

CITY OF LACONIA - CITY COUNCIL SUBCOMMITTEE MEETING
Government Operations & Ordinances
August 15, 2022
4:00 pm
City Hall - Room 200B

8/15/2022 - Minutes

1. CALL TO ORDER

Chairman Soucy Called the meeting to order at 4:01 PM

2. SALUTE TO THE FLAG

Chairman Soucy led the salute to the flag

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll of Councilor Cheney, Councilor Felch and Chairman Soucy.

Chairman Soucy confirmed that all committee members were in attendance and a quorum was established

5. STAFF IN ATTENDANCE

City Manager Scott Myers, Finance Director Glenn Smith, Planning Director Dean Trefethen

6. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

6.A. Government Operations and Ordinances Subcommittee meeting minutes of April 21, 2022

With no changes made or submitted to the Clerk, the minutes were accepted as distributed.

6.B. Government Operations and Ordinances Subcommittee meeting minutes of April 25, 2022

With no changes made or submitted to the Clerk, the minutes were accepted as distributed.

7. GOVERNMENT OPERATIONS & ORDINANCES (Soucy (Chair), Felch, Cheney)

Point of order: Chairman Soucy began with item 7.B. review of the agriculture in residential zones.

7.A. Discussion on development of a City Flag Policy

At the June 27, 2022 City Council meeting, the Council was presented with a Pride flag from the Laconia Human Relations Committee. The consensus of the Council at that meeting was to fly the

flag on City Hall until the end of June, 2022 and to further explore the development of a Flag Policy.

Subsequent to the June 27 meeting, the City has received another request from a resident to fly the Papal Flag on City Hall for the last week of Advent.

The City Manager provided a link to information on the Supreme Court decision relating to Boston on this topic, and a copy of the City of Somersworth's Flag Policy which are attached to the agenda.

There was a brief discussion about the concern of the huge number of different types of flags that could be asked to be flown on the City Flag pole. Councilor Cheney stated that the City should only fly the American Flag, the State Flag and the City Flag at City Hall or on the building. Manager Myers spoke about how the City of Somersworth has a very detailed flag policy. He also stated that this can be a very touchy subject, there are always different ways of interpretation of certain meanings and the intending of meanings amongst these various organizations. Councilor Cheney and Councilor Soucy think that the flags should not be placed here at City Hall. Manager Myers said that the City doesn't have to recognize the support for all these organizations by flying their flag, but the Mayor could acknowledge it by a proclamation.

The committee will recommend that the City does not allow anymore flags to be flown at City Hall or on City Property except for the American Flag, the State Flag and the City Flag.

7.B. Review and discussion of proposed Ordinance 2022-235-41:N amending Chapter 235, Zoning, Section 41 to add a new section "N" relating to agriculture in residential zones

At their August 8, 2022 meeting the City Council was provided with proposed Ordinance 2022-235-41:N to amend Chapter 235, Zoning, to allow a property in the Residential Single Family (RS) or Residential General (RG) zones to have a maximum of two sheep or two goats. This would be allowed by an Administrative Approval which could impose certain conditions to be followed. This would be an exception to the current AGRICULTURE definition. This amendment would also clarify to allow certain small scale agricultural uses in the RS and RG zones. At the August 8 meeting the Council referred this matter to the Government Operations and Ordinances Subcommittee for review. A copy of the Ordinance showing the proposed changes is attached to the agenda. Councilor Cheney also provided a link to the Town of Durham's website which shows that community's proposed Ordinance for keeping goats. Which is also attached to the agenda.

The committee reviewed some verbiage that is used in the town of Durham NH on agriculture use. They would like to amend the existing ordinance to allow for gardening in the zones listed but would like to strike the wording about the sheep and goats being allowed. Councilor Soucy would like to increase the cultivation area to 25% from the proposed 20% and the committee members agreed. There is shared concern amongst the committee about the noise, smell, and increased requests for other livestock animals and chickens. They recognized that the applicant may take great care of their goats and the pen they live in, but this is not a change that is just for one resident it effects every property in the two zones.

