

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

8/3/2021 - Minutes

1. CALL TO ORDER

2. ROLL CALL

Member present: Rich MacNeill, Kirk Beattie, Brett Beliveau, Mike DellaVecchia, Stacy Soucy, Scott McWilliam, Peter Brunette

Present via Zoom from Hampshire IL, Charlie St. Clair

Absent: Susan Hodgkins, Bruce Cheney, Sarah Jenna

Scot McWilliam was seated as a voting member.

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen, Zoom Host Assistant Planner Rob Mora

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of minutes from July 13

Chair P. Brunette declared the minutes accepted as amended.

6. PRESENTATIONS

7. EXTENSIONS **Note:** The purpose of this agenda section is for the board to consider requests from applicants with previously approved projects to extend the deadline dates. The board may also deliberate the request, decide and conduct a final vote at this time. PUBLIC INPUT IS NOT TAKEN ON EXTENSION REQUESTS.

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.I. PL2021-0061SU; Endicott St East; Proposal to subdivide off an acre on the Colonial Road portion

*Application was withdrawn by the applicant*

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. PL2013-0100SP amd2; 264 Lakeside Ave, Tower Hill Tavern; Review of request to amend the original approval to allow for indoor live music & DJ's until close at 1 am

Motion to accept the application as complete made by M. DellaVecchia, K. Beattie seconded. All voted in favor by roll call vote.

Applicant: Atty John Bolton of Hinckley Allen addressed the Board representing the property owner. Anthony Santagate and Meghan Doptis were also present. Atty J. Bolton noted that applicant has made substantial improvements to the property and sound mitigation. He went through the Engineering Study from July 26. Based on the observation by the engineer, a sound monitoring system won't work. He respectfully requested the amendment be granted.

S. Soucy asked if there were any live bands during the testing and was told no. Eric Router was out twice, once inside and once outside. She asked if there were any complaints during the drag show a few Sundays ago and was told no. Chair P. Brunette noted that he had been out there and at Doe Ave the music was barely audible.

S. McWilliam asked if staff is aware of any noise complaints. Planning Director D. Trefethen noted they are not aware of any complaints other than some confusion during Motorcycle Week which had nothing to do with this application. He did contact LPD but not able to get back to him before the meeting. He added that the sound engineer is online if anyone had questions for him.

Eric Router addressed the board. There was too much ambient noise to get any readings from the outside. Talking on the deck was louder than the inside.

The public hearing opened at 6:59 PM

Abutter input:

Atty Ethan Wood addressed the board. The mitigation has appeared to be successful and if so, there is no objection to the amendment. He would like clarification on possible future issues and what to do if there are issues. Staff decided not to establish a condition of limit due to the sound engineer's report. The process is, if there is a complaint of noise, then the LPD needs to be called. It is their jurisdiction. All the conditions from the February 5, 2013 approval still apply.

Denis Golabiewski of Foster Ave addressed the board via Zoom. He has lived there for eight years. He asked if the noise should have a decibel level and Chair P. Brunette reiterated that noise would be a police issue. D. Golabiewski has called LPD and they never did anything and he questions that. M. DellaVecchia asked if there have been any issues over the last couple of months and was told no. D. Golabiewski has concern for the future and would like a means to measure sound and suggested to set a loudness level inside the building. Planning Director D. Trefethen clarified that the official way to complain about noise is through LPD.

Mike Ames owner of Half Moon, addressed the board via Zoom. He commended the applicant for the work done. He mentioned they have also called LPD for the past 7 years and got nowhere. He read part of the noise ordinance. He added that the last few months have been fine with the applicant and the no issues with noise.

The public hearing closed at 7:22 PM

Staff Review: Planning Director D. Trefethen read the staff review. He noted that most of the improvements were done by Motorcycle Week. He and Assistant Planner R. Mora had tour during that time. Staff recommends approval as this would be similar to other establishments in the City. E. Router did not recommend a real time monitoring system so condition 1 A & B are moot. The lack of language in noise ordinance is known but the only way to change it is with City Council. He suggested citizen bring that up at those meetings. He understands the frustration.

