

June 9, 2020
Planning Board
VIA Zoom

Present were: Regular Members: Tom McCue, Lori Langlois, Naomi Levesque, Christina Lefebvre and **Alternate Members:** Richard Cassidy, Suzanne Wasileski and Anthony Valliere
Ex-Officio Members: Lucie Remillard and Lise Barrette

Excused were: Lane Strahan, Helene Rayborn, Christina Lefebvre, and Brian Valerino

Others Present: Pamela Laflamme, Community Development Director; Michel Salek, Code Enforcement Officer; Barbara Tetreault, Berlin Sun

Call to Order

The meeting was called to order at 6:30 PM.

Chair McCue read the following statement:

As Chair of the Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means: We are utilizing Zoom for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 646-558-8656 and meeting ID 892 9414 9424, or on city's website www.berlinnh.gov.
- b) Providing public notice of the necessary information for accessing the meeting: We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Board at www.berlinnh.gov.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem, please call 752-8587 or email at plaflamme@berlinnh.gov
- d) Adjourning the meeting if the public is unable to access the meeting: In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

A Roll Call was taken:

Reg. Member Tom McCue – In attendance, nobody else in room
Reg. Member Lori Langlois –In attendance, nobody else in room
Reg. Member Naomi Levesque – In attendance, nobody else in room
Alternate Member Richard Cassidy – In attendance, nobody else in room
Alternate Member Suzanne Wasileski – In attendance, nobody else in room
Ex-Officio Member Lucie Remillard –In attendance, nobody else in room
Ex-Officio Member Lise Barrette –In attendance, nobody else in room

Public Comments

None

Approval of May 2020 minutes

Mr. McCue noted an error on page 3, paragraph 3, the statement should be corrected to ‘...inquire whether there were any public comments’. Also on page 4, under member comments, 2nd paragraph, there is a missing word ‘is’.

Ms. Remillard made a motion to approve the minutes of the May, 2020 meeting as amended. Ms. Levesque seconded the motion. All were in favor. The motion carried by roll call vote: McCue –Aye, Langlois – Aye, Levesque – Aye, Remillard – Aye, Barrette – Aye.

Site Plan Review – Timberland Adventures Inc., Tax Map 407 Lot 15 (continued from February 4, 2020 meeting)

The Site Plan Review is not ready to proceed at this time and is being tabled. This is the official Public Notice for a continuance until the July 7th, 2020 meeting at 6:30pm. No notice will be mailed or published, this is an official notice of record.

Minor Boundary Line Adjustment – State of NH/White Mountains community College, Tax Map139, Lots 3 and 5

This Boundary Line Adjustment is not ready at this time and is being tabled. This is the official Public Notice for a continuance until the July 7th, 2020 meeting at 6:30pm. No notice will be mailed or published, this is an official notice of record.

Camping/Campgrounds/RV use discussion

The topic of RV use for camping and campgrounds has been brought up the City Council and several community members recently. The current ordinance for dry camping was originally created for ATV Festivals to address an immediate need of RV dry camping space. Many people were allowing others to camp on their property without a charge which didn’t classify them as a campground. The regulations say that everyone is allowed to have dry camping 7 days a year. This made it work for the ATV Festivals because they only involved a few weekends.

Some issues have come up since then were when some people have been allowing multiple RV’s on their lawn for dry camping. Residents are complaining that these people stay up late and they are loud. There was even an issue of someone living in their RV all summer long. There was discussion around an example of two properties near to the river where people have looked into purchasing in order to put an RV on it during the summer. When people begin doing these things waste disposal and clean water become an issue.

Mr. McCue asked about where it say “all parcels have to have a primary use before an accessory use”. This has been part of our ordinance for a very long time.

Ms. Remillard wanted clarification on the 7 days of allowing an RV on a property as to whether it’s the property owner or the RV owner. The rule is for the property owner.

One problem with the current ordinance on the books that was created for the ATV Festivals is that it is not enforced. We do not have code staff during weekends when most complaints are happening and the Police Department will not enforce said ordinance. Ms. Laflamme asked for everyone’s opinion as to whether the planning board should allow one RV on a property for a certain number of days, or if there were any other ideas. It was also pointed out that the current ordinance is a City Council ordinance and it was never placed in the Zoning Ordinance.

There was some discussion brought up by Ms. Langlois as to whether we should require water and septic to be on the vacant land. If it was required then issues can happen in flood zones where septic isn’t allowed. If someone were to have septic and water, then it’s a buildable property, a rule allowing an RV should be set up as a temporary situation. There was also a concern about where these people would dump their septic waste and whether they just might dump it in the river.

