

October 5, 2021 Planning Board

Present were: Regular Members: Chair Lori Langlois, Vice Chair Tom McCue, Suzanne Wasileski, Anthony Valliere; Ex-Officio Members Lucie Remillard and Lise Barrette; Alternate Members: Theodore Bosen, Dan Whittet (dismissed at 7:54pm) and Jennifer Lazzaro.

Excused were: Regular Members: Brian Valerino, Eamon Kelley

Others Present: Pamela Laflamme, Community Development Director; Michel Salek, Building Inspector; William Carroll, Berlin Daily Sun; Don Bouchard, Horizons Engineering; Stephen Mockler, Brookfield Renewable Energy Group; Rene Spencer Jenkins – Director Asset Development Storage, Aleksander Mitreski - Sr. Director, Regulatory Affairs – New England, Brookfield Renewable Energy Group; Jeffrey Quackenbush, Consultant for the Planning Board; Kaela Tavares of North Country Council; Karen Collins

Chair Langlois appointed Alternate Members, Dan Whittet and Theodore Bosen as voting members.

Public Comments

None

Approval of August 2021 minutes

Ms. Wasileski made a motion to approve the minutes of the September 2021 meeting. Ms. Remillard seconded the motion. All in favor, the motion carried.

Site Plan Review – Timberland Adventures Inc., Tax Map 407 Lot 15 (continued from September 14, 2021 meeting)

The Site Plan Review is not ready at this time and is being tabled. This is the official Public Notice for a continuance until the November 2, 2021 meeting at 6:30pm. No notice will be mailed or published, this is an official notice of record. (this was corrected later in the meeting to reflect the actual meeting date for November 9, 2021).

Site Plan Review and Special Use Permit– Brookfield Renewable Energy Group, Tax Map 128 Lot 264, 972 Main Street, new construction – Battery Storage Facility (continued from September 14, 2021 meeting)

Mr. Don Bouchard of Horizons Engineering reviewed the plans for the proposed Battery Storage Facility for Great Lakes Hydro of America, LLC. It will be located across the R&M Properties building (former grocery store property). It's also known as the Sawmill site, hydro power dam. The access is off of Main Street with a paved area, then changes to a gravel drive to the garage area. Mr. Bouchard reviewed the performance standards that were being met per the Special Use Permit requirements.

Some new plans sheets with some changes were shared with the board. These showed

updated changes that the Fire Department had previously expressed their concerns about access from the southern property line, so they are going to install a 20-foot gravel path along the property line that leads to the lower gravel road. This will allow access to the new facility from all four sides. This is requiring that the project area to be moved 5 feet north.

There will be gates installed at the main entrance and the secondary entrance as well.

All chemical fluids will be contained and in case of a fire emergency the Fire Department would be using water to distinguish any fires.

Mr. Bouchard explained that there will not be any large motors or moving parts that will create vibrations or excess noise as previously discussed at the September meeting. The noise level will meet the decibels noted in the City Ordinance at the property line. There will be no chemical hazard. Mr. Bouchard pointed out the abutting three story building owned by Tri County Cap which is to the west, the southern end of the property has the Credit Union and State Court House, and to the north is the Heritage Park. There is a small wooded buffer which will remain. The nearest fence line is approximately 200 feet away. The facility of the Heritage Park is approximately 300 feet away.

Any exterior lighting will be in the battery facility and will be pointing down and dark skies compliant. The nearest residential abutters are approximately 200 to 300 feet. The river separates the site from Hutchins Street.

Ms. Laflamme wanted to point out that there is no guarantee that the large three story building owned by Tri County Cap will remain there as a buffer forever. Mr. Bouchard explained that even if the buildings were torn down there is still a large distance to the residential homes.

There will not be any large amounts of waste created by the battery facility. And other waste will be handled at the facility. Mr. Mockler noted that the power is connected to the ISO-NE power grid. This site is being designed to last 40 years. The batteries will typically store the power at night to serve the higher demand during the day. The batteries will continuously stabilize the ISO-NE system.

Mr. Whittet asked what the estimated life of the batteries was. Mr. Mockler said 10 years.