It was noted and clarified that the windows do not open so in the future they wont be open.

M. DellaVecchia suggested one more year in case of more complaints. Chair P. Brunette asked what advantage that would give and was told to the neighbors' concerns. J. Bolton disagreed. It has been demonstrated that the noise has been mitigated. Chair P. Brunette reminded the board this application is to amend the 2013 approval.

Motion to approve the amendment with the new conditions and the remainder from the 2013 approval eliminating condition I made by B. Beliveau, K. Beattie seconded. All voted in favor by roll call vote.

- 9.II. PL2021-0097SP, 0098CUP(perf zon); 50 Church Street; Proposal to convert building from school to residential units up to 14

Motion to accept the application as complete made by K. Beattie, R. MacNeill seconded. All voted in favor by roll call vote.

Applicant: Steve Smith and Kevin Morrissette addressed the board. S. Smith gave the background of the property. Former Holy Trinity School lot. The main reason for the CUP is the parking lot set back along Messer Street. There is a shared right of way with all three properties: the Busiel Mansion, the Church and the school. The proposal is to convert the former school to residential units. The agreement with the City for a minimum of 12 units. The old gym portion in the rear of the building will be removed and add a two story with 4 units, two on each floor. Then the front area will be rehabbed with 4 units on the first floor and 4 units on the second floor. There is a basement and they are not sure if they are keeping the units in the basement or not yet. Parking supports 14 units and adding 22 spaces. The access will be changed to Messer Street to be further away from the intersection. There will be a buffer between the city parking lot and the subject lot. The trees along Church Street will be kept and some on Messer to be removed. The birch trees along Messer are proposed to be removed as they are in the proposed parking spaces. Drainage improvement will include new catch basins and pipes and a treatment facility in the back of the parking lot. They are putting a elimination system around the dumpster to keep the drain clean. A stockade fence is proposed between the abutter on Messer Street. Lighting will be downcast to meet city standards. The applicant has reviewed the staff review and has no issues with the conditions but would like the dates to be pushed out. K. Morrissette stated that the project will be done in phases: Demo the gym first, then start the front of the building. He added that part of the agreement with the city is that he has two years to start the addition. So the completion would be July 2023.

The public hearing opened at 7:51 PM

Mandie Hagan of 30 Church Street addressed the board via Zoom. She had concern about people parking in the municipal parking lot and the possibility of people parking on her property. She asked that a fence be put up to block the city parking lot. Chair P. Brunette noted the city will have to work on that with her on any issues.

The public hearing closed at 8:00 PM

Staff Review: Planning Director D. Trefethen read the staff review. New plan dates: revisions – Dec 7, 2021, Final plans – Jan 4, 2022 and completion – July 11, 2023. If the addition has not started the applicant would need to return for an extension.

Motion to approve the application with the new dates and conditions as stated in the staff review made by K. Beattie, R. MacNeill seconded. C. St. Clair would like the applicant to keep the birch trees along Messer St. The board spends so much time telling people to plant street trees. These two trees are healthy and have survived all these years. He questions why they need to come down. He would like the applicant to try to preserve those birch trees, by putting them somewhere else. He brought up the oak tree by Dunkin's on Union Ave and how it was saved. He noted he would abstain from the vote. All voted in favor by roll call vote, with C. St. Clair abstaining.

The board had a discussion on housing developments over the recent months.

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. PL2021-0099Sp, 0100SU, 0101CUP (steep slope), 0102CUP (wetland buffer), 0103CUP (cluster), 0104CUP (vernal pool), 0106CUP (cluster setback), 0106CUP (perimeter buffer); Endicott St East MBL 164-72-1, The Gardens; Proposal to construct 89 residential unit cluster subdivision and associated road, drainage and landscape

Planning Director D. Trefethen noted the application will be going to ConCom and another technical review meeting.

