

**October 4, 2022**  
**Planning Board**

**Present were: Regular Members:** Chair Lori Langlois, Tom McCue, Dan Whittet, Henry Noel, Anthony Valliere, Karen Collins; **Ex-Officio Member:** Lucie Remillard; **Alternate Members:** Lori Korzen.

**Excused were: Regular members:** Jennifer Lazzaro; **Ex-Officio Member:** Lise Barrette; **Alternate Members:** Jeffrey Quackenbush, Amy George and Micah Bachner.

**Others Present:** Pamela Laflamme, Community Development Director; Michel Salek, Building Inspector; Burke York, York Land Services, LLC; Kevin Lacasse and Tim Coulombe of TKB Properties LLC; Carolyn Ingerson.

Chair Langlois called the meeting to order at 6:30pm

**Public Comments**

None

**Approval of September 2022 minutes**

Mr. McCue made a motion to approve the minutes of the September 7, 2022 meeting as presented. Ms. Remillard seconded the motion. All in favor, the motion carried.

**Minor Lot Line Adjustment – City of Berlin, Map 127 Lot 268**

Ms. Laflamme advised this is an adjustment to the property from City owned property to City right of way. Mr. McCue made a motion to accept the application for City of Berlin, Tax Map 127, Lot 268 as complete as presented. Mr. Valliere seconded it. All in favor, the motion carried.

Mr. York presented the Minor Lot Line Adjustment plan. He advised the property is on the corner of Eight and Main Street. He explained the shaded area on the lower hand corner is the parcel that will become part of the right of way. It will be removed from the Brown School property. Ms. Laflamme advised that this area was designated in 2013 by FEMA as a floodway area. She advised it is Council's desire to make that a small pocket park to go with the Riverwalk project.

Mr. McCue made a motion to enter into Public Hearing. Ms. Remillard seconded it. All in favor, the motion carried.

Carolyn Ingerson of 175 Norway Street questioned where the playground is moving to. Ms. Laflamme advised it is moving to the Berlin Elementary School as this playground equipment was obtained through fund raising from the school and is not owned by the City. Ms. Ingerson expressed concerns as to where the kids in the area are going to play. Ms. Laflamme responded there is a small park at Horne Field and a request for the City to provide playground equipment would have to be made.

Ms. Remillard made a motion to close the Public Hearing. Mr. McCue seconded it. All in favor, the motion carried.

Ms. Collins made a motion to re-open Public Hearing. Mr. McCue seconded it. All in favor, the motion carried.

Carolyn Ingerson of 175 Norway Street questioned if the rest of Brown School is in the flood zone. Mr. York explained that the paved area that Brown School is on is in a flood zone but not in a floodway. There are less restrictions in a flood zone than in a floodway. Ms. Laflamme commented that FEMA has made it clear that nothing can be done in a floodway.

Mr. McCue made a motion to close the Public Hearing. Ms. Remillard seconded it. All in favor, the motion carried.

Ms. Remillard made a motion to approve the lot line adjustment that will join the parcel to the City's Right of Way. Mr. Whittet seconded it. All in favor, the motion carried.

Board Members discussed the application to create findings of fact as follows;

- Property is in a floodway.
- City is willing to maintain that section of the property.
- Not doing the line adjustment could complicate future development of the overall parcel.
- The remaining property will still conform to the zoning requirement for that business general zone.

Mr. Valliere made a motion to approve the findings of fact. Ms. Collins seconded it. All in favor, the motion carried.

#### **Site Plan Review – TKB Properties LLC, Brown School Redevelopment**

Mr. McCue made a motion to accept the site plan application as complete. Ms. Collins seconded it. All in favor, the motion carried.

Mr. McCue made a motion to recess the Board meeting and open a Public Hearing on the site plan review. Mr. Whittet seconded it. All in favor, the motion carried.

Mr. Lacasse and Mr. Coulombe presented the site plan. Mr. Lacasse advised they are not changing the footprint of the building. They focused on ensuring they had the proper amount of parking and lighting. They are still working on the design of the building itself and the layout of the apartment units within the building. They have identified 20 apartment units and are planning a 1.7 ratio per unit for parking spaces. They added a curb cut off Route 16 to enter on to the property to keep the traffic from flowing through the neighborhood. They did determine the dumpster pad location and have identified ADA compliant parking spaces. Mr. Coulombe advised with the grant funding they had to do an

historical review. He met with a representative from NHDHR, they reviewed the property and one thing they brought up is because they have proposed changes to the School, NHDHR will do a report but that it has no adverse effect. In lieu of having no adverse effect, NHDHR is suggesting putting up an interpretive sign and include it in the pocket park that details the other schools in Berlin that have shut down. He also advised they applied for another round of grant funding that just came out through InvestNH. If approved and by adding these units to the City, the City could accept up to \$10,000 per unit. He also advised that the chain link fence will be removed on the side where the new entrance will be and replaced with a fence similar to the Riverwalk's new fencing.

Mr. McCue made a motion to close the Public Hearing. Mr. Valliere seconded it. All in favor, the motion carried.

Ms. Laflamme advised there are conditions for this plan and the conditions are also part of the purchase and sale agreement. The conditions are as follows;

- The applicants receive any necessary Municipal, State, Federal or other approvals and permits.
- No placement of any manufactured housing units on the property.
- No unregistered vehicles on the property.
- No outside storage sheds on the property.
- No debris or other refuse stored on the property. However, normal household garbage will be allowed within the confines of a properly maintained dumpster.
- Fire and Police will review the curb cut on Route 16 for any input and feedback to the applicants.