That the Ordinances of the City of Laconia, as amended, be and are further amended in Chapter 235-41 to create a new Section N as follows:

N. In the Residential Single Family (RS) and Residential General (RG) zones, ~~a property may have a maximum of two sheep or two goats, providing approved techniques to control noise, odors, and waste are adhered to and the property receives an Administrative Approval from the Planning Department and any conditions stated in the approval are not violated or the approval will be revoked. There is a required minimum outdoor space of five hundred (500) square feet enclosed by appropriate fencing for the animals. Separately, properties in the RS and RG zone may engage in cultivation of vegetables, flowers, fruits, nuts, and berries providing the cultivation area does not exceed twenty-five (25) percent of the total area of the lot and are maintained to standards outlined in the International Property Maintenance Code as adopted by the City.~~

Councilor Felch made a motion to bring the revised proposed ordinance to the next City Council Meeting, seconded by Councilor Cheney, approved.

The committee feels that they need to be prepared to give a significant answer for the public at the Council Meeting.

7.C. Review and discussion of Chapter 235-43, Non-Residential Accepted Uses, and Chapter 235-13, Definitions

Councilor Felch was contacted by residents who had recently received violation letters from the Zoning Department concerning their storage of items on their property. He suggested the Government Operations and Ordinances Committee review the pertinent sections of the Code. Current language in those sections of Chapter 235 is shown below:

235-13 Definitions

ACCESSORY USE

Any use customarily incidental, related and clearly subordinate to a principal use established on the same lot or premises.

TRAVEL TRAILER OR CAMPER

A vehicle or portable device, with or without motor power, designed as a temporary dwelling for travel, recreational, vacation or business use.

STORAGE TRAILER

Any container or nonmotorized vehicle with a wheel assembly that is defined as a trailer by the NHDOT and intended for transport behind another vehicle and is intended to be utilized, either attached or unattached to a motorized vehicle, for storage, whether temporary or permanently.

[Added 8-13-2001 by Ord. No. 05.2001.05]

235-43 Nonresidential Accessory Uses

A. Outdoor storage. Outdoor storage shall be clearly necessary to the operation and conduct of a permitted principal use and shall be completely screened by means of a solid, natural screen, fence or wall, which is maintained in good repair. (Dean Trefethen's note...this covers utility/construction trailers at residences)

C. Parking and storage of unlicensed vehicles. Except as approved as a junkyard or vehicle wrecking and salvage yard, not more than one currently unregistered or uninspected vehicle shall be parked on any lot. Said vehicle shall be located in the rear yard and shall not be disassembled in any manner. Vehicles not requiring registration or inspection for legal use are exempted from this provision.

[Added 8-13-2001 by Ord. No. 05.2001.05]

D. Storage of recreational vehicles, travel trailers, campers and boats. Recreational vehicles, travel trailers, campers or boats shall be stored in a carport, enclosed building or rear yard area and shall not be located within 10 feet of the lot line. No such equipment shall be used for living, sleeping or housekeeping purposes.

[Added 8-13-2001 by Ord. No. 05.2001.05]

Councilor Felch showed some photos to compare of a motorhome parked in the corner of a large

driveway and a motorhome parked under a carport in someone's yard. The motorhome under the carport is legal by definition versus the motorhome parked in the driveway is not allowed by our current ordinance. Councilor Felch stated that he thinks there needs to be an amendment to the ordinance about camping trailers, boat trailers, utility trailers. Director Trefethen said the concern is about wastewater and how it's being stored and/or disposed of. Director Trefethen said there is also the issue of people who are living in campers in people's driveways or in their backyards and don't have a way of properly disposing of the wastewater. Manager Myers said when addressing trailers there is the issue of all the various types of trailers like large storage containers, and construction trailers that remain full and stay on a property for a long period of time. Nonregistered vehicles are not the issue here, Councilor Felch is looking for a solution for the residents who have valid registrations on their campers, utility trailers and motorhomes. **The committee decided to table this discussion and told the Planning department to continue doing what they do, and the committee will follow up.**

8. CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

None.

9. Any other business that may come before the Committee

Councilor Cheney wants to see the City Clerk's Office create a handout to give to candidates who are running for office about where they can find their political signs if they are removed and what the political sign policy is. He'd also like to have the Clerk's office add on the website page where they can pick up their signs if they are removed.

Director Trefethen said the subcommittee needs to bring up the expansion of the historic district again. The committee is going to schedule another meeting and invite the concerned downtown business owners who spoke vocally about their concerns previously.

10. ADJOURNMENT

Chairman Soucy adjourned the meeting at 5:02PM.

Respectfully Submitted,

Katie Gargano, City Clerk