

CITY OF LACONIA PLANNING BOARD  
6:30 PM City Hall - Armand A. Bolduc Council Chamber  
*Accepted May 5, 2020*

4/7/2020 - Minutes

1. PUBLIC PARTICIPATION

Chair Peter Brunette read the Introduction for electronic meetings: As 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 electronic meeting. All members of the Board have the ability to communicate during this meeting through the Zoom platform, and the public has 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 by the Zoom app: Webinar ID: 958 305 678 password 864918.

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/\\_04072020-1209?html=true](https://www.laconianh.gov/AgendaCenter/ViewFile/Agenda/_04072020-1209?html=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](mailto: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 with 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.

2. CALL TO ORDER

Chair Peter Brunette called the meeting to order at 6:31 PM

3. ROLL CALL

Members physically present: Sarah Jenna, Charlie St. Clair, Peter Brunette

Members remotely present: Brett Beliveau, Ed Bones, Mike DellaVecchia, Jewel Fox, Kirk Beattie, Rich MacNeill, Jay Forester, Stacy Soucy

Absent: David Bownes

All members where alone with the exception of Edwin Bones, whose wife was in the room

B. Beliveau was seated as a voting member.

4. RECORDING SECRETARY

Kalena Graham

Zoom Host: Rob Mora

5. STAFF IN ATTENDANCE

Planning Director Dean Trefethen

6. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

6.I. Acceptance of minutes from March 3

Moiton to accept the minutes from March 3 made by E. Bones, S. Jenna seconded.

7. PRESENTATIONS

8. EXTENSIONS

9. 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.

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

The applicant has requested this application be moved to May 5.

Motion to continue the application to May 5, 2020 made by E. Bones, C. St. Clair seconded. All voted in favor.

10. 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.

10.I. PL2020-0018CUP (wetland); Drummer Trail MBL 265-289-13; proposal to encroach into the 50 ft wetland buffer

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

Applicant: Atty Phil Brouillard and Jessica Bailey, certified wetland scientist, were present. Atty P. Brouillard gave a brief history of the lot. There is 403 sq ft available for building since the wetland buffer changed from 30 ft to 50 ft. The applicant would like to put a 1224 sq ft building with a deck and driveway. The total coverage will end up being 2,242 sq ft to make it 12.79%. The applicant has gone before the Conservation Commission and the applicant is changing the silt sock to a coconut log leg. This will not be removed but will decompose and create a berm. The applicant agrees with the staff review.

J. Bailey addressed the board. She went over the drainage and stormwater areas. She made a broad plant list for ground cover and shrubs made for wetland. All the plants are NH native and non-invasive. Atty P. Brouillard added that the site also has the walking trail on it. E. Bones asked how long the applicant had owned the lot and asked Planning Director D. Trefethen how long the buffer had been 50 ft

and was told in the last 10 years. Atty P. Brouillard stated the applicant had purchased the property about 2-3 years ago. E. Bones had concern with issuing more of these permits when the rule is clear. If the board will keep permitting it, why not change the rule back to the 30 ft? Atty P. Brouillard stated that the lot is buildable and the permit is on the books for that reason. The lots in Southdown were created prior to the change in the buffer setback.

The public hearing opened at 7:00 PM

Abutter input: Matt Buoncontri, of 68 Drummer Trail spoke. He agrees with E. Bones on the regulations. He feels the applicant is pushing into the environmental land and creating a topography that is going to cause a lot of distress on the neighboring properties.

Connie & James Kuekan of 46 Drummer Trail. C. Kuekan spoke. She and her husband bought their property in 1984 and has seen lots of change since then. There is puddling by the walking trail over the last few years. J. Bailey stated the lot is a pre-existing non-conforming lot of record since 1984. She wondered if the catch basin could be working correctly and J. Kuekan added the basin was replaced last year. J. Bailey wonders if the board had ever seen a catch basin be put in a wetland and the answer should be no. And her thought was that when the it was put in, it wasn't a wetland and now a manmade wetland. C. St. Clair asked if South Down monitors the function of the catch basins.