Ms. Collins made a motion to re-open Public Hearing. Mr. McCue seconded it. All in favor, the motion carried.

Mr. Salek inquired if the single lane emergency access has been reviewed by the Fire Department. Ms. Laflamme stated she would have them look at the whole plan for their input.

Ms. Remillard made a motion to close the Public Hearing. Ms. Collins seconded it. All in favor, the motion carried.

Ms. Remillard made a motion to approve the site plan as presented with the conditions laid out by Ms. Laflamme. Mr. McCue seconded it. All in favor, the motion carried.

Board Members discussed the application to create findings of fact as follows;

- Use conforms with the City zoning as a multifamily dwelling in a business general zone.
- Takes an historic vacant building and prevents it from detracting from the neighborhood should it become blighted or dilapidated.

- Creates housing in a market that is very tight and desperately needed.
- No change to the footprint of the building.
- Exceeds the required number of parking spaces.
- There is no increase to impermeable surfaces.
- Meets the frontage requirements.
- Compliments the surrounding areas and neighborhood.
- By adding a new curb cut on the Main Street side of the property gives emergency vehicles quicker access to the property and reduces the impact in the neighborhood.

Mr. McCue made a motion to re-open Public Hearing. Ms. Collins seconded it. All in favor, the motion carried.

Mr. Whittet questioned if all units would-be low-income housing. Mr. Lacasse responded that the project is mostly paid for by grant funding. There has already been CDBG funds approved for the project, they've also made an application for the InvestNH funds. These funds carry requirements which are affordability requirements. This basically says that they have to keep the rents affordable for individuals at 80% or less of AMI (Area Median Income) which caps the rents at a specific level. The project itself is not subsidizing anybody's rent, they're just keeping it affordable for individuals making 80% of AMI or less. Mr. Lacasse confirmed the project includes 15 units at a capped rate and 5 units at market rate.

Ms. Remillard questioned the layout of the units. Mr. Coulombe commented they are still working on this, but the plan is eleven one-bedroom units and nine two-bedroom units. Ms. Remillard asked when do they expect to be in construction. Mr. Lacasse advised it will depend on how quickly they can get through their design development phase. At this time, they're anticipating having documents ready to be put out to bid late year maybe January time frame and be ready to go by Spring.

Mr. Whittet asked if they've looked into solar power. Mr. Lacasse responded they have not and commented this can be difficult with historic sites. Mr. Noel questioned if they would need to make modifications to the water and sewer to the facility. Mr. Lacasse stated they don't anticipate any modifications but it is still in review by the Engineer they hired.

Ms. Collins made a motion to close the Public Hearing. Mr. McCue seconded it. All in favor, the motion carried.

Ms. Remillard made a motion to approve the findings of fact. Ms. Collins seconded it. All in favor, the motion carried.

Mr. McCue made a motion to authorize the Chair or Chair's Designee to sign the plans that were approved this evening on behalf of the Planning Board for the lot line adjustment. Ms. Remillard seconded it. All in favor, the motion carried.

### **Council Request – review of fee schedules for Planning, Zoning, and Code**

Ms. Laflamme advised when posting the fee schedules to comply with House Bill 1661, she noted the fees are very low. She compared fees with other communities that are similar to Berlin and discovered our fees are lower. She gave the example of the zoning \$50.00 flat fee for variances, special exceptions and appeals from an administrative decision. They can lose out very quickly as a piece of certified return receipt mail is now almost \$8.00 per mailing. This doesn't include time staff spends on reviewing and the public notice advertisement. She suggested to Council the fee increases. Council agreed, but requested the Planning Board put an updated fee schedule together and present for approval. She advised Mr. Salek also went through the building inspection fees and updated the list to his proposed fees which are highlighted on the first page of the document. The second page has the Planning Board Fees which are not being updated, only language added, the driveway/curb cut permit doesn't show a proposed increased but she is recommending it be increased from \$10.00 to \$25.00 and the proposed Zoning Board fees.

Ms. Remillard commented she doesn't like increasing fees, but doesn't want it to result in a deficit. Ms. Laflamme responded there will be no profiting from increasing fees as they haven't been increased in at least 22 years and this was long overdue. She is recommending presenting the proposed fees to Council for approval. Mr. Valliere requested a disclaimer be added to the document that fees will be reviewed in 2027.

Mr. Valliere made a motion to recommend the proposed fee increases. Mr. Whittet seconded it. All in favor, the motion carried.

### **Master Plan Implementation Committee conversation**

Ms. Laflamme is asking Board members to review the Master Plan and the Implementation Goals by the next Planning Board meeting held on November 1st and see if there is any interest in prioritizing some of the themes and potentially forming a committee to focus on some of the priorities. Members agreed to review the plan. Ms. Laflamme will add this item to the next Planning Board meeting's agenda.

### **Other**

None

### **Public Comments**

None

### **Member Comments**

Mr. Salek suggested revisiting the discussion had about proposed set backs and reducing some to eliminate special exceptions.

### **Planner Comments and Project Updates**

Ms. Laflamme thanked everyone for their patience as we go through this new process.

**Adjournment**

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

The meeting ended at 7:56 pm.

Respectfully submitted,

Danielle Rioux  
Executive Assistant

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