

May 3, 2016
Planning Board

Members Present: Chair Ernie Allain, Regular Members Greg Estrella, Aline Boucher, Martha Creegan, Lori Langlois, Tom McCue, Ex-Officio Member Lucie Remillard, and Alternate Members Richard Cassidy, Helene Rayburn and John White

Others Present: Pam Laflamme, Community Development Director; Michel Salek, Code Enforcement Officer; Jen Myers, Code/Housing Clerk; Burke York, York Land Services; Tom Saucier, CN Brown; Doris Enman and Holly Cekala, Hope for NH Recovery; Barbara Tetreault, Berlin Daily Sun; members of the public

Public Comments

There were no comments from the public.

Ms. Laflamme asked that each board member introduce themselves. She also noted that Helene Rayburn was the newest board member. Members went around the table and introduced themselves.

Approval of April Minutes

Ms. Remillard moved with a second from Mr. McCue to approve the April 5 meeting minutes. So moved, the motion carried.

Site Plan Review – CN Brown – Map 130 Lot 402/120 East Mason Street

Mr. Tom Saucier, representing CN Brown, presented the site design. Mr. Kevin Moore with CN Brown was also in attendance. CN Brown is seeking approval to demolish the existing building at Mason and Unity Street. The existing store is 1,900 square feet, the proposal is for a new 3,900 square foot building. The new building will still be used as a convenience store and the existing utilities will remain to serve the new building as well. Minimal grading will be needed for construction.

Mr. Saucier presented the site elevation. A stone pattern hardiplank type material, simulated cedar shake vinyl siding, red vinyl siding will be used for the building's exterior. The roof will be flat. Any new signage will be done within permit requirements.

Ms. Laflamme stated that the application is complete as presented. Mr. McCue made a motion to accept the site plan review application, Ms. Langlois seconded.

Questions: Mr. Allain asked if there would be any change to the current lighting. Mr. Saucier replied that there are two old style lights that will be changed out for LED. Other than that there would be no other changes to lighting. There are two diesel canopies that

will be removed as well as the LED lights above the dispensers to create a better circulation pattern. Mr. Allain questioned whether the canopy over the gas pumps would stay. Mr. Saucier indicated that they would. Mr. White asked if the current parking would remain. Mr. Saucier stated that it would. Mr. Allain questioned if there would be plenty of room for snow storage. Ms. Remillard asked if there would be trucks loading and unloading at the back of the proposed store. Mr. Saucier stated that the ability is there. Mr. Allain questioned if there would be any changes to the current driveway entrances. Mr. Saucier stated there would not. Ms. Langlois asked if they anticipate any difference in the ATV traffic. They do not. Mr. Allain mentioned the step coming out of oil office. Mr. Saucier showed that the plans include the addition of a 7 foot wide sidewalk in front of building that will cure the current issue with the step. Mr. McCue asked if the number of employees would remain this same with the expansion. The number will stay the same.

Mr. Estrella asked what type of fire protection would be in the building. Mr. Saucier replied that it is not required in the building. The proposed building is not big enough to require a sprinkler system. Mr. Estrella questioned whether the whole building would be heated. Mr. Saucier responded that it would be.

Ms. Laflamme asked that Mr. Saucier explain how drainage would be the same post construction. Mr. Saucier stated that the storm water drainage will be exactly the same. Any drainage affected during construction will be re-graded to match the drainage that is currently there. If supplemental gravel is needed, it will be brought in and the property will be graded.

Mr. McCue asked if all gas pumps stay the same. Mr. Saucier said they would. Mr. McCue asked where the addition to the building would be. Mr. Saucier stated that it would be out the back of where the currently building stand and out towards the diesel island.

Mr. Estrella asked about snow removal. Mr. Saucier stated there would be plenty of places to store it.

Mr. Cassidy stated that it is unfortunate that neighborhood (east of the river) would be losing their convenience store during construction. Ms. Laflamme asked how long they anticipate construction to be. Mr. Saucier replied it would be a few months. Ms. Laflamme asked when they anticipate starting construction. Mr. Saucier said they would like to start mid-summer. The building will be stick-built, this will not be a pre-fabricated building. Mr. Cassidy questioned whether gas would still be available for sale. It will not. Mr. McCue questioned whether the engineers had spoken to the fire department regarding sprinklers. Mr. Saucier indicated that the architect has and they will follow-up with Code for the city.

