

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Draft Minutes

5/5/2020 - Minutes

1. CALL TO ORDER

Vice Chair Ed Bones read the INTRODUCTION FOR ELECTRONIC MEETINGS

As Vice Chair of the Laconia Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;

We are utilizing the Zoom platform for this meeting where all members of the Board will have the ability to communicate, and the public will have access to watch the live YouTube video at <https://www.youtube.com/laconianh>, listen to this meeting through dialing the following phone # 1-312-626-6799 or 1-646-558-8656 or participate with the Zoom app: Webinar ID: 993-5764-5425 password 695107.

b) Providing public notice of the necessary information for accessing the meeting;

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the City of Laconia's website at https://www.laconianh.gov/AgendaCenter/ViewFile/Agenda/_05052020-1232?packet=true

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;

If anybody has a problem, please call 524-3877 x 249 or email at: planning@laocnianh.gov

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

The meeting started by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

The meeting called to order at 6:35 PM

2. ROLL CALL

Members physically present: Mike DellaVecchia, David Bownes, Charlie St Clair, Vice Chair Edwin Bones

Members remotely present: Rich MacNeill, Jewel Fox, Kirk Beattie, Stacy Soucy, Brett Beliveau

Absent: Sarah Jenna, Jay Forester, Peter Brunette

Also present in the back of the room was Councilor Bruce Cheney

All remote members where alone

Stacy Soucy was named a voting member for the evening.

3. RECORDING SECRETARY

Kalena Graham

Zoom Host: Rob Mora

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.1. Acceptance of minutes from April 7

Motion to accept the minutes from April 7 made by C. St. Clair, M. DellaVecchia seconded.

6. PRESENTATIONS

7. EXTENSIONS

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. PL2020-0003SP; 1330 Union Ave; proposal to construct 32 condominium units, garages, and open parking

Applicant: John Rokeh with Rokeh Consulting, on behalf of the applicant via Zoom, addressed the board. They have finalized the process with the state permits and have the AOT permit in hand. They have finalized the sidewalks with DPW. There will be a detached sidewalk across the front and relocate the existing crosswalk. The sidewalk will go between the two entrances and almost to John's Corvette property. The new cross walk location will be at the southern entrance and the existing crosswalk by the northern entrance will be abandoned. They have revised the architecture and one of the reasons for the last continuance request, because the revisions weren't done yet. For the garages, they added what looks like a false second floor and dormer to match the units a little better and not look like self-storage units. D. Bownes noted it still looked like storage buildings. J. Rokeh went over the drainage. There will be a Jellyfish in the front of the lot that will tie into the city system and a Jellyfish by the lakeside that will go into the lake. The applicant has worked with the state and have approvals on the systems. This application went to a 3rd party reviewer, Dubois and King, for city as well. D. Bownes clarified that everybody is in agreement that the drainage issues would not impact the Lake and that was correct. D. Bownes asked what kind of ongoing review will there be through construction and was told there will be full construction monitoring on both ends, the applicant in the city. The contact jellyfish will be maintained by Bellmore, a catch basin cleaning company that will be under contract for maintaining the jellyfish and are doing several around Lake Winnepesaukee. All those records will be available at any time. D. Bownes asked if the city has requested an independent contractor to monitor to oversee construction and was told it had not been suggested. D. Bownes asked if that is something that had been considered and decided unnecessary? Planning Director D. Trefethen noted that it has not been brought up before this time. D. Bownes noted that a lot of project there has been a requirement for the developer to hire an independent contractor to report back to the city on either a daily or weekly basis. He is concerned because of the proximity to the lake. Vice Chair E. Bones asked what the last project was that the requirement was put on. Planning Director D. Trefethen answered. It was on the Langley Cove project. He understands the concern, but he doesn't think that

this construction project rises to that level. The project is straightforward and nothing unusual; there is no retaining walls, compaction, steep slopes or anything unusual and on a pretty level site. The conservation technician will go out weekly and DPW will be actively involved as well. J. Rokeh mentioned this is very similar to the project done at the Lakehouses on Christmas Island with the same developer, and right on the water as well. It was a similar situation where it went right to the water and it's pretty level. He is unaware of any issues during construction with impact to the lake on that project. He stated that they have been taking the notes from the comments and putting them into the project. J. Fox noticed the boat slips right next to the beach and asked if there is an intention to have a beach and swimming area, it seems the slips would go right into the beach area. J. Rokeh stated that is where the existing dock is currently, next to the beach. The configuration of slips will be finalized by a specialist. She asked about the number of slips and J. Rokeh believes the number is 8. The amount is based on the shore frontage available. There will definitely not be 32 slips. He anticipates a couple spots being designated, and the rest reserved for day docking. J. Fox asked if there will be a roped off swim area. She wonders about the common area. J. Rokeh is not sure. J. Fox asked about other amenities and J. Rokeh said there is a lot of open lawn area.

