

CITY OF LACONIA PLANNING BOARD  
6:30 PM City Hall - Armand A. Bolduc Council Chamber  
*Accepted September 5, 2023*

8/1/2023 - Minutes

1. CALL TO ORDER

Vice Chair Louis Joseph called the meeting to order at 6:43 PM

2. ROLL CALL

Members present: Amy Lovisek, Rob Mora, Bruce Cheney, Rich MacNeill, Mike DellaVecchia, Stacy Soucy, Scot McWilliam, Louis Joseph

Absent: Charlie St. Clair

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

Interim Planning Director Kathy Menici

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. Acceptance of June 6 AND July 11 minutes

Motion to accept the minutes made by M. DellaVecchia, B. Cheney seconded. All voted in favor.

6. PRESENTATIONS

6.I. Discussion of sidewalks by Public Works Director

Public Works Director Wes Anderson gave a PowerPoint presentation explaining the rules and exceptions on locations of sidewalks.

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. PL2022-0114SP; 13 Summer Street; Creation of multifamily in existing structure ~waiver requested for impact fee

Applicant: Tom Cochrane of Laconia Housing, Sonya Misiaszek and Archie Keltz of Misiaszek and Turpin were present. T. Cochrane explained the proposal and gave a background of the company and project. The property received variance from the Zoning Board for density and parking. S. Misiaszek went over the renovations. All renovations will be within the existing footprint of the structure. There are

currently seven units that will convert to eight. Currently, there is a communal space shared by three units and that will be changed with separation of spaces. There are no external changes to the property or the parking except for striping the existing parking eight spaces. There are motion sensor security lighting and public trash unless the city wants a dumpster. The current space the receptacle is located is large enough for a dumpster. All parking is on the lot and not in the street. There is only one tenant with a car currently. Most of the tenants with NH Housing rely on public transportation or support services.

The public hearing opened at 7:18 PM

Mike Little of 16 Charles St spoke. He wondered why LRMH would sell one property to go into another for the same type of demographic.

The public hearing closed at 7:18 PM

M. DellaVecchia has no issues with the proposal. S. McWilliam supports the proposal and thinks it is desperately needed.

R. Mora asked if the city requires dumpsters per the ordinance for multifamily structures if over a certain amount of units and W. Anderson said there is nothing in the ordinance for residences to require dumpsters. He mentioned the maximum for trash receptacles is four.

Motion to approve the site plan application with the dates and conditions as stated in the staff review made by S. McWilliam, with the findings that this proposal will fill a need in the city. R. MacNeill seconded. All voted in favor.

- 8.II. PL2023-0091SP, 0092CUP (park), 0093CUP(perf zon); 17 Bay Street; Proposal to construct 12 efficiency apartments with association parking and utilities

Motion to continue the application to September 5 so the applicant can go through the ZBA process made by S. McWilliam, R. Mora seconded. All voted in favor.

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. PL2023-0098SP; 203 Union Ave; Proposal to convert office space into residential unit to result in multifamily ~ Wavier requested for reduction of impact fee

Motion to accept the application made by R. Mora, S. McWilliam seconded. All voted in favor.

Applicant: Sandra Guertin, property owner was present. Interim Planning Director K. Menici explained the proposal. The applicant wishes to convert office space into an apartment where there are currently two existing which will result in multifamily structure. There will be no change to the footprint and the parking is satisfied. She also clarified the meaning of infill development for the impact fee waiver request and that the proposal does not qualify for a waiver.

The public hearing opened at 7:30 PM

No one spoke for or against the application. The public hearing closed at 7:31 PM

Motion to deny the impact fee waiver due to the fact that the application does not qualify for it made by S. McWilliam, R. Mora seconded. All voted in favor.

Motion to approve the multifamily site plan application with the dates and conditions as stated in the staff review made by S. Soucy, finding that more housing is sorely needed in the area. R. MacNeill

seconded. All voted in favor.

- 9.II. PL2018-0037SPamd2; 55 Bay Street; Proposal to amend the site plan to allow for 3 boat detailing bays, eliminate the valet parking and add outdoor boat storage area between building & railroad right of way

Motion to accept the application made by S. McWilliam, R. Mora seconded. All voted in favor.

Applicant: Atty Phil Brouillard, Jon Rokeh and John Getty. Atty P. Brouillard explained the changes to the previous approval.

J. Getty explained his current business located in Gilford and what will be in the Laconia part. The forklift will only be run on the property, not the street, and will be for moving boats from the trailers and back. The main location in Gilford will remain.

J. Rokeh went over the site plan changes. The gravel parking lot is not regular gravel, but used for infiltration. Liberty Utilities has a moratorium right now on gas so when that is available the propane tank will be disconnected and connected to the gas lines. Originally the board approved a stockade fence but the applicant would like to match what the WOW trail has which is a chain link fence and they will add landscaping. There is a double wall gas tank used only for storing boats as it is better on a full tank over the winter. Interim Planning Director K. Menici noted that the stockade fence was part of the ordinance which can't be waived or changed so it will need to stay stockade.

R. MacNeill asked about snow storage and the gravel lot will not be plowed and what is plowed in the paved area will be moved.