Public Hearing Opened at 6:44pm

Ms. Barbara Tetreault asked if they will be moving any of the pumps. Mr. Saucier replied that this will affect diesel pumps, 1 relocated, 1 taken out. They anticipate 2-3 months of construction. During that time the convenience store will be closed.

Jen Duchesnaye of 357 Derrah Street asked if they would be closed during the prime time of ATV season. Mr. Saucier replied that if their time frame is prime time, then yes.

Amanda Hall of Fifth Avenue stated that CN Brown is the oil company she uses. Would she still be able to receive oil? Mr. Saucier stated that the heating oil office will have a temporary space (trailer) onsite and will remain open.

Public Hearing Closed at 6:47pm

Ms. Laflamme asked if the board had any final questions or discussion.

Mr. Cassidy made motion to approve the site plan review. With a second from Ms. Boucher.

Mr. McCue asked that the following stipulation be added: In compliance with all necessary permits, state, local, and federal. Approval passed.

Site Plan Review—Hope for New Hampshire/Berlin Recovery Center – Map 128 Lot 217/823 Main Street

Mr. Burke York of York Land Services presented the Site Plan. The building is formerly a supermarket and was known as Clarkie's. The property owner is Dave Poulin. There are no proposed changes to the exterior of the building except for signage, which will be permitted through the City. The canopy out front is lit from underneath. There is currently one light at the corner of Peavey Lane and Main Street which lights the parking lot. There will be no changes to drainage or runoff. Ms. Laflamme asked if Mr. York knew of any plans Mr. Poulin may have regarding the current sign. Mr. York responded that the current sign will be repaired. He is not sure if it will remain white or if Hope for NH would be added to it. Currently, the inside of building is split into a front and back portion. The recovery center will be at front, storage will remain at the back. Ms. Remillard asked how many square feet of the building the recovery center will be using. Ms. Doris Enman, Hope for Recovery center manager, replied that it would use 2,400 square feet. Ms. Creegan asked if the exterior had been fixed. Mr. York responded that vertical metal siding had been put up. The owner has been working on the outside of building, the sides you can see from the street.

Ms. Laflamme stated that the application was complete as submitted.

Mr. Cassidy made a motion to accept the site plan, Mr. McCue seconded the motion. The board voted in favor of the motion.

Ms. Laflamme invited Ms. Enman to come to the podium and talk a little bit about what would happen at the recovery center. Ms. Enman introduced herself as the center's manager. The center will offer peer to peer support recovery services. It will offer a place where some who is seeking health with a coach, recovery based meetings and events. They will network with treatment centers to find treatment. Ms. Laflamme mentioned the public meeting that was held in Berlin a few weeks prior. She asked Ms. Enman to tell the board what the center would not be. Ms. Enman stated emphatically that it is not a treatment center. Not a clinical center. Not a needle exchange. Not an overnight facility. That it is zero tolerance.

Ms. Laflamme inquired as to the types of activities that are proposed. Ms. Enman stated it will be a non-smoking facility and in order to smoke, members must walk around to the back of the building. They would like to do something with the wall that is currently at the front of the building. Requests for signs have been sent to the community. The goal is to make it look nice.

Ms. Remillard asked if members of any age would be welcome at the center. Ms. Enman replied that with parents' signatures yes, young people can come in. She would like to see young peers be trained as peer recovery support workers. There is no age limit on substance use disorder.

Ms. Remillard asked what activities were being proposed for members. Ms. Enman responded that cooking, life skills classes, karaoke, classes the community would like to see offered there. There will be holistic, spiritual, and 12 step programs available. The center uses the 8 dimensions of wellness to discover a road to wellness.

Mr. Estrella inquired when the center will would start receiving clients. He also asked who determines the severity of those who will be accepted. Ms. Enman stressed, that they do not have clients. They have members who join. Members do not stay outside of the operating hours. It is a daily program. If needed, staff could recommend that members go to the emergency room to seek medical treatment.