C. St Clair asked about the current structure and what the building next to the bookstore was used for. J. Rokeh stated there is the bookstore then the Barton's personal residence attached to the bookstore, then it goes in to the rental units. C. St. Clair mentioned that several people have contacted him and being unhappy about the building coming down. He asked if the existing entrance will be used and J. Rokeh said yes but will be quite a bit narrower.

C. St Clair brought up the Barton's sign. He said the sign has historical significance to people, including himself, not because of the name but the design of it. It was put up in the late fifties and well maintained. It is the only sign like that in the surrounding area. He suggested it could be taken off the roof and remain on the property somehow. He urged the applicant to look at the idea of keeping the sign. He doesn't know why the building is proposed to come down, and thinks by keeping it, it would tone down some of the look. He believes the existing building is not offensive and give the cemetery more privacy, instead of having just trees there. On another note, there was discussion about the preservation of the tall trees in the front, but doesn't see them on the renderings. J. Rokeh stated they are trying to preserve those trees. He also stated that the demo permit is to take everything down. If somebody would like the sign they can have it. He feels it would be difficult to keep the sign on the property. He mentioned that internally they did discuss if there was any sport for it on the site and the developer was comfortable to commit leaving the Barton's sign on the corner of the development. C. St Clair said it is important to him and other folks that the signs stay., but he understands nothing stays the same. He just wanted the applicant to know it will be a tough change for a lot of people when this building comes down.

The public hearing opened at 7:07 p.m.

No one spoke for or against the application

The public hearing closed at 7:09 p.m.

Board discussion:

M. DellaVecchia feels the density is too much for that location. Last October, the applicant came before the board for approval to go from the allowed 24 units, to 32 units and all of a sudden he doesn't need the approval. He doesn't understand how that happened. He asked if there was a traffic study done to know that corner can handle 32 units. He believes in the right to build what you want to build but would rather see 16 million dollar units than 32 half a million dollar units. He feels it would make the corner more attractive. He is concerned about the height of the project and can't see how something can be built 80 ft over the waterline. He feels it will look like a condo in Boca Raton. J. Fox agrees and has issue with the circular drive. J. Rokeh. Said it is 2 way traffic in-and-out. The drive is also 24' wide. Each unit has a designated parking spot in front of the unit and 2 spots in a garage. Snow storage will be on the property and when there is too much, it will be trucked out. S. Soucy is concerned about traffic on the shore line. J. Rokeh said that the docks will only be day docking. Vice Chair E. Bones asked how many units are in South down and Planning Director D. Trefethen stated over 600. Vice Chair E. Bones asked how many boat slips they have and it was much less. He believes that if the applicant meets the criteria, the board is not in a position to discern amenities. There has been a lot of

questions revolving around personal choice. Planning Director D. Trefethen understands dock concerns but noted they are 100% state purview.

C. St Clair went back to the sign. He would like to see the sign and the buildings stay.

J. Fox asked about green space after the sidewalks. J. Rokeh noted that they are proposing 58.7% and they only need 25%. There is language in the condo docs that state no storage on site of any trailers or boats. There is one space for storage in the garage but not big enough for a boat. D. Bownes thinks the view from Union Ave is ugly and unacceptable. J. Rokeh will continue to work on the garage's architecture. J. Fox said the view from the Lake will obscure the mountains. J. Rokeh stated the buildings will be placed so there will be still views. The applicant did look into keeping the store but financially it is not feasible. He is unsure of when the doc permits will be done. C. St Clair asked how long before the demo and J. Rokeh. Said it could be weeks or it could be next year. C. St Clair would recommend the board to continue the application to get some of these questions answered. Planning Director D. Trefethen said the condo docs have language and need some updates but all of the concerns that were raised have been covered.

Staff review:

Planning Director D. Trefethen read the staff review and brought the board's attention to section 3; d. The property owner at 1192 Union Ave (John's Corvette) would like there to be a fence or some sort between the two properties. He noted the email from the applicant stating that they have committed to install something; a combination fence and landscape buffer. When construction is started they can see what really will be needed. D. Bownes is uncomfortable with just an email and would like specifics on the fence, in a plan. He thinks continuing until they get that is a good idea. J. Rokeh is working with the abutter on a buffer. Vice Chair E. Bones asked if the developer requested to provide a design in DT said not required but there is a concern on the abutting property that future residents and guests will cross the lawn and look at the cars. There is an issue now with people doing that and the property owner is looking at his own way of security, on the Union Ave part. A fence or some kind of buffer on the property line will either reduce or eliminate the problem from next door. Currently, with family dynamics, if there is a problem with a resident at the hotel they can talk to the owners. When these are built that will be a different story because they will be individually owned and unrelated.

Planning Director D. Trefethen brought up a few things that had been mentioned. No traffic report is needed because there's not enough traffic to generate it. If the hotel was busy, there would be more than this development will create. Improvements will help with the traffic. He wanted to make a correction in the height of the building. The building is an average of 60' tall. Some of the pine trees on the property are about 60' tall, to give a correlation. He agrees that the boat views will be partially obscured, but only near the shoreline. Once you get further from the shoreline, you will still be able to see the mountains. This application came before the board as conceptual design in October for density. Since then, the zone has changed and density has changed. The application meets all the setback requirements as well. They are not asking for anything with the performance zoning aspect. He continued with the staff review and noted the applicant is requesting a 2 year approval.

