

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Accepted July 2, 2019

6/4/2019 - Minutes

1. CALL TO ORDER

Chair P. Brunette called the meeting to order at 6:30 PM

2. ROLL CALL

Rob Mora called the roll with the following members present: Sarah Jenna, Brett Beliveau, Jay Forester, Charlie St. Clair, Dave Broughton, David Bownes and Peter Brunette

Absent: Michael DellaVecchia, Edwin Bones, Claudia Marshessault

3. RECORDING SECRETARY

Assistant Director Rob Mora

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of May 7

The minutes of May 7 were approved as submitted. All voted in favor.

6. PRESENTATIONS

6.I. Various Zoning Amendments Needed to Implement the New Urban Commercial Zoning District

Presentation: Planning Director D. Trefethen addressed the board. The new Urban Commercial zone is currently before city council and he recapped the zone. He stated that there are housekeeping items that need to be changed and went through those amendments to the Urban Commercial zone. These changes would need a referral to a public hearing.

Motion to refer the amendments to July 2, 2019 for public hearings made by D. Bownes, C. St. Clair seconded. All voted in favor.

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.

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. Second Public Hearing to amend Article IV 235, adding section 21.1, to the Zoning Ordinance to implement Performance Zoning in specified areas of the city

The public hearing opened at 6:50 PM

Kimon Kulet addressed the board. He is still perplexed, as a resident, of the timing of this change. He read a section of the 2007 Master Plan addressing the protection of the natural and scenic areas, including lakes and rural areas. That is no corresponding element in the new Master Plan. In order to have an effective Zoning Ordinance, there has to be good scientific basis in the Master Plan. He doesn't see that in the new Master Plan. He doesn't feel it is consistent with the current Master Plan. The heart and soul of the Master Plan really is intense public involvement. A real transparent process where there is a lot of outreach to make people aware that the City is interested. He brought up the future land use map from 2007 that showed the northern half of the city the most fragile. He feels they should be preserved. He feels that the old state school property shouldn't be rezoned until there is an idea of what is proposed. He feels that the board is running too fast with the performance zoning. The northern part of the city is the most precious open space that is left and the biggest economic driver. He feels the board should slow down and suggested the board back up do the natural resource section and do community involvement process in particular. The board should feel comfortable that the people of the city had a chance to engage in a vibrant involvement process.

D. Bownes commented. The problem with the 2007 Master Plan is that there was never a sync between Council and the Planning Board. Largely the Council ignored the Master Plan and wasn't very effective. He was not saying it wasn't a good or bad Master Plan. Over the course of the last, at least three years, the Master Plan rewrite had begun. There were multiple charrettes with multiple input from the public, multiple meetings and conferences in which experts were brought in to run, to gather input. This Council and Planning Board have been making a conservative effort for communication. D. Bownes feels this has lots of input and considerations. K. Kulet said the intention is good but there is no written approved document as a comprehensive Master Plan. D. Bownes said that the decisions was made to do the two things that statute requires. That is to come up with the vision statement and a land use component. All the work on the other sections and felt it premature to put those sections in prior to the vision statement and land use component.

The public hearing closed at 7:05 PM

Motion to refer the performance zoning overlay to Council made by D. Bownes, C. St. Clair seconded. D. Bownes noted that he would make the recommendation for another public hearing as well. Chair P. Brunette asked where the performance zoning came from and Planning Director D. Trefethen said at the Master Plan Steering Committee meetings there was a desire of what could be done differently to differentiate Laconia from other communities, in terms of setting a course for the future. The concept is instead of using the standard cookie cutter rules that there is another way to do it. He added that much of the work was done, as stated by D. Bownes and the new committee just ran with that. Chair P. Brunette asked if the performance zoning could be limited to a particular zone and could it be adopted with a sunset provision. Planning Director D. Trefethen stated that currently the performance zoning is limited to the new Urban Commercial zone and several properties consisting of and surrounding the old State School property. The board could be expanded areas or could restrict it further. He said that a sunset provision could be added to or suggest for a certain amount of time and after the time frame could be extended or repealed. Chair P. Brunette suggested limited to the downtown zone and wait to see what the thought is on the Old State School property. The voted passed with P. Brunette opposed.

- 9.II. PL2018-0036SU amd1; Outerbridge Drive (Village #10) new village in Southdown; applicant requests amending the June 5, 2018 approval to allow phasing

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

Applicant: John Bernard addressed the board. He said that one road has been built and the two phases would be for each road. Nothing else changes except for the phase.