Mr. McCue asked there would be a change of use of the building. Also, if it were in the correct zoning. Ms. Laflamme responded that zoning is fine. Mr. McCue inquired as to the volume of people coming and going. Ms. Enman replied about 20 people at the most.

Ms. Remillard asked what the hours of operation would be. Ms. Enman responded 8-5 or 9-5. If there are 12 step fellowships who would like to meet in the evening, the center would be open for those meetings as well.

Mr. McCue inquired whether or not Ms. Enman had talked to the fire department. Ms. Laflamme replied that the City has spoken with the fire department and will follow up regarding an assembly permit.

Ms. Boucher asked if the center would be open seven days a week. Ms. Enman replied that it would just be five.

Ms. Remillard asked Ms. Laflamme if the building meets all of the occupancy requirements. Mr. Salek, the City's Code Inspector stated that he has not to date seen any plans or specs for building. There haven't been any permits issued. The City will require the permits for work done on the building. Mr. Salek stated that he knew Dan Lowe would be doing the heating and that he has spoken to Roland Lamontagne, the general contractor.

Mr. Allain inquired if the area in back of the building will be the smoking area. Ms. Enman said that it would be in that area, but that it does not necessarily mean that members will be directly behind building. Mr. Allain asked if there is a concern about trash piling up behind the building. Ms. Enman stated she has already spoken to a neighbor and that they would like to make the area around the building look nice. There is a site maintenance crew. There will also be a combination of volunteers that will help maintain the integrity of the site.

Mr. McCue asked if the recovery center would be the only tenants. Ms. Enman said yes, they would be the only tenants. Ms. Laflamme stated that Mr. Poulin, the property owner will be keeping his storage business at the back of the building going. Mr. McCue inquired if the recovery center was leasing the space in the front of the building. Ms. Enman replied that they were and that is why the firewall was put up to separate the two uses. Mr. McCue stated that the recovery center occupying the space seemed a lot less intensive than prior uses of the building in the past.

Ms. Remillard asked if there would be a kitchen or bathroom installed. Ms. Enman replied that there is currently a unisex handicapped bathroom.

Ms. Creegan requested that the same condition Mr. McCue had added to the previous site plan approval be added. "In compliance with all necessary permits—city, state, and federal.

Public hearing opened at 7:11pm

Ms. Holly Cekala, Director of Recovery Support Services of Hope for NH has been talking to community regarding substance abuse. There is a need up here in the North Country. The healthy atmosphere of the recovery center is something they want to protect. It is a collective of people wanting to give back to their communities. Recovery centers across the state want to help improve the neighborhoods they come into. This is not just for opiate users, it also includes alcoholism. They also offer telephone support. They try to have a van at each recovery center so that their members can connect with their needs. They are pretty confident that the numbers will allow this center to be successful. They will be looking to work with employers for work placement of their members.

Mr. Salek asked if they have any provisions for future expansion. Ms. Cekala replied that if funding and grants come together they would gladly invest more money into the center and would be happy to put the storage business out of business due to an expansion. Work place initiative is how they currently fund what they do. They do not currently receive state funds.

Ms. Kristy Letendre of 93 Prospect Street is a supporter of the recovery center and the director of clinical services at Friendship House. She stated that sometimes it takes 4-6 weeks to get a bed at her facility. As a residential program, clients will stay from 28-90 days. After completing the program and coming back to their community, there is currently no support.

Ms. Claire Gaeb of Spruce Street, an abutter of the recovery center is here in support. The letter she read aloud is attached.

Bob Nylin of Northern Human Services has worked in the Berlin area for the past 31 years, as a substance abuse counselor. He is a member of Stand-Up Androscoggin Valley. He asked that the board please support this effort. This is people in recovery, helping people in recovery. It's very simple but very effective.

Mr. Steve Letourneau of Hemlock Lane is concerned with the school bus routes. There are currently 2 bus drop offs on the front door steps of the proposed center. Logically he feels those should be moved. He stated that a vast majority of his neighbors on Hemlock Lane are scared. He works the re-entry program at the state prison. He already has to deal with 8-13 hours a day, he doesn't want to have to deal with them when he comes home. He does support the recovery center but he moved to his house 2 years ago and doesn't support the center being at the end of his street.

