

CITY OF LACONIA PLANNING BOARD

Tuesday, April 5, 2016 – 6:30 PM

City Hall Conference Room 200A

Accepted June 1, 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: Charlie St. Clair, Mike Limanni, Mike DellaVecchia, Jay Tivnan, William Contardo, Vice Chair; Hamilton McLean and Planning Board Chair, Warren Hutchins

Absent: Gail Denio, David Bownes, Edwin Bones, Jerry Mailloux, Don Richards,

Chair Hutchins stated there were six (6) voting members present and a quorum was established. Chair Hutchins seated M. Limanni and C. St. Clair as voting members in J. Mailloux and D. Richards absence.

Staff: Interim Planning Director Brandee Loughlin

Recording this meeting: Kalena Graham

Chair Hutchins told the applicant that the Appleridge application will be heard toward the end of the agenda per the applicant's request.

III. Presentations

None

IV. Extensions

None

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)

This application will be continued to June 1.

Interim Planning Director Loughlin updated the board on the application.

2. Appl#PL2016-0015SP amendment

Provencal Road MBL 480-350-4

Appleridge Apartments

Waiver request for underground utilities

(Acceptance & Decision)

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

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*J. Tivnan made the motion to accept the application as complete and open the public hearing. H. Mclean seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 7:13 pm.

Applicant: John G. Cronin of Cronin, Bisson & Zalinsky, P.C. and Jon Rokeh of Rokeh Consulting was present. Atty Cronin explained the reason for the application. No one from Double D is sure why no one went to the City until too late. Eversource made the change from underground to overhead electricity in the small stretch between the buildings. All the rest of the electrical is underground. There should be no negative impacts to the wetlands when the time comes to clean out the area of vegetation. Atty Cronin feels that if Eversource signed off in the beginning there would have been a waiver requested and approved. The applicant went before the ConCom and the buffer area was fairly dry and the few trees that were removed will be replaced by a substantially improved group of plantings. The suggested wetland plantings will not impact the powerlines therefore reducing the need to disturb the buffer in the future. The Conservation Commission was not pleased that a decision was made to cut the buffer without consulting with them. J. Rokeh said Peter Schauer went out because of the potential concerns. The original approval could not have been constructed because of the 90 degree angles per Eversource. The approvals were carried forward from the Holden plan from 2006. H. McLean asked who was in charge of the site and was told Spofford. Interim Planning Director Loughlin stated Eversource communicating with Myers. Staff changes added to confusion. Dick Anagnost, the developer and Scott Schubert joined the meeting. D. Anagnost stated that the project is built and will be finished by the end of the year.

Staff review: Interim Planning Director Loughlin read the staff review. The results of the effects are minimal. The end result of overhead utilities being put in isn't ideal but visually, and wetland impact are not significant. There was discussion on the reasons for the change. D. Anagnost gave the background of the construction. There was misunderstanding and miscommunication. W. Contardo wonders how many times this can occur in the city. He feels the board has to figure out how to not let it happen again. Chair Hutchins suggested the city send a letter to Eversource regarding the issue and note that they need to have direct communication with the city.

There were no public comment.

Chair Hutchins closed the public hearing at 7:46 pm.

J. Tivnan was concerned that approving the waiver will set a precedent.

W. Contardo made the motion to approve the waiver request for underground utilities with the thoughts to move forward with the power company in a separate action along with the conditions stated in the Staff Review, revising the plan revision date to June 1 and adding the language regarding plantings noted on the May 1, 2016 letter from the Conservation

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*Commission. C. St. Clair seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

3. Appl#PL2016-0016SU

Provencal Road MBL 482-160-1

Two lot subdivision

(Decision)

This application will be continued to June 1

VI. Public Hearings

1. Appl# PL2016-0050SU

Davis Place MBL 426-60-21, 22 & 412-60-59

Boundary line adjustment between city and private lot

(Acceptance & Decision)

Interim Planning Director 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. H. McLean seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 6:39 pm.

Applicant: Frank Yerkes of Yerkes Surveying Consultants, explained the application. No new lots will be created. There is a purchase and sales agreement pending on Planning Board approval. Pins are set and the abutter correction has been made.