The public hearing opened at 7:23 PM

Abutter input: No one spoke for or against the application

The public hearing closed at 7:24 PM

Staff had no objections to the phasing plan.

Motion to approve the phasing plan made by D. Broughton, S. Jenna seconded. All voted in favor.

9.III. PL2019-0067CUP; 526 Main Street #2; proposal to put in a school/trade/vocational use for CNA Now

Motion to accept the application as complete made by D. Bownes, D. Broughton seconded. All voted favor.

Applicant: Kerri Dutton addressed the board. The school will provide students the opportunity to learn how to be nursing assistants. There is a driving school and the hair school are in other units of the building as well. Planning Director D. Trefethen noted that a vocational school requires a CUP in the DR zone, currently. C. St. Clair asked how many students she expected at one time and K. Dutton said the NH State Board of Nursing will only allow 8 students at a time per session. The sessions will run from 8-12 weeks, part time program in the evenings.

The public hearing opened at 7:29 PM

Public input: No one spoke for or against the application

Staff had no objections to the proposal with a few minor conditions.

Motion to approve the application for vocational school for CAN Now with the conditions stated in the staff review made by D. Bownes, D. Broughton 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. PL2018-0080SU; New Hope Drive; proposal for a conventional 22 lot subdivision

This application has been withdrawn

10.II. PL2019-0029SP, 0070CUP(wetland); 33 Lexington Drive; proposal to construct a 7975 sf building ~waiver for wetland mapping

Motion to accept the application as complete and schedule the public hearing to July 2, 2019 made by D. Bownes, D. Broughton seconded. All voted in favor.

Planning Director D. Trefethen noted that this property has been developed in the past and the wetland is very well delineated. Staff supports the request.

Motion to approve the waiver for wetland mapping made by C. St. Clair, D. Bownes seconded. All voted in favor.

10.III. PL2019-0063SP; 59 Doe Ave, Craft Beer Xchange; proposal to open a craft beer exchange brew pub and retail facility from March to November ~waiver for sidewalks requested

Motion to accept the application as complete and schedule the public hearing to July 2, 2019 made by C. St. Clair, D. Broughton seconded. All voted in favor.

11. NEW BUSINESS

12. OLD BUSINESS

13. PLANNING DEPT REPORT

Planning Director D. Trefethen stated there is an effort in the community, in response to St. Joseph's property, to create an historic district and commission. That matter is before City Council and urged the board to follow along.

D. Bownes said there will be a Council meeting Monday and Tuesday there will be a meeting with the Government operations and ordinance committee public hearing to make a formal proposal for the historic commission. If recommended to Council, then a special meeting will be the next Thursday for Council. The purpose would be to recommend to planning board. Chair P. Brunette asked why this is being fast tracked and D. Bownes said in order for the Historic Commission to have any say with the demolition permit, the ordinance has to be in place. The Heritage Commission can only make recommendation where as a Historic Commission would have a process to go through. There was a budget meeting and a scheduled Government operations and ordinance committee meeting on the Historic Commission which was scheduled prior to the budget meeting, which was well attended with many people wanting the building to be razed.

C. St. Clair added that there are other buildings that shouldn't be torn down as well and that it was long overdue. D. Bownes then went over the proposed process of the demolition permit.

Chair P. Brunette stated that the Historic Commission is a great idea but disagrees that this is the way to do it.

There was conversation on the history of a similar proposal and reasons.

Chair. P. Brunette asked what the process of for delineating a district. Planning Director D. Trefethen stated that the subcommittee and council next week will be presented with the boundaries and the language of a proposed ordinance that would create the historic overlay district. Then a commission would need to be appointed to administer the district. The idea of having a combination historic district and heritage commission has also been discussed as well. The key is that once the planning board posts for a public hearing, it becomes part of the zoning ordinance until a decision is made and any application that is submitted in that time would be subject to the new regulations. Chair P. Brunette doesn't agree with the fact that a landowner will not be able to do what they want with their property. There was a discussion processes and the future. C. St. Clair added that the Heritage Commission spent a lot of time inventorying the city.

14. LIAISON REPORTS

D. Bownes noted that Council has been working on short term rental addition to the ordinance and will be before the board for review soon.

15. OTHER BUSINESS

16. ADJOURNMENT

Motion to adjourn the meeting made by D. Broughton, C. St. Clair seconded. All voted in favor.

The meeting adjourned at 8:06 PM

Respectfully,

K. Graham