Motion to accept the application as complete and schedule the public hearing for September 7, 2021 made by K. Beattie, S. Soucy seconded. All voted in favor by roll call vote.

Assistant Planner R. Mora suggested the Board do a site visit prior to the September 7 meeting. Planning Director D. Trefethen agreed and mentioned the site is rough.

## 11. NEW BUSINESS

11.I. Appointment of Planning Board members (3) and members at large (4) to CIP Committee

Chair P. Brunette explained the process and brought up the importance of infrastructure: sidewalk, underground utilities, etc. He would like to see departments go to CIP with improvement and existing infrastructure before coming to the Planning Board. He would also like to see water brought to Parade Road and Hilliard Road as a connection area but understands the dilemma. He also would like to see more sidewalks as after a while they won't be a sidewalk to nowhere but eventually be connected.

S. McWilliam noted sidewalks encourage more walking.

*C. St. Clair left the meeting at 8:25 PM*

K. Beattie likes Chair P. Brunette's idea and suggested asking what will that mean to the department and how will growth impact the department long term. Chair P. Brunette noted that infrastructure is important, not just for now but the future.

Motion to appoint Gail Ober, Jane LaRoche, Paul Duggan, Mike Foote as members at large and P. Brunette, C. St. Clair, and S. Soucy as Planning Board members to the CIP Committee, made by Chair P. Brunette, M. DellaVecchia seconded. All voted in favor by roll call vote.

## 12. OLD BUSINESS

12.I. Review of Impact Fees

Planning Director D. Trefethen went over the impact fee chart. Council has asked for revisions to the fees. The fees were put in effect over 10 years ago. He brought attention to the total fee column and would like the board to focus on that rather than the individual Capital Facility Category as that would require a whole study, which would consist of hiring a consultant and lengthening the process. He suggests the total amount go up from 25% to 35 or 40% and then 5% over the next five years for the residential and commercial. At any point Council or the Board can revisit the numbers. In certain areas of the city applicant's can request a waiver of the fee up to 80%.

Chair P. Brunette suggested getting rid of the last column entirely. R. MacNeill noted that the market is

not going to get any better than it is currently. S. McWilliam thinks might be counter productive when housing is needed. Chair P. Brunette suggested 50% then 10% per year. K. Beattie encouraged the idea but also feels that could be a chunk of change. Planning Director D. Trefethen noted that the fee is collected at the time of the Certificate of Occupancy, the end of the process. Council is receptive to increasing the fee just a matter of how we go about it.

Motion to refer the revisions of the impact fee raising from 25% to 50% plus 10% a year until 100% and change the language for the residential development amount to be per unit rather than per structure made by B. Beliveau, S. McWilliam seconded. All voted in favor.

Chair P. Brunette gave a background on the two apartment buildings in Lakeport that are proposed to be demolished and that 30 people will be displaced with no to place to go.

#### 13. PLANNING DEPT REPORT

Planning Director D. Trefethen stated Domino's has planted their street trees and the property across the street is in process of replanting their street trees.

#### 14. LIAISON REPORTS

HDC: The expansion of the HOD ran into a road block at Council level. They are looking at projects to reach out to downtown business owners and property owners and relay fears concerning the Commission's purview. He noted that the word "doorknob" is not anywhere in the ordinance but is a word that comes up a lot from public. Council and the Commission will work on the revising the ordinance.

LRPC: Chair P. Brunette and S. Soucy discussed the last LRPC meeting on telecommunication and the importance of broadband and main core fiber optics.

Chair P. Brunette brought up the Council meeting and that there will be a discussion with others involved in the redevelopment of the Lakes Region Facility.

#### 15. OTHER BUSINESS

Chair P. Brunette updated the board on the Elm Street project.

#### 16. ADJOURNMENT

Motion to adjourn the meeting made by K. Beattie, R. MacNeill seconded.

The meeting adjourned at 9:15 PM

Respectfully,

K. Graham