Staff review: Interim Planning Director Loughlin read the staff review.

Abutters: Gene Raymond of 17 Howard Street looked at the plan.

Public: none

Chair Hutchins closed the public hearing at 6:42 pm.

*W. Contardo made the motion to approve the boundary line adjustment between lots 21, 22 and 59 on Davis Place as per City Council and the conditions stated in the staff review. J. Tivnan seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

2. Appl# PL2016-0055SU

16 Race Point Road MBL 244-295-8 & 9

Boundary line adjustment between two lots

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(Acceptance & Decision)

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

*J. Tivnan made the motion to accept the application as complete and open the public hearing. C. St. Clair seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 6:46 pm.

Applicant: Frank Yerkes of Yerkes Surveying Consultants representing Steve and Ann Wainwright explained the situation. The applicant purchased the lot with the pool already on and just recently found out that the pool was over the boundary to the side abutter. The boundary line adjustment will be an even trade of land. Pins are set as noted on the plan.

Staff review: Interim Planning Director Loughlin read the staff review. No plan revisions are required.

There were no abutter or public input.

Chair Hutchins closed the public hearing at 6:50 pm.

*H. McLean made the motion to approve the boundary line adjustment between lots 8 and 9 on Race Point Road with the conditions stated in the staff review. J. Tivnan seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

3. App# PL2016-0004SU amd 1

93 & 109 Weirs Blvd MBL 277-248-7 & 8

Boundary Line Adjustment

(Acceptance & Decision)

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

*J. Tivnan made the motion to accept the application as complete and open the public hearing. C. St. Clair seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 6:54 pm.

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Applicant: Ron Johnson spoke. This application was before the board in March and is back to amend the boundary line with an 83 sq ft change. When putting the pins down, it was realized that 10 more feet was needed to be able to take care around a stone wall.

Staff review: Interim Planning Director Loughlin read the staff review. Since the report the dept has received the draft easements.

There were no abutter or public comment.

Chair Hutchins closed the public hearing at 6:57 pm.

*W. Contardo made the motion to approve the boundary line adjustment between lots 7 and 8 on Weirs Blvd with the conditions noted in the staff review. H. McLean seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

4. Appl# PL2016-0056SP

55 Growth Rd MBL 458-205-20

Lakes Region Dog Park

Proposal to construct a dog park

(Acceptance & Decision)

To be continued to June 1 at applicant's request

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

*J. Tivnan made the motion to accept the application as complete and open the public hearing. M. Limanni seconded the motion. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

Chair Hutchins opened the public hearing at 7:00 pm.

Jon Rokeh, the project engineer, gave an overview on the project.

Closed the public hearing at 7:06 pm.

*W. Contardo made the motion to continue the application to June 1, 2016. C. St. Clair seconded. **The motion passed unanimously 6-0.** Alternate M. DellaVecchia did not vote.*

5. Revisions to add the back language of Zoning Ordinance Chapter 235-17-E (2), Wetlands and Water Quality ordinance.

Proposed revisions available in the Planning Office.

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Interim Planning Director Loughlin pointed to the packet on pg 3 in red is the proposed language to be added back into the ordinance. She read the addition: “(2) Within 30 feet from the top of bank on both sides of intermittent and perennial streams. These streams are shown on and will correspond to the latest version of the United States Geological Survey Map.” Chair Hutchins noted that the vote will then go to council for approval.

Chair Hutchins opened the public hearing at 7:09 pm.

There were no public comment.

Chair Hutchins closed the public hearing at 7:10 pm.

*H. McLean made the motion to recommend the language in section 235-17:E (2) as is to City Council. J. Tivnan seconded. **The motion passed unanimously 6-0**, with W. Contardo abstaining. Alternate M. DellaVecchia did not vote.*

VII. Application Acceptance

1. Appl# PL2016-0054SU

Shore Drive/Lexington Drive MBL 382-199-5

Subdivide one lot into three

Chair Hutchins stated the purpose of this section of the agenda, 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 THE TIME OF THE APPLICATION ACCEPTANCE. The action of the Planning Board will be to schedule a public hearing. The notification of an application acceptance is to alert abutters and the general public to the fact that a Planning Board application has been submitted and is available for review in the Planning office.