The public hearing closed at 7:15 PM

Staff review: Planning Director D. Trefethen noted that the wetland buffer had changed from 30 ft to 50 ft over the years and mostly, the board has granted conditional use permits. There will be a zone around the house for general maintenance and repair with limited landscaping and limited maintenance to act as a buffer. This is a lot of record. Chair P. Brunette asked house additional storm water would change the area and J. Bailey is not sure. The plantings on her list will absorb the water and the log will remain and decompose which will create a berm as it breaks down, to slow any water. C. St. Clair asked Planning Director D. Trefethen to read the letter from South Down Recreation Building Committee. They are looking for a few conditions to be added such as stormwater management plan. He noted that the Conservation Technician would check on the site before, during and after construction. Atty P. Brouillard noted that the applicant would agree to a plan. Chair P. Brunette agrees with E. Bones regarding the regulations, but he feels that the board looks at each conditional use application on a case by case basis. J. Fox asked if the deck would still need a CUP with the 30 ft setback and was told yes. Atty P. Brouillard noted that the regulations state a CUP is an application to request relief from the buffer.

Assistant Planner R. Mora noted that there was a new attendee that wanted to comment.

The public hearing reopened at 7:43 PM

Jim Ryan, South Down Chairman for the building committee, spoke. He said they did send the letter because of the concern from the abutters. There are a lot of drainage issues in the area. That is why they requested a storm water management plan.

The public hearing closed at 7:47 PM

J. Bailey added that hearing the concerns she would like to propose a few things. They can change the driveway to be a porous pavement, develop more of a raingarden infiltration trench along with her list of plants, which are all part of the storm water management techniques.

Motion to approve the conditional use permit with the dates and conditions stated in the staff review as well as add conditions to update plans to include storm water management, driveway and walkways to a pervious material, develop a rain garden(s) to filter additional storm water caused by this construction and develop a plan and design for the house's roof drip edge to use either a directed gutter system or on the ground crushed stone made by M. DellaVecchia, B. Beliveau seconded. M. DellaVecchia stated that it is a lot of record and is sure it can be built without hazard. It is not abnormal for that

neighborhood. E. Bones suggested the board physically see the plan before approving. It was agreed that staff can look at the plan to make sure it is all set. Motion passes 7-1 (S. Jenn, C. St. Clair, R. MacNeill, J. Fox, K. Beattie, M. DellaVecchia, B. Beliveau for and E. Bones against).

10.II. PL2020-0029SP; 1187 Weirs Blvd; proposal to replace burnt building with 4 RVs and a maintenance building

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

Applicant: Denis Bourque, property owner was present. He stated he has owned the property for 16 years. The front of the property has had many different restaurants throughout the years. Last year there was a fire that destroyed the building. The proposal is to take that down and expand the campsites by adding 4 more and a maintenance building. C. St. Clair asked about the concern with the tow business next door and how it would affect the new lots. D. Bourque said the RVs are seasonal and mostly there on weekends. He will put a fence and do what he can to minimize the noise. M. DellaVecchia asked if there will be a buffer along the road and was told yes, a fence.

The public hearing opened at 8:06 PM

Abutter input: No one spoke for or against the application

The public hearing closed at 8:06 PM

Staff review: Planning Director D. Trefethen read the staff review.

Motion to approve the site plan with the dates and conditions stated in the staff review made by C. St. Clair, S. Jenna seconded. All voted in favor.

11. 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.

12. NEW BUSINESS

13. OLD BUSINESS

14. PLANNING DEPT REPORT

Planning Director D. Trefethen noted that S. Soucy has accepted to be Conservation Liaison and that would need a motion by the board.

Motion to appoint S. Soucy as Conservation liaison made by M. DellaVecchia, J. Fox seconded. All voted in favor.

Planning Director D. Trefethen reiterated that staff needs direction on the wetland buffer situation by the board. E. Bones stated that applicants need to understand that they may not receive it. B. Beliveau agreed. Planning Director D. Trefethen noted that staff can change the way the CUPs are represented to the applicant.

15. LIAISON REPORTS

16. OTHER BUSINESS

17. ADJOURNMENT

Motion to adjourn made by E. Bones, C. St Clair seconded.

The meeting adjourned at 8:18 PM

Respectfully,

K. Graham