Ms. Langlois asked about the existing tree line vs. the proposed tree line as a visual buffer to the North. Mr. Bouchard showed on the plan where they will be tearing down trees and where they will be leaving them. The Shoreland Permit through NHDES to be finalized soon, there was not a lot of suggestions. Mr. Mockler did indicate that on the side facing Route 16 and the Heritage Park they can add green slats to the chain link fence to help create a visual buffer. Mr. Bosen expressed that he thinks the green slats on the fence is a good idea. He says a visual buffer is very important for Heritage Park. He would like to see

them make an improvement on their plans for the buffer between their property and the Heritage Park. There was some discussion on what would be visible from Heritage Park.

Mr. Quackenbush, the consultant reviewing this project for the City and Planning Board shared that he has thoroughly reviewed this project and that is a good project and not a high risk for the City.

Ms. Laflamme spoke about the fire code to be followed, NFPA855 as requested by the Fire Department.

Ms. Tavares said she thinks this is a good project for the growth of renewable energy. She sees that emergency personnel would be ready for any fires or other emergencies. The possible environmental impact due to chemicals has been discussed and she feels the project has been thoroughly thought out.

Mr. Valliere made a motion to table the site plan and special use permit, seconded by Ms. Remillard. All in favor, motion carried.

Discussion – Proposed Zoning Changes – setbacks/minimum lot size/manufactured housing; signage

At this time Ms. Laflamme does not have any updated information on signage and it will be discussed at the next meeting.

Ms. Laflamme said that the Master Plan focus groups will be housing and one will be for the City's large elderly population.

Ms. Laflamme discussed the history of what has happened in the City with housing. In 1999 there was a surplus of housing units which were in disrepair. The report said that there was 500 excess units and that they should be removed to bring the housing stock to a level that was more in line with today's population. Many of these apartment buildings were built on 50 x 100 lots and sat very close to each other. Over the past 20 years the effort was to remove these housing units, especially the houses with code violations. Ten years ago the rental vacancy rate was 15.6% and in 2021 it is 0.6%. We are now seeing housing sale values going up. We are having issues with displacement and people who cannot afford the rents that are available.

The average lot size had been 50 x 100 for a long time. In 1999 they changed the lot size to 100 x 100 to combat the housing issues and to make things more appealing and accommodating to people and their accessories such as cars, boats and pools. Yet today we still have many 50 x 100 lots with water and sewer available, which have nothing built on them. Seeing as we now have a housing shortage, changing the allowable buildable lot size back to 50 x 100 may help to alleviate this problem.

Ms. Laflamme went on to explain the setbacks which are now 25 feet to the front and rear and 10 feet on the sides for primary buildings. For accessory building it is now 25 feet in the front, 10 feet in the rear and 10 feet on the sides. The proposed changes for residential

uses would be a 5-foot front setback and a 3 foot setback for both rear and side for zones: Residential Single, Residential Two Family and Residential General. She explained that Mr. Salek of Code Enforcement and Mr. Donovan of the Fire Department have expressed that they are not comfortable with these proposed setbacks. Yet it is something we should consider because we don't have a great amount of flat space to build on and many lots have ledge and are steep and it causes people to have to go to the Zoning Board for approvals to build on such lots.

Ms. Laflamme discussed the proposal of allowing the installation of manufactured housing in our Residential Zones. She has received several inquiries from people who would like to buy a new manufactured home to place in some residential neighborhoods. Ms. Langlois pointed out that any kind of consensus reached by the planning board would have to be brought to the City Council as a recommendation and there would have to be a Public Hearing held.

Mr. Salek would like to see the current 100 x 100 minimum lot stay the same. There are many ATV enthusiasts who all want to have a garage and it would be very crowded. He does not think decreasing the setbacks would be a good idea as it would limit space and it would be tight between structures. He agrees that manufactured housing is a good idea but we should have a condition as to how old it can be.

Mr. McCue says he doesn't have a problem with the 50 x 100 lot. He is concerned about the small setbacks because it would make it difficult for access by the fire department. He feels that allowing manufactured housing would allow new families with lower incomes an opportunity to buy a new home and also for the elderly who may be looking for an alternative. He wants everyone to keep in mind that the old idea of mobile homes not having much value is that they do not have their own land, they are renting land. It's become a trend to have co-op ownership in these parks. North Woods Mobile Home Park has a co-op. He feels these stereo types of poor quality of manufactured homes can be dealt with.

Mr. Whittet expressed his support for the new lot size of 50 x 100 but that he has a problem with the proposed setbacks. He feels it could be a fire hazard. He feels there are a lot of ramifications to be dealt with the manufactured housing proposal.

