yard is burned trash and the back yard is full of garbage. He prefers the lots never disturbed again. H. McLean asked if there could be a note put in the file for future use.

Public Works Director Moynihan noted that the fill is proposed on the west side. On the other side of the road on the Joyal property, they will be excavating for 6-8 weeks. Starting in the next few months. The larger portion of the lot will not be dug, and the material from the Joyal property will be dug and spread on the big parcel as well as a small sliver on the Reed property and material taken out. That is still in process with DES.

Public: None

Chair Hutchins closed the public hearing at 8.22 pm.

*D. Bownes made the motion to approve the boundary line adjustment with the dates and conditions noted the in the staff review. H. McLean seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

**VII. Application Acceptance**  
**None**

**VIII. New Business**

**IX. Old Business**

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

Dean Anson, Chair of ConCom and Scott McPhie the ConCom Technician for the city, gave the presentation. In 2012 the wetlands part of the ordinance was changed and the 30 ft intermittent stream buffer got accidentally eliminated. The ConCom feels strongly about putting that buffer back in.

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The addition would be consistent with wetland Conditional Use Permit (CUP) requirements. They put docs together to protect the habitat and water quality and structures that exist currently. They also took information to identify the streams off the USGS symbol sheet. The 30 ft would start from top of bank to the center of stream then back up to the other side of the bank to make it 60 ft would total, 30 ft on each side of the stream. Larger tree's root system is 1.5 times the diameter of the tree. The lake is protected and larger streams are protected. The smaller streams lead into the larger streams and lakes and need to be protected as well. Each function has a recommended buffer, planning wise.

There was heavy discussion. W. Contardo would like a sample done. D. Anson said the USGS maps show all the streams. M. Limanni said the quantification isn't important. The protection is what's important. D. Richards thinks this is a judgment on each issue. Planning Director Saunders said the next step will be to draft an amendment to put the words back in and post a legal notice that there will be a public hearing. Then the board recommends the language to City Council. D. Anson said that people work with the city and don't just not do something because of rules. He wanted to make sure the board and the public realized that they are not trying to stop development.

*D. Bownes left at 8:55 pm.*

**X. Reports**

- A. Planning Department Report: S. Saunders passed around the economics chapter part of the Master Plan. Final draft on the natural resource chapter is coming along. In May, there will be an informational summit with NH Listens folks for the four chapters to see if it what the city is looking for. A community conversation will happen to finalize the four chapters. The search for a new Planning Director is still open. B. Loughlin will be interim director starting tomorrow.

**XI. Liaison Reports**

- A. Lakes Region Planning Commission: W. Hutchins stated there was a commission meeting on March 28. The NH federal administration administrator explained the new program from the Federal Government. The new commissioner, Victoria Sheehan of DOT was at the meeting as well. Looking at substantial improvements with the new way and he thinks the Sheehan has a tremendous grasps of state's needs.
- B. Conservation Commission: There was no report.
- C. City Council: D. Bownes left and no report was given.

**XII. Other Business**

Chair Hutchins toured the River's Edge Facility and feels it is a magnificent facility. He feels that Laconia Area Community Land Trust is a great asset to the community.

Chair Hutchins discussed the OEP conference and highly recommends board members attend.

**XIII. Minutes**

Approval of the minutes from March 1

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The revised minutes were distributed on March 2 and there were no corrections/changes were made.

*G. Denio made the motion to accept the minutes from March 1 as distributed. D. Richards seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

**XIV. Adjournment**

*D. Richards made the motion to adjourn. G. Denio seconded the motion. **The motion passed unanimously 9-0.** Alternate M. Limanni did not vote.*

The meeting adjourned at 9:20 pm.

Respectfully,  
K. Graham`