Kristy Letendre stated that there was previously a crisis intervention center on School Street. She would like to remind everyone that these kind of programs are already in the area and have not been problematic.

Ashley Demers of Norway Street, wanted to stress how important it is to have a safe place to go to when you come out of treatment. If there is no place to go, you go back to using. The people that would be going to the recovery center won't want anything to do with the neighbors. She stated that it takes too much to even go through the door of the center, let alone worry about the neighbors. Our community needs this center.

Kelly, a certified recovery support worker, in support of the center. She stated that through the years we've found that when the youth have some place to go they have a better chance.

Mary White of Gorham, NH, is in support of the recovery center. She is a certified guardian ad litem, pastor, and certified counselor. She works with clients who need support services and for years she's had no place to send them and now she will. Those who have the most support are able to succeed with their recovery. It is needed. The concerns that have been brought to her have been based on misinformation and fear.

Ms. Remillard asked that Lt. Valliere who was in attendance give his opinion. He stated that he thinks that it is a God send to the community. They are hard workers and true believers in what they do. He's seen the end and what happens when the need is not met. He wholeheartedly support this.

Ms. Laflamme read a letter from Ellen Tavino in support of the center. The letter is attached.

Amanda Hall of Fifth Avenue addressed the abutters present. She stated that she could almost guarantee that almost everyone going to the center is not going to want to use drugs or be drinking, they will not be trashing the place. The last place they would want to have bad behaviors is at that recovery center.

Public Hearing Closed at 7:35pm

Mr. McCue added that the center cooperate and be in compliance, by working with code enforcement and the fire department. That one shouldn't make assumptions regarding use.

Ms. Laflamme stated that if the center chooses to expand within the current space they are okay. The only thing that would trigger them coming back to the Planning Board is if they became a residential facility.

Mr. McCue made a motion to accept the site plan. Ms. Remillard seconded the motion. Approval passed.

Lot Line Adjustment – City of Berlin/Berlin Water Works and Steven & Penny Binette

Ms. Laflamme stated that the application is complete. Ms. Langlois made a motion to accept the lot line adjustment. Ms. Boucher seconded.

Mr. Burke York of York Land Services presented the lot line adjustment. The owners are Steven and Penny Binette. They own two lots. The front lot is the eatery. The back lot they'd like to split. Referring to the maps handed out to the board. The shaded area will become part of Berlin Water Works. With the new entry into the city, the state took part of the lot for drainage. There is a detention pond. The Binette's felt it wasn't in their best interest to have this as part of their property. They city is willing to take it. The detention pond is the City's to maintain anyway. The lot line adjustment will allow the existing right of way from Hillside Avenue and will be hooked onto the Water Works property. Public Works will come in maybe twice a year to suck out the pond. They will not be accessing it all the time anyway. The disturbance to the Valley Creek parking lot will be minimal.

Mr. McCue asked for clarification if the new lot becomes part of lot 257. What is 257? Mr. York stated that it is actually lot 259. They had just merged all of those lots. He stated that the number is in the right in one spot and not the other.

Mr. McCue asked Mr. York about mentioning the second Binette lot. Mr. York stated there is a 15 foot right of way to get to the back lot. When DOT declared this, it wasn't very clear.

Mr. McCue noted the State's easement. I want to be clear that there is access to the Binette's second lot.

Ms. Laflamme stated that along the front lot there is already a 15 feet right of way. What the City cares about is that they have access to the property. They cannot access it from Water Works, without going over the river. The Binette's think it make their property more attractive to lop off the back.

Mr. Allain questioned whether the ATV trail would remain the same. Mr. York replied that it would.

Public hearing closed at 7:52pm

Ms. Remillard made a motion to approve the lot line adjustment. With a second from Mr. White. Approval passed.

Mr. York stated that a new plan will be submitted to the City with the corrected lot number.

Proposed Subdivision, preliminary discussion – Ryan & Janice Landry – Map 112/Lot 86

Mr. Burke York of York Land Services presented the proposed subdivision.

Mr. McCue stated that Ryan Landry has been a client. He does not have anything to do with this proposal, therefore there is no need to recuse himself.

Mr. York presented the following: The Landry's own a substantial amount of land. They have access off Haskell Street, Mink, Legassie, and Coach. They want to subdivide 13.5 acres with their house so they can more readily sell that.