Ms. Lazzaro asked if a tiny home can be considered a manufactured home. Ms. Laflamme explained that tiny homes would be totally different regulations and the State of NH Tiny Home Association has been working on this for some time now. There was some discussion about where the available 50 x 100 lots are located and how sewer and water connection availability has bearing on these lots.

Mr. Bosen says he has a problem with not knowing why the zoning changed the lots sizes in 1999. He feels if he knew why it was done it would make things easier to look at the situation. Ms. Laflamme explained that in 1999 they wanted to increase the lot size to give more space in congested and deteriorated neighborhoods. They wanted to get a different look to the community. The recent Urban3 presentation showed that small lot sizes should

be considered because there is more value to dense development. We also have a high population of seniors on a fixed income who need housing.

Mr. Bosen said he is still concerned about parking and snow removal. Most families have several vehicles and this will make it much more difficult to park all of them. Snow removal is an issue all over the city and small lot sizes would make matters worse. Ms. Laflamme clarified that we would not be making large lots smaller but we would be utilizing existing smaller lots.

Mr. Bosen continued with the proposed setbacks. He says in his legal experience, the idea of a 3 foot setback is scary. He doesn't feel that lowering the setbacks because there are many people needing zoning variances is not a good a reason. He feels that manufactured housing would not help in increasing the value of a neighborhood. Ms. Barrette clarified that there are currently manufactured homes that are in neighborhoods and they are being valued like any other home.

Ms. Laflamme says she can look into getting someone who is an expert in this subject who can come speak with the board and answer any questions they may have.

Ms. Barrette says she would be ok in accepting the 50 x 100 lot size. The setbacks proposed are a little too close and maybe changing it to 5 feet on the sides and maybe 10 or even 8 feet from the front would be better. She feels allowing manufactured housing would be a great thing. As long as there is a set age limit of maybe even 10 years old. These new houses would look better than most of the houses currently out there right now.

Ms. Wasileski asked about where the setbacks begin from. Ms. Laflamme says if there is a sidewalk then it begins there, if not then it begins at the edge of the Right-of-Way.

Mr. McCue wanted to clarify that a setback of 3 feet would actually be for each side of the property line so it would be 6 feet between structures.

Ms. Laflamme explained that this doesn't create a staffing issue when it comes to dealing with special exceptions but that this setback adjustment will encourage more development over time.

Ms. Remillard discussed the reasons why the lot size changed, how the city has dealt with congested neighborhoods over time, and how families have become smaller and they are looking for smaller housing.

Mr. McCue made a motion to change the minimum lot size to 50' x 100' in the Residential Single Family, Two Family and General zones for residential lots. Mr. Valliere seconded it. All in favor, Mr. Bosen opposed. Motion carried.

Other

None

Project Updates/Planner Comments

Ms. Laflamme asked everyone to weigh in on the Master Plan titles that was attached to the email everyone received. There are 17 suggested titles to be considered. There also needs to be a big push on getting online surveys done. The next Master Plan meeting will be October 26th at 6:00pm in the auditorium. At the last meeting it was decided that there will be two focus groups, these will be Housing and the Senior Population.

Ms. Laflamme says there will be a showing of Brown School and the process is moving along.

Ms. Laflamme has created a list of city owned houses and vacant land which will be brought to the city council for consideration to be put up for bid.

There was a good turnout at the Route 110 Urban Compact extension Public Hearing. The conversation is moving along.

There will be a meeting with AVRRDD and the Department of Environmental Services on expanding the landfill.

Due to prior mistake of dates, Ms. Laflamme reread her statement concerning Timberland Adventures. The Site Plan Review is not ready at this time and is being tabled. This is the official Public Notice for a continuance until the November 9, 2021 meeting at 6:30pm. No notice will be mailed or published, this is an official notice of record.

November 2nd is an election day in the City of Berlin, please vote!

Public Comments

None

Member Comments

Mr. McCue asked about the status of the Timberland Adventures Site Plan Review. There was some discussion about a scheduled trial. He also reminded Ms. Laflamme he would like to see the Rules of Procedure come back to the board for review and final discussion.

Adjournment

There being no further business to come before the board, Ms. Remillard made a motion to adjourn, seconded by Mr. Valliere. All in favor, the motion carried.

The meeting ended at 8:35pm.

Respectfully submitted,

Lise Barrette

* Note: These minutes are unofficial until they have been accepted by the Planning Board by motion.