



Application #: _____
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**PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT
 EXTENSION REQUEST**

JUL 30 2021

**Planning/Zoning
 City of Laconia**

Name of Applicant: Akwa Vista LLC

Mailing Address: 50 Lighthouse Cliffs, Laconia, NH 03246

Owner (If same as applicant, write "same"): Same

Mailing Address: _____

Tax Map/ Lot # (s): 117/234/001 Zoning District (s): SFR

Tax Map/ Lot # (s): _____ Application # (s): _____

Street Address: 664 Scenic Road

Project Name (If Applicable): The Lodges at Meredith Bay

	Current Dates:	Requested Dates:
Plan Revisions:	_____	_____
Site Improvement Security:	_____	_____
Mylar and/or Final Plans:	_____	_____
Completion:	_____	_____

Reason for Request: Please see attached request for extension for Special Exception to allow multi-family in SFR zone.

Sign as appropriate (If agent or non-person please attach certification)
 NOTE: Please attach an Applicant Contact Worksheet

PROPERTY OWNER(S)

AGENT(S)

Akwa Vista LLC

Printed Name Here

Signature of Property Owner(s)

Printed Name Here

Signature of Agent(s)

Date

Date

REQUEST FOR EXTENSION TO SPECIAL EXCEPTION

On July 20, 2009 the City of Laconia Zoning Board of Adjustment voted to approve applications # 2009-00027, 2009-00028 and 2009-00029 requests for Special Exception to allow the use of multi-family dwellings for MSL 130-234-001 owned by Akwa Waterfront, LLC; MSL 124-234-003 owned by Akwa Village, LLC and MSL 117-234-001 owned by Akwa Vista, LLC The Applicants/approval recipients hereby request an extension of these approvals to January 31, 2022.

The ZBA is to make the following 3 findings in granting an extension of a Special Exception under Section 235-81(D)(1)(a)-(c).

- 1) **The approval granted has not yet expired.** The Approval does not expire until July 31, 2024.
- 2) **The Applicant/approval recipient has proceeded with due diligence and in good faith.** The ZBA granted the applicants an Area Variance on March 18, 2013 to allow development of a mid-rise building which is the fourth building of the larger plan for development along Scenic Road. As a result of that approval the applicants evaluated sequencing of construction and determined the better approach was to start construction on the Akwa Village parcel before proceeding with the mid-rise project approved on the Akwa Waterfront site. The applicants began construction on the North Lodges, which is located on the Akwa Village parcel, in November 2013 and completed the project in June 2015. As part of the North Lodges approval, the applicants agreed to: 1) fund 50% of the cost of upgrades to a sewer lift station on Scenic Road; 2) expand the walking trail network connecting the Village/North Lodges parcel through the Waterfront parcel to tie into the Akwa Vista cart path; 3) expand the public sidewalk along Scenic Road approximately 550 feet and 4) extend the public water main in Scenic Road an additional 550 lineal feet. Upon completion of these items the Applicants will have expanded the public sewer system by 500 feet, water mains by 2,100 feet and added 1,600 feet of new sidewalk in addition to other project specific improvements.

Also, although not part of any application before the ZBA, in January 2014 an entity related to the applicants acquired MBL 124/234/2 which is one of the two parcels located between the Waterfront and Village parcels. This acquisition further connects all of the Akwa properties along Scenic Road. A Conditional Use Permit and Planning Board approval was granted in October 2014 to allow development of a duplex townhome building similar to The Townhomes at Meredith Bay. In March 2015 the applicant also acquired the remaining property between the North Lodges property and Mid-Rise parcels (MBL 124/234/1) and received approval from the Laconia Planning Board for a Conditional Use Permit and Condominium Subdivision for the development of an eight-unit townhome condominium located on three parcels (MBL 124/234/2; 124/234/1 and 124/234/4). Construction of this project was recently completed.

In addition, on May 25, 2016 the applicants received a Wetlands and Non-Site-Specific Permit (#2016-00661) from NH DES for a culvert crossing necessary to complete the walking trail connecting all of the Akwa properties located east of Route 3.

Development of these properties is part of a larger plan for development by the Applicants/approval recipients (and related entities) along Scenic Road which also includes The Townhomes at Meredith Bay, a 19-unit townhome project at 569-629 Scenic Road.

Therefore, the Applicants/approval recipients believe they have proceeded with due diligence and in good faith.

3) **Facts submitted as part of the original application have not changed.** None of the facts submitted in support of the original Application have changed since the date of the Approval.

The following factors are part of the extension policy for planning board approvals (adopted on 12/14/10 - after the date of Applicant's site plan application.) Though the following factors go beyond and are different than the findings the ZBA is required to make under the Zoning Ordinance to extend the Special Exception, the Applicant believes the project satisfies each of these factors as well and offers the following as additional support:

- 1) **Applicant has made a consistent effort to meet the intent of active and substantial development and the conditions of approval including obtaining all state and federal permits, finalizing draft plans and providing site security.** See answer to #2 above.
- 2) **The zoning ordinance has not changed, and if it has, the changes do not affect this parcel.** Any zoning ordinance changes do not affect the relief granted by the ZBA.
- 3) **The abutting and/or nearby properties have not been developed or improved since the subject parcel was approved.** No abutting or nearby properties (other than those owned or controlled by the Applicant) have been developed or improved.
- 4) **Other properties in the contributing watersheds as outlined in the projects Stormwater Report have not been developed or improved since the subject parcels were approved.** No such properties have been developed or improved with the exception of the work completed by the Applicant at the Townhomes at Meredith Bay.
- 5) **Other properties in the downstream watersheds as outlined in the Stormwater Report have not been developed or improved since the subject parcels were approved.** No such properties have been developed or improved.
- 6) **The city is holding adequate (reflective of today's cost factors) site security to assure site stabilization or completion.** The City and the Applicant have agreed to the amount of site security which will be posted prior to the commencement of construction.

APPLICANTS:

AKWA WATERFRONT, LLC

By:  _____

Duly authorized

AKWA VILLAGE, LLC

By:  _____

Duly authorized

AKWA VISTA, LLC

By:  _____

Duly authorized



DEPARTMENT OF PLANNING, ZONING & CODE
ZONING BOARD OF ADJUSTMENT
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ZONING@LACONIANH.GOV

**NOTICE OF ACTION
MEETING OF MARCH 15, 2021
CITY OF LACONIA
ZONING BOARD OF ADJUSTMENT**

AKWA Vista LLC
50 Lighthouse Cliffs
Laconia NH 03246

**Akwa Vista LLC Special Exception Extension Request – 664 Scenic Road
(Map/Block/Lot 117-234-001)**

This is to certify that at the meeting held on March 15, 2021 the City of Laconia Zoning Board of Adjustment voted to **grant** the extension request for Special Exception to allow multifamily in the SFR zone.

Note: Extension granted until July 31, 2021

CERTIFICATION

I hereby attest that the foregoing is a true and accurate record of the action of the Zoning Board.

A handwritten signature in cursive script that reads "Dean Trefethen".

Dean Trefethen
Director of Planning & Community Development

3-23-2021
Date