

December 6, 2022 Planning Board

Present were: Regular Members: Vice-Chair Tom McCue, Henry Noel, Anthony Valliere, Dan Whittet; **Ex-Officio Member:** Lise Barrette; **Alternate Members:** Jeffrey Quackenbush, Micah Bachner.

Excused were: Regular Member: Chair Lori Langlois, Karen Collins, Jennifer Lazzaro. **Ex-Officio Member:** Lucie Remillard; **Alternate Members:** Amy George, Lori Korzen.

Others Present: Pamela Laflamme, Director of Strategic Initiatives; Michel Salek, Code Enforcement Officer; Bruce Luksza, Jericho Family Campground; Lisa Connell, Berlin Daily Sun.

Vice-Chair McCue called the meeting to order at 6:30pm. Vice-Chair McCue appointed Alternate Members Jeffrey Quackenbush and Micah Bachner as voting members.

Public Comments

None

Approval of November 2022 Minutes

Mr. Noel pointed out an error on Page 1 under Master Implementation Committee Conversation, in the first sentence it states implantation which should say implementation. Mr. Noel made a motion to approve the minutes of the November 2, 2022 meeting with the correction. Mr. Valliere seconded the motion. All in favor, the motion carried.

Site Plan Review – Design Review only – Jericho Family Campground, Bruce Luksza, Tax Map 402 Lot 27

Mr. McCue stated that this was a Design Review only and that there wasn't a complete application for the Planning Board yet. Mr. Luksza explained his ideas of a major subdivision involving 12 new campsites, each being a quarter of an acre. These lots will be deeded to new owners as camp lots where they will be allowed to put tents, recreational vehicles or build a small log cabin on their lots. These owners will need to follow the camp ground rules. He has spoken to Department of Environmental Services and was told he would be able to do up to ten lots without any major problems and he is currently working with them. He is aware that in the City of Berlin we have lot size restrictions and nothing is in place for creating such small lots for camp sites. Mr. Luksza said that Ms. Laflamme will be looking into how this would be assessed and if it was something that can be done through assessing. He says he already has some people lined up to buy and 50% of them want to put cabins on their lots. The cabins will be very uniform. They have selected Ward Log Homes out of Maine which will have five cabins to select from.

Ms. Laflamme clarified last year's subdivision approval is what the State refers to as a State Subdivision approval where they are looking in terms of water and sewer service. She has recently spoken to them and it was made clear that those subdivisions are not necessarily separate lots which can be sold. DES will be looking at this as a new project, anything

involving over three lots is something they need to review. This is the Jericho Gateway zone which is using soil-based lot sizing, meaning it can hold and well and septic. Mr. Luksza has a covenant in his rules that there will not be any utilities available to these lots. Approvals for this project by the DES and City will need to be thought out and changed.

Mr. Quackenbush asked if there will be common land and what are the roadways considered as. Mr. Luksza says they will not own common land and the roadways are Right of Ways owned by the campground. Mr. Quackenbush asked who will make the rules and what the corporate structure will look like. Mr. Luksza says it's him and his son who make the rules. The deeds would be recorded with Mr. Luksza's restrictions. There was some discussion about what would happen if the corporation becomes defunct. Ms. Laflamme ensured that the State's Attorney General's office will review everything to make sure it's all done legally. She also explained that a deeds' restrictions can only be enforced by the entity that wrote them. It's not the City's responsibility to dictate how the rules are enforced.

Mr. Bachner asked about Mr. Luksza's statement that the rules could change at the discretion of the owner. He was wondering what would be the controls for the owners in surrendering themselves to rules that may change. Mr. Luksza said they currently have rules and have had very few problems.

Mr. Whittet explains that when he thinks of camping it's a camper that comes in and parks and not typically a log cabin. Ms. Laflamme reminded him that the original proposal Mr. Luksza brought to the Planning Board included five phases and one of them included cabins. Mr. Whittet asked about the sewerage at this time. Mr. Luksza explained that they have their own pump trucks and water trucks that come in regularly. At this time the cabins would not have water service. They are currently permitted for 17 cabins. There was more discussion about septic systems. This would be handled by DES also.

Mr. Whittet asked what it is that the Planning Board needs to look at in this project. Ms. Laflamme explained that this is only a design review to introduce his ideas. Until plans are brought to us it's hard to imagine what questions we could ask now.

Mr. Bachner asked if they are they strictly seasonal cabins. Mr. Luksza explained they are considered seasonal and it is not a residential subdivision. Mr. Luksza explained that he believes these owners would not have addresses, they would be paying taxes individually and they would not be registered voters.