S. Soucy asked if the washing will be inside or outside and will be inside.

The public hearing opened at 7:58 PM

Mike Little of 16 Charles St spoke. He warned the board that this is another project on an already very busy street and brought up the idea to make one way traffic patterns.

The public hearing closed at 7:59 PM

M. DellaVecchia mentioned it's nice to finally see some movement on that property. S. McWilliam agreed and thought it good to see the building being utilized.

Motion to approve the amendment with the dates and conditions as stated in the staff review and keeping the condition of the 6ft stockade fence with vegetation made by S. Soucy, finding that boat storage is essential to promote tourism. M. DellaVecchia seconded. All voted in favor.

- 9.III. PL2023-0086SP, 0087SU; 903 Union Ave; Proposal to construct eight condominium units with associated parking and drainage improvements

Motion to accept the application made by S. McWilliam, R. Mora seconded. All voted in favor.

Applicant: Atty Phil Brouillard and Jon Rokeh were present. Atty P. Brouillard went over the proposal. Each unit will be 1000 sf with two bedroom and one bath. There will be an elevator to access the top units.

J. Rokeh noted that the parking and retaining wall have already been constructed with the previous approval for a parking lot. The proposal is to have a dumpster and keep the existing lighting. If the snow storage areas get full the snow will be trucked off. R. MacNeill asked the height of the building. J. Rokeh said it won't be at maximum height of the zone. The abutting property will be looking over the building. When the retaining wall was constructed, the slope was stabilized at that point and there is no

intention to dig into the slope more. The building will be located in the already leveled area. The proposal is to be sold as condominium.

The public hearing opened at 8:17 PM.

No one spoke for or against the application. The public hearing closed at 8:17 PM

Staff Review: Interim Planning Director K. Menici noted that adding a fence to the top of the existing retaining wall could be added to the conditions. She also noted that a landscaping needs to be submitted and security will be needed. Atty P. Brouillard noted that they have no issues with that.

Motion to approve the site plan and subdivision application with the dates and conditions stated in the staff review, also adding the submittal of landscaping plans and constructing a fence on the retaining wall made by R. Mora, finding the proposal in line with the Master plan and development of Lakeport area to provide needed housing. B. Cheney seconded. All voted in favor.

Items under 12 and 15 were taken up next.

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.

#### 11. NEW BUSINESS

#### 12. OLD BUSINESS

The board discussed the sidewalk issue and decided to have Public Works Director come back and have a master plan for the sidewalks prior to the next meeting at 6 PM.

##### 12.I. Compliance Review request for 224 Endicott East project by Sundown Condos

Interim Planning Director K. Menici gave a quick summary. The city was approached by Sundown Condominium representatives that expressed concerns about runoff on the abutting parcel at 224 Endicott E that are currently under construction. Sundown has noticed an increase in water since construction began. This went through a third party review during the approval process and was suggested that a check up be done. There are stormwater management structures that are in various states of completion which could indicate that they may not be functioning the way intended. She believes Sundown is looking for the Board to make a decision with regard to any follow-up inspections to see if there should be more to manage the stormwater as construction continues. The certificate of occupancy are being held on the last unit until all the site plan requirements are satisfied. The developer has responsibility to manage the stormwater during construction. Interim Planning Director K. Menici clarified that Sundown is the one who requested the compliance hearing and they would be the ones to make a request of what they would like to see done. The board should discuss then make a decision.

Mark Granoff, of 41 Nestledown and President of Sundown Condos spoke. He showed a PowerPoint and explained the water issues. They are seeing impacts against the buildings 59 and 63 which are the closest to the project. All the approvals state that nothing will be issues until addressed but it seems that's not the case. All the building permits have been issued and there is still no stormwater management in place. The request is the city to help validate what is happening on the site and ensure the design is properly implemented and proper inspections are done. The conservation technician position has had lots of turnover, but they feel it needs to be picked up. He would like to see resolution and replacement of the washed out areas. Sundown has been a longstanding condo since the late 80s and feels the city should do the right quality insurance.

S. McWilliam asked if it is known where the water is coming from. M. Granoff feels water is coming from the fact that the site has over 15,000 sf of impervious materials and a wetland that was basically erased and is supposed to connect to a detention pond. He believes the pond not fully functional or connected yet feel the water is coming from that area of disturbance. That is what the request is to see if this is the reason for the amount of runoff or now. S. McWilliam asked Interim Planning Director what authority the city or the board have to provide a remedy to the complaint. Planning Director K. Menici noted it is not a civil matter but a responsibility of the Planning Board and an option is to go back to the third party engineer that did the original report to have it determined what needs to be done as construction continues, to mitigate some of the runoff problems. Construction wouldn't necessarily need to be stopped but an option for the board to look at. A cease and desist on the building permit was discussed and will be looked into by staff.

B. Cheney is outraged by the issue and thinks the board should instruct the Director to find out if a cease and desist can be done pending repair of the problems. He feels it might take too long to get someone out to see it. S. McWilliam would like to hear from the developer as well as the third party reviewer.

