

March 7, 2023
Planning Board

Present were: Regular Members: Chair Lori Langlois, Vice-Chair Tom McCue, Henry Noel, Anthony Valliere, Larry Laflamme; **Ex-Officio Member:** Lucie Remillard, Lise Barrette; **Alternate Members:** Micah Bachner, Lori Korzen.

Excused were: Regular Members: Dan Whittet, Karen Collins; **Alternate Member:** Jeffrey Quackenbush

Others Present: Pamela Laflamme, Director of Strategic Initiatives and Burke York, York Land Services, LLC.

Chair Langlois called the meeting to order at 6:30pm. Chair Langlois appointed Alternate Members Micah Bachner and Lori Korzen as voting members.

Public Comments

None

Approval of February 7, 2023 Minutes

Chair Langlois pointed out the error on Page 2 under the Lot Merger, the paragraph concerning the Finding of Fact. It was not Ms. Langlois who seconded the motion, it was Ms. Korzen. Ms. Remillard made a motion to approve the minutes of the February 7, 2023 meeting with the correction. Mr. Bachner seconded the motion. All in favor, the motion carried.

Public Comments

None

Minor Subdivision – Binette Realty Trust, Tax Map 407, Lot 2

Mr. McCue made a motion to accept the application for the subdivision to be complete as submitted. Mr. Noel seconded it. All in favor, the motion carried.

Mr. York reviewed some of the history behind this property. It was originally one piece that was subdivided for Dalton Motor Sports. Mr. Binette is now looking at dividing off the rear piece from the piece that's fronting Route 110. This would make the rear parcel 5.83 acres with access by St. Laurent Lane and a 30-foot access between the two front parcels. The front parcel would become 2.74 acres and shares an access driveway with abutting owner of Dalton Motor Sports. Necessary State permits are being sought. There was some discussion among the Board Members concerning the wetlands, permitting and frontage.

Chair Langlois recessed the Planning Board meeting at 6:41pm and opened the Public meeting. There were no public comments. Chair Langlois closed the Public meeting and resumed the Planning Board meeting at 6:41pm.

Mr. McCue asked whether making a motion to accept the subdivision would be precedent or subsequent of State approval. Ms. Laflamme said the subdivision would not be filed until Mr. Binette gets the Dept. of Environmental Services approval first.

Ms. Remillard made a motion to approve the subdivision conditional on the State Subdivision Approval and any necessary permits obtained. Mr. McCue seconded the approval. All in favor, the motion carried.

Mr. McCue made a motion to approve Ms. Langlois to sign the final plan as a representative of the Planning Board. Ms. Remillard seconded the motion. All in favor, motion carried.

Board members discussed the application to create Findings of Fact as follows:

- If this subdivision wasn't approved it could impede on future development.
- It will create two new legally conforming lots in a commercial zone.
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Mr. Bachner made a motion to approve the Findings of Fact. Mr. Valliere seconded it. All in favor, the motion carried.

Lot Merger, Steven and Lisa Vien Rev. Trust, Map 131 Lots 34, 26 and 27, and Map 130 Lot 209

Ms. Laflamme shared a map and explained the two small lots labeled 2 and 3 were recently purchased from the City and are in the middle of their larger lot labeled lot 1. They would also like to merge the lot labeled 4 which is closest to Hillsboro Street. All lots would be merged into Map 131, Lot 34.

Ms. Remillard made a motion to accept the lot merger. Mr. Bachner seconded it. All in favor, the motion carried.

Board members discussed the application to create Findings of Fact as follows:

- The lots are all adjacent.
- There is no street access to the two recently purchased interior lots.
- All four lots are in common ownership.
- The Zoning Ordinance supports the merger.

Mr. McCue made a motion to approve the Findings of Fact. Mr. Bachner seconded it. All in favor, the motion carried.

Zoning Ordinance discussion – Manufactured Housing Chapter

Ms. Laflamme reviewed the ordinance proposal as noted below.

Article XII

Manufactured Housing

Sec. 17-122 Manufactured Housing Standards

- 1) Manufactured housing is allowed within the City of Berlin ~~only in manufactured housing subdivisions and manufactured housing parks.~~ **on any lot that allows single family dwellings.**
- 2) All manufactured housing units sited in the City of Berlin must comply ~~with BOCA and current FHA manufactured home standards~~ **current HUD Manufactured Home Construction and Safety Standards and be affixed to a permanent foundation.**

The Manufactured Housing Definition in Zoning Definitions will be changed to:

Manufactured homes are homes built as dwelling units of at least 320 square feet in size with a permanent chassis to assure the initial and continued transportability of the home. All transportable sections of manufactured homes built in the US after June 15, 1976 must contain a certification label (commonly referred to as a HUD tag) on the home. The label is the manufacturer's certification that the home section is built in accordance with HUD's Manufactured Home Construction and Safety Standards (the Standards). The Standards cover Body and Frame Requirements, Thermal Protection, Plumbing, Electrical, Fire Safety, and other aspects of the home. The Standards are published in the Code of Federal Regulations under 24 CFR Part 3280. (From HUD.GOV)

Mr. McCue asked if we had current regulations for Modular Homes. Ms. Laflamme said those are considered stick-built homes.

Ms. Barrette asked about the definition which give a year of 1976 and after and if we have to use that specific date. Ms. Laflamme said it's per HUD Home Construction and Safety Standards.

There was more discussion among the board members concerning the need to require a permanent foundation, the deeds of manufactured homes and current lot sizes.

Mr. Bachner made a motion to support moving forward the recommendations to the City Council for changing Section 17-122 of the Zoning Ordinance and to update the Definition of Manufactured Housing in the Zoning Ordinance. Mr. McCue seconded it. All in favor, the motion carried.

Other:

None

Public Comments:

None

Member Comments

Ms. Remillard asked for clarification of how paper streets are dealt with in the City. She wanted to know if they can be sold to abutters. Ms. Laflamme explained some of the history as to why some of our streets are on the maps which appear to be paper streets yet they will probably never be developed due to the mountainous terrain. Each paper street has to

be looked into individually as to whether there was an agreement made amongst the abutters. The City does not actually own the paper streets but they can give up City rights to develop the paper streets. The City also would not issue a building permit on the portion that was a paper street.

Mr. McCue asked about the greenhouse project. Ms. Laflamme said they are moving forward to start construction this summer.

Mr. McCue shared that Ms. Laflamme did a great job in her presentation at the COOS Economic Development Corporation on Building Businesses. There is a recording of the presentation available.

Planner Comments and Project Updates

Ms. Laflamme wanted to share something she has discussed with others at her recent presentation. Before a meeting begins, some Boards have introduced their members to any applicants or members of the public and given a synopsis of the process for the application. This was thought to be a good idea among the Board Members.

Ms. Laflamme is submitting the water and sewer extension for Route 110 project. As this is congressionally directed spending she is working with Congresswoman Kuster and Senator Shaheen's office. The City is applying for Engineering and Construction funding.

Ms. Laflamme is working through the RAISE Grant agreement. There has been discussion around putting in heating connections to each downtown property which requires different funding resources. The water would have to be hotter than originally intended and the Burgess Biomass is working on their own funding to design the system to do so. If any of the owners are interested in getting these connections they can give Ms. Laflamme their email addresses for periodic updates. Construction will not likely until 2025 and will have to be done so that Pleasant and Main Streets would not be closed at the same time. Notices will go to merchants on a regular basis for updates on construction.

Ms. Laflamme is working on City owned land sales to abutters.

Adjournment

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

The Planning Board meeting ended at 7:40 pm.