

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Conference Room 200A
Draft Minutes

3/6/2018 - Minutes

1. CALL TO ORDER

Chair W. Contardo called the meeting to order at 6:32 pm

2. ROLL CALL

Kalena Graham called the roll with the following members present: Dave Broughton, Michael DellaVecchia, David Bownes, Gail Denio, Edwin Bones and Chair William Contardo

Absent: Charlie St. Clair

Chair W. Contardo stated there were six members present and a quorum was established.

Chair W. Contardo noted the passing of Jay Tivnan and the board was thankful for his service on various boards. He also noted that Mike Limanni resigned from the board as well.

He asked that anyone interested in serving on the board to put a request in with the City Manager's office.

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen, Assistant Director Brandee Loughlin

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance Of Minutes From February 13

Motion to accept the minutes as submitted made by D. Broughton, E. Bones seconded. All voted in favor.

6. PRESENTATIONS

7. EXTENSIONS

7.I. PL2017-0037SP, 0038CUP(Wetland Buffer); 63 Blaisdell Ave; Irwin Marine Access Road; Request For Extension

There was no one to represent the application.

Motion to approve the extension from May 2, 2018 to May 7, 2019 made by D. Broughton, G. Denio seconded. All voted in favor.

7.II. PL2012-0002SP, 0003CUP(Marina), 0012CUP(Parking), 0014CUP(Water Craft Long Term Storage), 0015CUP(Waterbody Buffer); 1218 UnionAve; Request For Extension

Applicant: Paul Goodwin representing Waterfront Marine Holdings, LLC explained the request. The landscaping along the water side of the parking lot, where there is a new wall, is left to be put in and that is slated for spring. There are a few trees to be planted. The 30 x 60 storage building is on hold

because of declined property values. They have found there is an issue with bittersweet that has killed some vegetation. It is a constant struggle. P. Goodwin would like to be able to get the building up soon.

Chair W. Contardo brought up the fact that the board needs to start not allowing multiple extensions on project. Staff is in support of the extension. D. Bownes doesn't see any reason that both extensions can't be approved and see what comes up in a year.

Motion to approve the extension from March 6, 2018 to March 5, 2019 made by D. Bownes, G. Denio seconded. All voted in favor.

8. CONTINUED PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE VOTE Note: The Purpose Of This Agenda Section Is For The Board To Continue The Public Hearing For The Applicant And The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.

- 8.1. PL2015-0142SP Amd; White Oaks Road, Paugus Woods Development; Proposal To Amend The Original Approval To Allow For A Second Access

Chair W. Contardo recused himself and went to the back of the room. Vice Chair E. Bones stepped in as chair.

Tom Miller from the audience asked what the reason for the recusal of the chair and Planning Director D. Trefethen stated that the Chairman determined that there is a conflict of interest with the application. W. Contardo from the audience disagreed and said he thought it would be best for the City because of a legal suit applied, that he recuse himself so not to be prejudicial to the cause. A point of order was called by D. Bownes and it was noted that the Chairman has recused himself and shouldn't be giving input. Vice Chair E. Bones agreed and asked for no further discussion. That could be taken up at another time.

Vice Chair E. Bones asked the audience to please direct any questions to the board only. The board is looking for input on what is being discussed this evening. He also asked to keep the chatter to a minimum.

The public hearing opened at 6:49 pm

Applicant: Jon Rokeh and Atty Mark Pinard were present. J. Rokeh updated the board on the two applications. There were a couple of things to be taken care of. The applicant has been working with DPW and got one thing knocked off the list. The condo docs have been turned in to Planning staff and staff is working on revisions. The applicant has turned in final revisions on the water documents. Atty Rod Dyer is reviewing those for the Water Dept. The applicant was asked to work with DPW to find out the exact time of when the turn lane would need to be installed on the boulevard (what phase of the development would trigger when the turn lane needed to be installed). The reason for that is that the bridge condition under the boulevard needs to be replaced and will happen when the road is widened. The applicant was also asked to work on the condo docs for the open space of the Langley Cove development. They are working with staff on that document. The applicant needs to finalize the contracts with the Water Dept. It has taken a while as this is extensive work with the booster station and replacement of the water line.

