

**August 16, 2016**  
**Planning Board**

**Present were:** Regular Members Greg Estrella, Tom McCue, Aline Boucher, Richard Cassidy, Naomi Levesque, and Lori Langlois

Ernie Allain, Helene Rayborn, and Martha Creegan were excused for the evening.

**Others Present:** Pamela Laflamme, Community Development Director; Don Bouchard, Horizons Engineering; Roland Berthiaume and Mike Couch, RM Northern LLC; Barbara Tetreault, Berlin Daily Sun; Jen Myers, Code Administrative Clerk

**Public Comments** – No one spoke

Mr. McCue, sitting as Chair, appointed Richard Cassidy & Naomi Levesque as voting members for the night.

**Approval of July 2016 Minutes**

Greg Estrella motioned with a second from Aline Boucher to approve the July 2016 minutes with the following correction on Page 2, Paragraph 2: delete “3 shower facilities.” So moved, the motion carried.

**Planned Development Option – Site Plan Review – RM Northern LLC**

Proposed Commercial Campground and Residential Development – Route 110

This Site Plan Review is complete and is being continued from the July 2016 meeting.

Ms. Laflamme gave the following recap: All city staff and departments have looked at the application and Public Works and Pollution Control indicated they wanted a third party review for the sewer design, pump station, and main road access from Route 110, as it has the potential to be proposed and offered to City Council as a city street in the future. The City hired Wright Pierce to do all three reviews. The applicants agreed to pay for the review. The review came back last week.

Mr. Don Bouchard stated that the Berlin Fire Department and Police Department have been contacted and the City should have their recommendations. The owners and engineers have also worked with the water department regarding the pump station design and sewer pump station at Route 110. Wright Pierce’s review, attached to these minutes, states that the existing pump station at Route 110/Jericho Road has adequate capacity to serve the proposed development. State policy is also included in the report and states that the design is adequately sized.

Mr. Bouchard reviewed the Summary of Design Review Comments. Please see attached report. In regards to the Storm Water Design, it was not ready to give to Wright Pierce at the last meeting, they were given preliminary plans. The concern is for sheet flow throughout the campsite, which they are still working on a process to decrease flows. The current plan is to install stone trenches every 3<sup>rd</sup> campsite and have 3 infiltration ponds. There are four points at which they are doing soils analysis. Now that the City and third-party reviewer have given the okay on the proposed roads, they will move forward with drainage plans and get better numbers.

There were recommendations concerning the driveway permit. They are working on these now and will follow all of the rules and make sure they don't disturb abutters.

Mr. McCue inquired whether or not the additional load of waste water would cause the city to incur cost. Mr. Bouchard replied that the increased load should not affect the city permit. Ms. Laflamme stated that there is a threshold for the amount of waste water allowed to flow and they do not meet that amount with the planned residential and commercial development. A table was provided regarding the remaining capacity to show the board they are well within the limits of capacity. Signatures are still needed from Public Works and Water Works. Regarding potential upgrade to the Dead River Pump Station, the City had a study done in 2009 on the Dead River Pump Station and did not implement all of the recommendations at that time. It will be the responsibility of Public Works and Pollution Control if upgrading is needed.

Ms. Remillard asked if the gravity fed systems the applicant is proposing does not work and they have to put in a pump station would it affect anyone else in the city. No, it will be privately owned.

Mr. Bouchard noted that the storm water pond has not be finalized. The brook has dried up since previous visits to the site. He is not 100% confident that water will hold for enough to be a trout pond. Anticipating future development, they will utilize the retention ponds for drainage and have made them oversized to accommodate.

He also stated that roadside parking is now shown on the map. 12-15 parking spots plus another 7-8 are noted on the latest set of plans dated 8/16/16.

Questions: Mr. McCue inquired if the applicant had obtained their Alteration of Terrain and Wetlands permits. The applicant is working on them. Public Works and Water Works is onboard with 98% of what they are doing so they will now submit their Driveway Permit application to the state. Regarding storm water, they had a soil study done in July. Six ponds out of seven proposed have been designed. The SWPPP will not be submitted until January.

The property owners have contacted Eversource. They will be dropping off plans for submittal. There will be a mix of underground electrical and poles, how much of each will be determined and regulated by Eversource. Ms. Laflamme stated that in a Planned Development Unit, underground is preferred. Poles will need to be adequately screened. The applicant will need to submit a plan showing what adequately screened means to them as the owner. Mr. Bouchard stated that there will be natural screening of the poles by trees near the access road. Mr. Couch stated that during his last discussion with public service, they may follow the road all the way up with poles then drop into the camp sites and residential area. Ms. Laflamme asked that the City get a copy of that plan.