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

*H. McLean made the motion to accept the application as complete and scheduled the public hearing for June 1, 2016. J. Tivnan seconded the motion. **The motion passed unanimously 6-0**. Alternate M. DellaVecchia did not vote.*

VIII. New Business

Walter Mitchell of Mitchell Municipal Group to discuss possible upcoming project procedures Interim Planning Director Loughlin noted that Walter Mitchell Indicated that the discussion will not be tonight but will reschedule.

IX. Old Business

None

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X. Reports

- A. Planning Department Report: Interim Planning Director Loughlin mentioned the next Planning Board meeting will be June 1 instead of June 7. She thanked the board for their patience as the dept is shorthanded. Gerald Coogan was contracted to help with the plan reviews part time. By next month the kinks should be worked out. Chair Hutchins added that G. Coogan is a consult for the LRPC and is competent. Interim Planning Director Loughlin continued stating the draft chapters for economic development, natural resources, transportation and land use in the Master Plan process will be discussed at the Community Action Summit May 23 from 5:30 to 8 pm at the Huot Center. A “to do” list will be made that night and invitations will be going out soon. The state just recently changed the RSA on dwelling units. The ordinance currently limits the size to 400 sq ft but the RSA changes it to a ratio. That will come into effect in July 2017 and that should be in front of the board within the next 9 months.

XI. Liaison Reports

- A. Lakes Region Planning Commission: W. Hutchins stated that the Emerald Ash Borer is coming to the area. Belknap County is in quarantine. The main way to slow the beetle down is by regulating the wood movement.
- B. Conservation Commission: Marnie Shultz and Lisa Morin assisted with the annual Girl Scout Earth Day event at the Laconia Transfer station on April 23. They spoke about Pollinator plantings and assisted with some additional plantings to enhance the pollinator garden already in place. The Con Com is working closely with Public Works to GPS all invasive plants at the Transfer station to show them on the education kiosk due to be installed soon. The Laconia Conservation Commission working closely with the Belknap Conservation District will be working with Key club volunteers in early May to plant a rain garden at Tardiff Park. When residents have questions on rain gardens they now will be able to witness one first hand in a public setting. A joint Gilford / Laconia Conservation Commission public hearing will take place on Wednesday May 18, 2016 to present the final results of the Black Brook Geomorphological and Watershed study undertaken to protect Water quality in Paugus Bay. The Laconia Conservation Commission will be working with the Winnepesaukee Watershed Association to study and combat the spread of the Cyanobacteria plumes in preparation for potential plumes this summer.
- C. City Council: D. Bownes was absent.

XII. Other Business

There was discussion on the underground/overhead utilities. John Cronin suggested writing a letter to Eversource and copy the PUC. C. St. Clair thinks that if any site changes need to be made, the applicant needs to come back to the board before anything is done. Chair Hutchins suggested having Interim Planning Director Loughlin talk with City Manager Myers and council on guidance in the situation. Interim Planning Director Loughlin said in the regulations, the field changes are acceptable at staff discretion. She mentioned that Scott McPhie, the conservation tech, goes once a week to sites for inspections and this is when the overhead was found at

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Appleridge. M. Limanni thinks the previous application had too much hearsay. Proof should be supplied. Chair Hutchins noted that since this is frustrating, in the future a signoff should be required from Eversource before the approval. C. St. Clair suggested something in writing with any changes. Interim Planning Director Loughlin will check with Legal Counsel on what is legal. The board would like a letter drafted from the dept to Eversource, written with the guidance of the City Manager.

XIII. Minutes

Acceptance of the minutes from April 5

The revised minutes were distributed on April 11 and there were no corrections/changes made.

*H. McLean made the motion to accept the minutes from April 5 as distributed. J. Tivnan seconded the motion. **The motion passed unanimously 5-0**, with C. St. Clair abstaining. Alternate M. DellaVecchia did not vote.*

XIV. Adjournment

*H. McLean made the motion to adjourn. W. Contardo seconded the motion. **The motion passed unanimously 6-0**. Alternate M. DellaVecchia did not vote.*

The meeting adjourned at 8:36 pm.

Respectfully,
K. Graham`