Atty David Plunkett, representing RAM Clarendon LLC and Roland Mainville was present. Atty Plunkett discussed the fact that the complaint had never been known to the applicant from the abutter. He addressed where the project was currently. R. Manville mentioned that he is there every day and when it rains they look and had heard noting of the complaints. The sewer maintenance agreement was brought up. R. MacNeill questioned that there was nothing seen after rain events. R. Mainville clarified. The project as approved in the last two years but here was a previous approval in 2005 for 12 units to be put on the site. That never happened but there is an old silt fence that was put in when the property was cleared for that approval. There was a little wetland area on the right side of the third building that needed to be abolished. The recent approval was originally for only two duplex then decided to add a third so was back before the board. Northpoint Engineering did the drainage and when Dubois and King did the third party review of the proposal culvert was found across the street that was never taking the water from the highway like it should. That has been worked on by DOT since the findings. That culvert in the original approval was suppose to daylight into the wetland. It was decided that the water should go to the lowest point in the rear of the property where it can't leave the property. The area had to be built up 16 ft to put the foundation in and backfilled as much as possible. The drainage never changed until April 2023 and the underground drainage was put in as proposed. The detention area is finished, the right side of the building is graded and loamed, the 16 ft wall which has three tiers is finished and the driveway and parking area is ready for pavement. Two of the three buildings are tied into the drainage. The applicant has done everything that has been asked. There has been significant improvement in the past few weeks as well. In a couple of weeks the project will be completed. The complaint is that the abutter knows how to reach the applicant and it hasn't happened regarding the issues. Atty D. Plunkett said the expectation isn't to do anything other than comply with the plans as approved and go through the process as is typical with the city. Staff asked the applicant to let them know when the site is ready to be inspected by the third party for final review.

The sewer agreement was discussed and the applicant would like to work directly with Sundown and the city on getting that done. The two attorneys have been in discussions on the agreement without an agreement yet. Interim Planning Director K. Menici read and email from Public Works Director noting that he cannot support the agreement between the city and developer as it's a private sewer system.

Dr. Susan Garringer lives in the unit that had issues with sediment washing out the AC. She brought up the trees that were taken down in the easement and has not been replanted yet. None of her issues happened until construction started.

Charlies Mihle of 36 B Nestledown Drive spoke. He clarified the problem across the street. He also argued that the developer and the attorney does know what has been going on because both have been to all the meetings.

B. Cheney would like to find out from city counsel what the board's rights are in terms of handling the situation by a halt of the project until the conditions are met. Staff will call Dubois and King and follow

up with Counsel.

Motion to continue the discussion to Sept 5 made by B. Cheney and to allow time for Dubois and King to revisit the property and interview the residents of Sundown as part of the review of the drainage system, and have the third party engineer at the meeting and reach out to legal counsel as to what rights the city has to enforce compliance with the outcome of the third party review specifically with the cease and desist and certificate of occupancy. R. Mora seconded. All voted in favor.

### 13. PLANNING DEPT REPORT

Interim Planning Director K. Menici is working on the packets for CIP.

### 14. LIAISON REPORTS

### 15. OTHER BUSINESS

#### 15.I. State School property conceptual project design

Applicant: Robyn Alexander of Legacy Laconia LLC introduced the team members: Ron Ciotti, John Sokul of Hinckley Allen Law; Dylan Cruess, Bob Duval of TF Moran; Scott Tranchemontagne of Montagne -Powers; Rob McCarthy, Time Hogan of Melan Hotel Group; Eldon Munson Jr, Senior Care member; Thomas Dolan, Analyst; Jim Wisniewski of Morris Schopf MA; Lisa Fischman of Greyston Funding Co; Dwaune Davis, Sean Hood with the insurance.

R. Alexander gave a presentation. The idea is to preserve fifty percent to f the land for green space to keep the natura of the area. They would like to use as many existing structures as they can. Slated to close mid sept. Infrastructure build out is expected to 18 months to 2 years. They would like to build the streets to city standard but still working on if they will be private or public. The snowmobile trails on the property will be preserved. The plan is to do another conceptual shortly after closing. Phasing will be dictated by availability of funding. They are working with local and other agencies in the county.

#### 15.II. Conceptual Application; 711 Weirs Blvd; Conceptual proposal to create 12 residential lots, a glamping campground with 37 domes, wedding venue and observatory

Applicant: Thomas Selling and Kevin Hayhurst were present. T. Selling gave a brief update on the plans from December's conceptual plan. He noted that only the buildings will have fire protection with city water but the domes will have cistern and pumphouse. The proposal has challenges with respect to grade and they are working on them. There will be 37 campsites, a wedding venue and 12 new residential lots accessed off Weirs Blvd. The applicant is looking to develop one lot at a time so traffic won't be interrupted. Based on the topography and the ledge some lots might be combined. This would be a year round use and built for the seasons. The previous owner put work into the site and the entire site can use gravity sewer and one third was constructed. Currently the grade into the site is 16% and trying to keep the road at 12% grade. Thee roads will be built to city standards but could reman private. That will be discussed later. There are significant amounts of wetlands on the property but they are staying away from them.

### 16. ADJOURNMENT

The meeting adjourned at 11:03 PM

Respectfully,

K. Graham