Motion to continue the application until June 2, 2020 for the applicant and the neighbor to come to an agreement on the fencing, with a submitted plan, made by D. Bownes, C. St Clair seconded. M. DellaVecchia, D. Bownes, C. St Clair, Vice Chair E. Bones, S. Soucy and R. MacNeill voted for the continuation; K. Beattie voted against. The motion passed 6 – 1.

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. 05-015SU amd; Hilliard Road, Marsha Ann Way, Hillard Heights; proposal to amend the subdivision to expand the existing 40 ft right of way to 50 ft

Motion to accept the application as complete made by D. Bownes. All voted.

The applicant was not present on zoom so the board continued the application.

Motion to continue the application to June 2, 2020 made by D. Bownes, C. St Clair seconded. All voted in favor.

9.II. PL2020-0040SU; 11 & 17 Kingsley Ave; Proposal for a Boundary line adjustment between the two lots

Motion to accept the application as complete made by D. Bownes, C. St. Clair seconded. All voted in favor.

Applicant: Nancy Rowley and Susan Hewey. N. Rowley addressed of the board via zoom. She explained she lives at 17 Kingsley and her neighbor, which is her best friend, S. Hewey is next door at 11 Kingsley. For many years N. Rowley's driveway has partially been on the abutting lot. While it is still just the two of them, they decided to make the line change and have it legal. They are requesting a boundary line adjustment between the two lots.

The public hearing opened at 8:02 p.m.

Susan Hewey wanted the board to know she was present via Zoom, just in case there was any questions.

The public hearing closed at 8:03 p.m.

There was no board discussion

Staff review: Planning Director D. Trefethen read the staff review. He stated this was a very straightforward application. This went to the ZBA for a variance for lot size. There are just minor edits before the final plan can be submitted.

Motion to approve the boundary line adjustment with the dates and conditions as stated in the staff review made by D. Bownes & C. St. Clair 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.

10.I. PL2019-0069SPamd; Endicott North, Pine Hollow Campground; proposal to add 36 more lots

Motion to accept the application amendment and scheduled a public hearing for June 2, 2020 made by C. St Clair, D. Bownes seconded. All voted in favor

11. NEW BUSINESS

12. OLD BUSINESS

C. St Clair brought up Lakeport Landing and the brick tower. On the plan, it is perceived that the tower would have simulated brick panels but if you look at the tower now, it is not brick. He went through the file and found chains of emails between the owner and the Planning Director D. Trefethen that mention the brick after Planning Board approval but it is still not brick. He wondered how, if this board approves plans, how to make sure those plans are adhered to. Vice Chair E. Bones asked Planning Director D. Trefethen if anything can be done and Planning Director D. Trefethen reached out to legal counsel on the question. Laconia does not have strong architectural requirements. The feeling of legal counsel is that it's a field change during construction and there is not much that can be done. He noted that if a member of this board would like something specific on an approval than that needs to be stated during that time. D. Bownes wonders where the line is drawn for "field changes".

C. St Clair also brought up the Langley Cove and Paugus Woods project. There was a stipulation that the roads would be repaired in the Paugus Woods development and they have not. The roads are falling apart. Planning Director D. Trefethen stated potholes and issues were repaired on the time line. Renewal is coming up and no other requirements were proposed until the access road is built. The Homeowners association is now in charge and Brady Sullivan is not an active part. This Has been an ongoing issue for quite some time. He told the board to expect to see an extension request within the next few months.

13. PLANNING DEPT REPORT

Planning Director D. Trefethen mentioned that the Weirs Beach development in the Weirs has been having some concerns with decks. Originally, the units were approved for mid range affordable housing in the area. With this approval the house sizes were limited to 1200 sq ft for the footprint, not including the garage but including porches and decks. In the beginning unit footprints were small and more recent units are being built to the Max size and still looking at building decks. These requests are denied because they have met that 1200 ft footprint already, before the deck. He believes the objectives of the development have been met, with less than 5 lots to be developed. He would like the board to reconsider the accessory structures. He would also like to work with the homeowners association and have them come back to the board for a language change to allow for decks and porches. Vice Chair E. Bones stated that if they are allowed to make units larger somebody could put twice the size of the house on including decks and porches and a garage and then would not meet the Board's objective. B. Beliveau suggested Planning Director D. Trefethen work with the homeowners association and also address Vice Chair E. Bones' concerns. He also suggested to have the decks a certain percentage of the house. D. Bownes would like to see prior language and proposed language to compare the two when they come to the planning board.

14. LIAISON REPORTS

15. OTHER BUSINESS

16. ADJOURNMENT

Vice Chair E. Bones stated that with no other business the meeting is adjourned.

The meeting adjourned at 8:42 PM

Respectfully,

K. Graham