Ms. Laflamme asked if the Common Open Space will be for residents and users of the property only. Also, what do the applicants mean by the word “open”? Mr. Bouchard replied that the area will stay wooded. He also mentioned that the owners have talked about trails but have not committed to putting them in. Ms. Laflamme stated that when the ordinance asks for a master plan, they want details, even those you aren’t ready to implement right now. After conferring with the owner, Mr. Bouchard stated that the owners are okay with adding trails in the Common Open Space. Parking will be partially wooded but mostly dirt. A lot of existing trees will be knocked down for development of the lot, however if there are pods of trees that can remain undisturbed they will be left.

Mr. Estrella asked if an Emergency Box would be accessible on the property. Mr. Bouchard stated that it is not required by the Fire Chief and the owners feel it is unnecessary as most people will have access to a cell phone in the event of an emergency.

Ms. Laflamme presented her recommendations for conditions of approval. The Notice of Berlin Planning Board Decision (with conditions) for Approval of the Proposed Campground is attached. It was noted that #4c – Agreement with Berlin Water Works will need to be done prior to St. Laurent Lane being used by the campground.

The following requirements have been given for the Special Use Permit for the Proposed PDO

1. Receipt of the electrical plan for the property showing pole locations and where electricity is buried underground. Poles above ground should be located to be adequately screened with natural vegetation on the property.
2. Receipt of the plan showing the common open space and recreational area on the property with notes about future trail locations.
3. Any future changes to an approved comprehensive development plan must receive a new special use permit from the Planning Board.

When asked if the Board had anything to add or change, Ms. Laflamme noted that what has been submitted by RM Northern, LLC has been looked at by Water Works, Public Works,

the City Manager, and Wright Pierce, the 3<sup>rd</sup> party reviewer. Neither the Berlin Police Department nor Fire Department had anything to add.

The public hearing was reopened from last month's meeting at 7:35 pm.

Public comments: Ms. Barbara Tetreault clarified if the proposed pump station indicated in #4 of the Notice of Berlin Planning Board Decision is owned by Water Works and it is not a requirement of approval. The owner may choose to add one.

Public hearing closed at 7:36 pm

Board discussion: Ms. Remillard made a motion to approve the SPR for the proposed PDO commercial campground and residential development with conditions #1-12 and the four waivers noted in the Notice of Berlin Planning Board Decision as presented by the City Planner. Ms. Boucher seconded. So moved, the motion passed.

Ms. Boucher made a motion to approve the Special Use Permit for the proposed PDO commercial campground and residential development with the 3 requirements listed above, with a second from Mr. Estrella. So moved, the motion passed.

Ms. Laflamme will distribute the three sets of plans brought this evening to the other city departments. When the applicant is closer to construction, they will need to submit a more up-to-date set of plans to the Building Inspector and Assistant Fire Chief.

### **Signage Discussion – electronic signage and changes to content based signage – continued discussion**

#### **Approval of July 2016 minutes (special meeting)**

A motion was made to approve the July 2016 minutes from the special meeting for electronic signage held at Tondreau Parking Lot by Ms. Remillard, seconded by Mr. Estrella. All in favor, the motion passed.

Ms. Laflamme stated that this discussion will have three distinct parts: electronic signage, billboards and signs, and the ordinance as a whole.

Electronic Signage. Ms. Laflamme distributed the proposed amendment to the City's ordinance for electronic message displays. This amendment was developed after looking at several other communities in New Hampshire, consulting the information left by the sign company, and Google searches of industry standards.

The proposed amendment is specific to Business General and Industrial Business zones.

There was a detailed discussion regarding each requirement listed in the attached proposal. The following changes were made by the Board for submittal of the amendment to City Council.

- #2 Display time will be a minimum of 10 seconds with the exception of time and temperature which may run every 3 seconds.
- #3 Typo-shall not
- #5 Strike "A minimum of 10% of the messages shall be used for public service or local activities that are beneficial to the community as a whole."
- Add "The owner is encouraged to register with Amber Alert."