Abutter input: Tom Miller of 27 Siesta Lane spoke. He asked if the roads in the Langley Cove development will be private or city maintained. Staff noted the roads are proposed to be private roads. T. Miller stated he spoke with the Fire Chief about a year and a half ago regarding the access road and was told the access was only supposed to be for emergency vehicles and emergency cases only. It was not supposed to be an open access from either of the developments and that if it became too much, they would put up a gate to stop it. Planning Director D. Trefethen stated that at the time of that discussion, there wasn't an application before the board that detailed any of the points being discussed. Since the talk with the Fire Chief, things have changed. T. Miller continued and stated that when the

Paugus Woods was built it was built with the proposed road areas as a lot for a house. Planning Director D. Trefethen stated that one of the proposals is to amend the Paugus Woods approval to change that lot into an access road. T. Miller asked why go through a different development and the board stated that was not what was requested. T. Miller reiterated that the roads in Paugus Woods are deplorable and that the developer is not a good neighbor. His concern was about the developer and their record. The board understands the concerns regarding the character about the developer, but the board's job is to hear the proposal and see if it fits in Laconia. It is up to the applicant to make things right.

Paul Wheaton of 537 Weirs Blvd spoke. He noted that he had nothing new but wanted to explain the frustration of the abutters. He feels the process is not going the way it should be going. There is not a lot of trust going on with people recusing themselves and not allowing people to talk about issues. The abutters have every right to voice concerns. Whether the board wants to listen or if it effects the decision or not, it is up to the board. E. Bones stated that if anyone doesn't trust in the process feel free to volunteer and help make decisions. He stated that the board hasn't been given the opportunity to make a decision yet and are just listening. The board doesn't want to hear the same thing month after month. E. Bones asked to let the board evaluate what is proposed and make a decision. P. Wheaton reiterated that the board is not hearing what is being said. The board will allow a company that has a poor record come in and do it again to more Laconia residents. The abutters feel that is what is not getting picked up. E. Bones and D. Bownes said the board is listening and asked to let the board evaluate and make the decision.

The public hearing closed at 6:58 pm

Planning Director D. Trefethen directed the board to the memo from staff. He reiterated that when the board is prepared to take action, separate motions and votes are required for each of the following items: Paugus Woods Subdivision Amendment (PL2015-0142SP); Langley Cove Site Plan/Subdivision (2011-0024SP); Langley Cove Wetland Buffer CUP (PL2011-0027CUP); Langley Cove Steep Slope CUP (PL2011-0026CUP); Langley Cove Boundary Line Adjustment (PL2015-0141SU). Staff suggests that the Board review all of the information received from Staff and the applicant thus far and be sure to bring up any questions or concerns regarding any of the items above so that Staff or the applicant can address them in a timely manner. Staff will continue to work with the applicant on the items the board expressed at the last couple meetings concerning conditions of the roads in Paugus Woods and drainage issues to try to get as much relief as possible. D. Bownes reiterated some of the concerns: if the project gets approved there will be some provisions about improving the roads or making changes to the roads. Not only to the ones directly affected but ones that may be affected and some driveways. He said to the applicant the he understands there is tension between the applicant and the abutters but wants to know what the applicant can do (whether they like it or not) to improve the conditions of the roads in Paugus Woods to address some of the concerns heard over the past few months.

M. DellaVecchia does not feel comfortable with approving the access road and said he will not vote for it. He noted that there are other options than to make a cut through another development and urged the other members not to vote for it as well. G. Denio's concern is to have the applicant fix what is broken (the roads and drainage) so the concerns of Paugus Woods won't be concerns of Langley Cove. She would like that done so she can make a decision.

Motion to continue the application to April 3 made by D. Bownes, G. Denio seconded. All voted in favor.

- 8.II. PL2011-0024SP, 0026CUP(Steep Slope), 0027CUP(Wetlands), 2015-0141SU, 553 Weirs Blvd; Langley Cove Development, 291 Unit Cluster Development & Boundary Line Adjustment

The public hearing opened at 7:09 pm

Abutter input: Arline Ouellette of 62 Sarasota Lane spoke. She is a retired resident that has lived in Paugus Woods for eight years. The roads are a mess and she can't see traffic fitting in both directions as it is too narrow. In the winter it is narrower. The incline on Sarasota is a concern; she has been

stuck on it with 4-wheel drive. The drainage is terrible no matter what time of year. She can't see how anyone could vote to approve 291 units. Many of the things promised for Paugus Woods has not happened yet: a clubhouse and a third extension. She feels that poor workmanship has cost a lot of money for the homeowners and the developer doesn't care about the homeowners. She asked the board not to involve Paugus Woods with another Brady Sullivan project.

The public hearing closed at 7:12 pm

Motion to continue the application to April 3 made by D. Bownes, D. Broughton seconded. All voted in favor.

9. PUBLIC HEARINGS, POSSIBLE CONSIDERATION AND VOTE Note: The Purpose Of This Agenda Section Is For The Board To Have A Presentation From The Applicant And Open A Public Hearing For The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.