There was more discussion about Mr. Luksza's vision including the management of the campground over time. Owner's will not be allowed to rent their lots as an Air Bnb and this will not be considered their legal residence.

Vice-Chair McCue opened the Public Hearing at 7:05pm.

Ms. Laflamme read the following letter from Mr. Robert Chapman into record.

RE: Major Subdivision - Jericho Family Campground Major Subdivision for Deed CampsiteLots

Dear Pam,

I am pleased to submit written comments in support of the Jericho Family Campground's Major Subdivision application being reviewed by the Berlin Planning Board on December 6, 2022.

My only comments are consistent with the comments I provided in my letter dated May 28, 2021 during the prior site plan review. I respectfully ask that as part of the review process, the rights of adjacent landowners are considered in that an effort will be made by the Applicant to continue to promote responsible use of the existing and authorized trail network by future owners/users of the proposed subdivision lots (if approved), and to discourage the use of unauthorized access of private lands.

The growing ATV/OHV industry has spurred growth and investment in the City of Berlin, and I believe this has been good for our local economy. However, continuing to promote the importance of abiding by the rules in place and use of authorized trails is needed to ensure that this industry can continue to exist in harmony with all landowners, so that we can continue to reap the benefits this industry brings to our area.

In closing, Mr. Luksza's investment into Berlin and the Route 110 corridor is meaningful, and will continue to support recreational activity in our community.

Respectfully submitted,

Robert A. Chapman, Sr.

There being no other Public Comments, Vice-Chair McCue closed the Public Hearing at 7:08pm.

Other:

None

Public Comments

None

Member Comments

Mr. Whittet brought up the new Walgreen's plans. He said that the planted buffer between the parking lot and the sidewalk was an important piece and that it doesn't appear to be how they presented it. Mr. Salek and Ms. Laflamme will look into this.

Planner Comments and Project Updates

None

Adjournment

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

The regular Planning Board meeting ended at 7:13 pm.

Master Plan Implementation Committee conversation

Ms. Laflamme shared with the committee the top priorities for implementation that she received from the members. They are as follows:

- 5 votes - 3B.3 Develop and adopt a Form-Base Code for the Downtown
- 4 votes - 3B.1 Complete a comprehensive regulatory audit and revision of Berlin's existing land use regulations to determine if there are any regulatory barriers to the Master Plan vision for revitalization.
- 3 votes – 1B.6 Recognize and coordinate with a citizen group to discuss research and develop local energy resources.
- 3 votes – 6B.1 Create an updated ‘How to Start a Business in Berlin’ online guidebook
- 3 votes - 6B.2 Prepare regular communication about the work being done to get community support and build excitement.
- 2 votes - 2A.3 Work with Tri-County Cap to better promote their services to the broader population
- 2 votes – 2A.4 Identify ways the City can support community organizations and social service providers, such as Tri-County CAP, Coos County Family Health, and North Country Healthcare.
- 2 votes – 2A.5 Pursue development of a downtown community wellness center to provide gathering space, medical office space, counseling services, educational space, and other needed amenities.
- 2 votes – 3A.4 Continue developing an inventory of existing buildings in downtown.
- 2 votes – 3A.5 Establish a façade improvement program
- 2 votes – 3B.5 Consider allowances for use of vacant store fronts for galleries, pop-up shops, and other temporary uses.
- 2 votes 6A.4 Convene representative from Berlin's historic and cultural organizations and identify ways to collaborate.
- 2 votes 3D & 2E

There was some discussion around the funding available through NH Housing which will help the City to get a thorough review of our codes. They are looking for us to demonstrate a commitment to the development of a Community Engagement Committee, and to perform a process sort of like what was done for the Master Plan process. Their main focus is to look at our Housing inventory and how our codes help or hinder opportunities. It would involve a pre-selected consultant like we had during the Master plan process. Developing Form-Base codes wouldn't be done until this review is completed. There was a consensus among the Committee members to have Ms. Laflamme apply for the grant money to the NH Housing Authority in the amount of \$50,000.

The research in energy resources was discussed. It was shared that the members working on this was looking at become part a multi-town entity with other local communities.

Ms. Laflamme shared that the Berlin Economic Development Authority, BEDA, is currently working on 6B.1 to develop Business Startup Information. There has been a website put together which is not live yet.

The committee also discussed having a Farmers Market in the future, developing community gardens, and a Façade Improvement Program for Downtown.

The Implementation spreadsheet will be updated for the next meeting and it will be available for the public.

The Master Plan Implementation Committee was adjourned at 8:00pm.

The next Planning Board Meeting will be on the second Tuesday of January, on the 10th.

Respectfully submitted,

Lise Barrette

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