Ms. Remillard suggested that we allow 7 days per year to have an RV on a property but if there are more than three disturbances then they shouldn’t be allowed to do it anymore. It was also noted that if we begin to allow everyone the ability to do this, we will get pushback from the proposed campgrounds in our city. There has already been some pushback from them.

Discussion ensued around a lot size requirement, how many lots an owner can do this on, zoning, how to enforce a 7 day rule, the primary accessory use rule, keeping our waters clean and the enforcement of any rules we create. Ms. Laflamme says she is waiting on the DES who are supposed to send her their opinion on dry camping.

Mr. McCue brought up that unincorporated places like Success Pond and Little Berlin have some of the same issues we are having and this might be a good place to look into.

Lot Mergers

David and Marlana Buzzell, 486 Burgess Street, Map 130, Lots 254 and 255

Mr. McCue stated that although he has had a connection with the applicants there are no legal reasons to recuse himself for this lot merger. Mr. and Mrs. Buzzell has recently purchased an adjacent lot from the City with a requirement by the City Council that they merge it with their current lot which would create a 100 x 100 lot. The application was reviewed with the attached drawing.

Ms. Remillard made a motion to grant the merging of Lots 254 and 255. Ms. Levesque seconded the motion. The motion carried by roll call vote: McCue –Aye, Langlois – Aye, Levesque – Aye, Remillard – Aye, Barrette – Aye.

Caren DaMocogno, 607 Fourth Avenue, Map 110 Lots 40 and 41

Ms. DaMocogno bought an adjacent vacant lot from the city with a requirement by the City Council that they merge it with their current lot which would create a 50 x 100 lot. The application was reviewed with the attached drawing.

Ms. Langlois made a motion to grant the merging of Lots 40 and 41. Ms. Barrette seconded the motion. The motion carried by roll call vote: McCue – Aye, Langlois – Aye, Levesque – Aye, Remillard – Aye, Barrette – Aye.

Alva and Giselle McKenzie, 125 Jericho Road, Map 106 Lots 16 and 17

Mr. and Mrs. McKenzie have recently bought an adjacent lot and now would like to merge their two lots to have a larger lawn area. The application was reviewed.

Ms. Remillard made a motion to grant the merging of Lots 16 and 17. Ms. Levesque seconded the motion. The motion carried by roll call vote: McCue – Aye, Langlois – Aye, Levesque – Aye, Remillard – Aye, Barrette – Aye.

Project Updates

The Census 2020 efforts have started going door to door. Some people have thought that if you previously filled it out online then nobody would visit your house, but the census workers are delivering bags on all the doors. There will be a bigger push with more training in August to reach their goals.

There will be a lot of online webinars available this summer for everyone. Ms. Laflamme will forward the links to everyone.

Other

Ms. Laflamme informed everyone that Helene Rayborn has resigned from the planning board because she is now living in Florida, she sends her regards. She was a regular member until April 2022. Alternates will be asked if they would like to become regular members.

Ms. Langlois asked about the Riverwalk. Ms. Laflamme says that Jay Poulin has been trying to get an ok to move forward this summer from the DOT but they are currently not responding.

Mr. Cassidy asked about the Main Street Downtown project. Ms. Laflamme says that the project was submitted in May and they don't expect to hear back until late summer.

Ms. Levesque asked about an update for the Brown School building. Ms. Laflamme says she is waiting on Fred Dambrie to come back with a new proposal. He is possibly going to do the construction in phases.

Ms. Levesque asked about the property near the Twelfth St Bridge that is supposed to be for storage because she has noticed some porta-potties on it. Ms. Laflamme says she has actually been looking at their site plan and it states that it's for storage of RV's, containers, etc. It is stated that any changes in the use of the property does require future site plan approval. Ms. Levesque also noted that there is a stream that goes between the property and the Twelfth St Bridge and right now there is a pile of wood chips right along that area at the edge of the river which could be in danger of falling in the river. This will also be looked at.

Public Comments

None

Member Comments

Mr. McCue shared that there is a meeting for the Chlor Alkali Superfund Site Wednesday. They are looking for feedback from people. Ms. Laflamme said that the city will be giving them feedback Wednesday before the meeting.

Planner Comments

Ms. Laflamme says they are currently working to try to hold future meetings in person. They just had a meeting in the auditorium which didn't work so well acoustically and now they are looking at the council chambers.

Adjournment

There being no further business to come before the board, Ms. Remillard made a motion to adjourn, seconded by Ms. Levesque. The motion carried by roll call vote: McCue –Aye, Langlois – Aye, Levesque – Aye, Remillard – Aye, Barrette – Aye.

Respectfully submitted,
Lise Barrette

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