9.I. Master Plan Draft Vision Statement And Land Use Chapter

Vice Chair turned the meeting back to Chair W. Contardo. He clarified his recusal so people would understand. He stated that he didn't recuse himself because of conflict of interest. The reason is that Brady Sullivan's lawyer put a suit on the City. And the thought was that the applicant would not get a fair hearing from the board while W. Contardo was chair. Based on that, Chair Contardo decided to recuse himself for the reason on not going further in the court. In the interest of the City, the right of the people as well as the legal right of the applicant, he recused himself.

Planning Director D. Trefethen explained the drafts. A few comments have been received and there are a few revisions to be done. He will try to get those revisions in the document and up on the website and to the board after the meeting. The idea was to have the public hearing and wait to the April meeting to vote. D. Bownes noted that there is a reference to RSA 79 e and that City Council has adopted the recommendation of the section. For purposes of the Public hearing.

D. Broughton brought up the fact of voting in April and noted that he would be absent then. He asked if others would be around and D. Bownes and W. Contardo will not be present. Planning Director said there a few potential new members in the next few months.

The public hearing opened at 7:21 pm

Public input: Dorothy Duffy of Whipple Ave spoke. She would like to see a graph on how many multi dwelling units exist in Laconia and has concern about saturation point. She would also like to know how many non profits there are. The burden goes to the homeowner for the tax base. The new state law to allow accessory apartments adds to the tax revenue. The population hasn't risen that much since the 50s. She had a concern about economy growth. If there is no population growth the economy will not grow. Main Street is dark with vacant store fronts and pot holes. It was desolate. She feels if the City wants to change things they should start with small changes. If anything needs to be done she asked to think about the people that live there before doing anything. She brought up traffic issues with Lakeport and other areas. D. Bownes stated that the parking in Lakeport issue will be at council at the second meeting in April.

The public hearing closed at 7:37 pm.

Motion to continue the Vision statement and Land Use chapter public hearing to April 3, 2018 made by D. Bownes, E. Bones seconded. All voted in favor.

- 9.II. PL2018-0002SP, 2018-0003CUP(Parking); 291 Union Ave; Holy Trinity Proposal To Relocate School And Interior Renovations; Waiver For 80% Of Impact Fees

The public hearing opened at 7:38 pm

Applicant: Fred Matuszewki of CMK Architects along with Robert Eib, Assistant Director of Real Estate for the Diocese of Manchester and Fr. Marc Drouin, Pastor of St. Andre Bessette, were present. F. Matuszewki presented the proposal. They would like to relocate the Holy Trinity school in to the old convent building. Access will be off Gilford and Union Ave. The applicant applied for a special exception for the use of a school with the ZBA and was approved. The application before the Planning Board is a condition use permit for shared parking with the church. The required parking for all 3 functions on the site total 275. Currently 150 exist and with 18 accessible spaces. The times of the uses will not conflict. There is expected to be about 100 students, pre-k through 8th. G. Denio asked about the time of school. Her concern is the traffic from the high school off Dewey Street. School times are from 7am - 3 pm. There is an after school program until 5 for a limited amount of students. F. Matuszewki said they were asked to perform a traffic study and DPW had no issues with the results. He noted that as an informal study on Church Street, there are 30 cars at most. There is a fair amount of carpooling. D. Broughton asked how many parking spaces are used by staff and was told 15.

Staff review: Assistant Director B. Loughlin noted DPW did ask for a traffic study and was comfortable with the numbers. Staff supports the CUP approval and the waiver request.

No one from the public spoke for or against the application.

The public hearing closed at 7:50 pm

There was a heated discussion regarding the impact fees between D. Bownes and Chair W. Contardo.

Motion to approve the reduction of impact fees and the dates and conditions as stated in the staff review for the site plan made by G. Denio, D. Broughton seconded. All voted in favor.

Motion to approve the application with the dates and conditions stated in the staff review for the conditional use permits made by D. Bownes, G. Denio seconded. All voted in favor.

10. APPLICATION ACCEPTANCE Note: The Purpose Of This Agenda Section 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 THIS TIME. If The Application Is Accepted The Planning Board Will Schedule A Public Hearing At Which Time The Application Will Be Heard And Public Comments Will Be Accepted. Information About Applications Can Be Obtained On The City's Web Site Or By Calling The Planning Office.

11. NEW BUSINESS

12. OLD BUSINESS

Chair W. Contardo brought up the impact fees and thinks they should be looked at again.

13. PLANNING DEPT REPORT

14. LIAISON REPORTS

There were no updates to report.

15. OTHER BUSINESS

Planning Director D. Trefethen would like to have a discussion on the extension policy and see what the board thinks if there needs to be some change.

16. ADJOURNMENT

Motion to adjourn the meeting made by D. Broughton, G. Denio seconded. All voted in favor.

The meeting adjourned at 8:16 pm

Respectfully,
K. Graham