Mr. York gave a brief history stating that the whole parcel was originally all owned by David Haskell. This was proposed for development.

Ms. Remillard asked how Mr. Landry currently accesses his house. He comes in off of Hill Street.

Mr. York went over what happens on a city street. He noted that this proposal involves two lots on a paper street. Most of the stuff you see was developed by E.E. Tankard in the 50s. Ms. Laflamme described a paper street and that these were simply indicated on the map as future streets in the development when before they were actually built. Mr. York noted that it was on a paper plan, hence the term "paper street". In regular streets the lot owners own to the center of the street in front of their property. In back lots, other people have right of way to use them. Any of these lots are in this same situation. Referring to "see note 5" on the maps Mr. York distributed. David Haskell reserved this street (end of Second Avenue) at the end of Hill Street. The dark line is the end of what is built for a city street, the next 50 feet was never built. Technically, the owners on either side own to the middle, but Ryan Landry has access to his property, this is his driveway. In order for it to be correct I have to show it on paper.

Ms. Laflamme stated if anything was to be done with that lot, it would have to be subdivided. Mr. McCue asked about the remaining large parcel stating that it seemed fairly steep. Ms. Laflamme added that there are some really nice plateaus for building. Mr. McCue stated that if it didn't have a strong potential for developing it'd be easier to get around the requirements. Ms. Laflamme replied, but it is. Mr. York interjected that there are avenues. We're just looking for a positive outlook from the board.

Mr. White asked what do the owners want to do? Mr. York responded, they need to sell. They don't know how to solve this. Ms. Laflamme stated that we as a board are helping them.

Mr. McCue asked if there are issues with grading at any of the access points. Ms. Laflamme stated that since they are using it as existing rights of way it won't be an issue. The city will not maintain it.

Project Updates

Ms. Laflamme stated that there were no updates for current projects.

Other –

Ms. Laflamme gave the following reminders:

June's meeting will be Tuesday, June 7; July's meeting will be Wednesday, July 6 (due to the 4th of July holiday); August's meeting will be Tuesday, August 16

Any board members who would like to attend the Office of Energy and Planning Spring Conference should let Ms. Laflamme or Ms. Myers know. The City will pay the registration fee.

Ms. Laflamme would like to invite all board members to the Stand Up Androscoggin Valley event on Wednesday, May 18th. If you have an organization that you would like to have included in the expo that night, let Ms. Laflamme know and she can get you a booth.

Ms. Laflamme asked that all board members review Chapter 13 of the City's Zoning Ordinance-Planned Development Option. This ordinance has only been used once in the City for the development at Riverside Heights. An application is expected for a combination residential/commercial planned development option. Ms. Laflamme read the definition of Planned Development Option. In the Riverside Heights case one owner owns the underlying land and homeowners rent the land that their home is set on. In this case, it is similar to a mobile home park. The ordinance allows for many different mixes of use. The proposed development will allow for a fair amount of housing and commercial. This will be discussed and questions will be answered at next month's meeting.

At June's meeting there will be an application for excavation--Alan Bouthillier, who has a gravel pit on Route 110 across from White Mountain Distributors. Mr. Bouthillier was the successful bidder for City's project on Hutchins Street. He would like to use and sell his own gravel concerning this project. The board will need to use the Minimum and Expressed Standards from the ordinance to determine this approval.

Public Comments –there were no comments from the public

Member Comments— Mr. McCue asked that when the board revisits updating the ordinance concerning signage that they consider a Supreme Court case from last fall that he found in his research. He stated that it presented great do's and don'ts that the board may want to incorporate. Mr. McCue also noted that after reviewing the evening's proposals and other preliminary discussions why the board is here and that it really hit home why we do what we do when looking at these proposals and what's been coming before us.

Mr. York stated that it is very important what the board does. Mistakes have already been made and the board has created and abides by rules that are fixing those mistakes and helping ensure they not be problems for the future.

Planner Comments—there were no comments from the Planner

There being no further business to come before the Board, Mr. McCue moved to adjourn; Ms. Remillard seconded and the motion carried.

The meeting ended at 8:37pm

Jen Myers
Administrative Assistant