Ms. Laflamme stated that if the Board is comfortable with the amendment as is (including above noted changes) then it will go to City Council at their first meeting in September. It would go to a hearing at the Council's 2<sup>nd</sup> meeting of the month and could be good to go for October. The definition of "Electronic Message Display" will also be added to the City's ordinance.

There was discussion about amending the ordinance at a later time that would include other zones such as downtown.

There was no vote to approve; the Planning Board supports the amendment being presented to City Council.

### **Billboard discussion**

Discussion regarding billboard signage/off-site signage and the sign ordinance was tabled for the September 2016 meeting.

### **NHMA Policy Recommendations**

Mr. McCue is Berlin's representative to the New Hampshire Municipal Association. He is on the Finance and Revenue Committee and at the end of September will be voting on some of the Action Policy Recommendations given by other towns and communities throughout the state. Referencing the Infrastructure, Development, and Land Use handout, Mr. McCue stated that if any members have questions regarding the recommendations to please let him know and he will get more information to pass on prior to the meeting in September. Mr. McCue went over each recommendation. A question arose regarding #20 and the effects of disposed pharmaceuticals. Mr. McCue will get back to us with more information.

### **Project Updates**

Ms. Laflamme relayed the following updates:

Riverwalk on Route 16. The City received a grant from Northern Border Region Commission in the amount of \$250,000. The match money comes from the current Route

16 Project. The Route 16 project was designed with a Riverwalk in mind, so funds could be used achieving a common goal and no money would be spent out of pocket by the city. The 2<sup>nd</sup> and 3<sup>rd</sup> phase will cost \$800,000; Northern Border's money can be used as match funds towards other federal programs. Ms. Laflamme is waiting for them to confirm this can be done and that there will be no money out of pocket for City.

Route 16 Project-Phases 2 and 3. Ms. Laflamme will submit a grant application to DOT for phases 2 and 3. If she is successful, the City will be able to complete the whole project by next summer. She requested a letter from the Planning Board stating that they support the development of phases 2 and 3.

Ms. Remillard made a motion to approve the letter in support of phases 2 and 3, with a second from Ms. Langlois. The motion passed.

Ms. Laflamme had a meeting today with DOT for the historic mitigation of Route 110. They have hired a landscape architect and engineer. After 10 years of discussion, it is finally coming to fruition. They have finalized all elements involved and will build next year. The elements include: historic street sign markers, a giant granite marker, historic markers, benches, and a small park area by Third Avenue. The City will pay 20%, but can spend no more than \$200,000, which is well above the anticipated expense. In a separate part of project, there will be a historic book about Berlin written and published.

Route 16 Construction Updates. These will be emailed out every other week, feel free to share with everyone you know. The purpose is to be completely transparent and to keep the community up to date with the project.

Hutchins Street Project. There are a few punch list items; construction is finishing up and traffic will be flowing freely.

Berlin Welcome Sign. There has been a final meeting with Sylvia Poulin and it has been decided to incorporate many of the same elements that will be used in the historic mitigation of Route 110 into the welcome sign.

Jericho ATV Festival. North Country Council did manual traffic counts, as it is the most accurate concerning ATVs, during the festival weekend. They are working on a large grant and master plan program to come up with strategic plan for OHRV's in the north country.

North Country Listens and New Hampshire Listens are meeting this evening in Gorham. They are actively working with communities in Coos County to talk about issues and work together toward constructive problem solving and community engagement.

Mr. Thibodeau/Map 136 Lot 28. He is out of compliance. The deadline to submit an SPR for tonight's meeting has passed and he is not here to present. The City's attorney is in the process of drafting a new letter to Mr. Thibodeau, as he has not complied with the first letter Ms. Laflamme sent or the follow up letter Mr. Salek sent.

**Public Comments** – No one spoke

**Member Comments**

NH Municipal Law Lecture Series is three nights in September and three nights in October, Lincoln is the nearest location it will be offered. Saturday, October 15 all three lectures will be offered from 9:00am-4:30pm, continental breakfast and lunch will be provided. Ms. Laflamme will email the board detailed information regarding this series, please let her know if you want to attend.

**Planner Comments**

Due to the Labor Day holiday, September's meeting will be held Wednesday, September 7. This will include a work session regarding the City's Signage Ordinance, please come prepared for discussion.

**Adjournment** – There being no further business to come before the Board Ms. Langlois moved to adjourn; Ms. Remillard seconded and the motion carried. The meeting ended at 9:02 pm.

Jen Myers  
Administrative Assistant