

## **October 3, 2017 Planning Board**

**Present were:** Regular Members Tom McCue, Greg Estrella, Aline Boucher, Richard Cassidy Ex-Officio Member Jen Myers, Naomi Levesque

Ex-officio member Lucie Remillard and Helene Rayborn were excused for the evening.

**Others Present:** Pamela Laflamme, Community Development Director; Michel Salek, City Building Inspector

**Public Comments** – No one spoke

### **Approval of September Minutes**

Ms. Boucher moved to accept the September minutes as written with a second from Mr. Estrella. So moved, the motion carried.

### **Zoning Discussions**

Ms. Laflamme recapped what was discussed at last month's meeting. Copies of Section V of the City's Chapter 9 Licensing Ordinance were handed out. Ms. Laflamme went over Peddler's Ordinance, stating that she thought there were some things the board could utilize. State statute defines a *Peddler*, Ms. Laflamme read the definition and there was discussion regarding the definition and how it did/did not apply to the proposed use. After discussion it was decided that perhaps nothing in the ordinance fit very well. It was noted that the *Application process* could be helpful, as well as the *License conditions* to do a Special Use Permit and setting things up like special conditions. It was mentioned that Ms. Remillard, the City Council's representative on the Board, asked the board to consider whether or not they wanted to allow such a proposal, even if the City's Ordinance could help give some structure to such a use.

Mr. McCue asked about the State of New Hampshire license that is mentioned in the ordinance. He stated that while the Zoning and Planning Boards could regulate the owner, how much the vendors could be regulated. There was discussion regarding structuring the use enough that it would look something like the community market in Berlin, but with food vendors there seven days a week with access to what they need (i.e. hot water).

Ms. Laflamme noted that we did not have a full board for comment and encouraged members to look over the information provided. She is continuing to do research to see if other communities allow for such a use and if so how they allow it. The discussion will be continued at next month's meeting.

### **Municipal Law Lecture Updates**

Mr. McCue gave a summary of the classes that were presented. Some major points he highlighted were that applicants can end up dealing with many as many as seven or eight agencies when they decide to start digging. There is now a move to try and combine some of these agencies for permitting purposes and make it like a one stop shop.

There was discussion of municipalities being a part of the permitting process as they have a certain amount of authority. It is important for Planning and Zoning Boards to follow along and make sure other approvals are being met when allowing Alteration of Terrain Permits.

Mr. McCue also went over when there should be a full board to hear certain matters and when you can have a quorum and not a full board. When passing a major change, it should be voted on by complete board. Things like site plan review you may only need a quorum. Roll call votes need to be done if you have a member who isn't physically present. The Planning Board must meet monthly. He encouraged members to read their Planning Board Handbook.

### **Project Updates**

Chlor-alkali – Georgia Pacific acquired the site and has done a lot of research. They hired Kennedy Jenks for the project. It seems that the elemental mercury seeping from the cell house property is less than they thought and some parts of the property could be used in the future. Implementation of remediation is set to start in 2020, however there needs to be money to do this. The last clean up similar to this was in the \$50 million range. The soil that is removed will be taken to Canada, the cost is in the transportation. They are hoping to be back here for another public hearing next October to update on progress.

10 Year Plan Update - The Department of Transportation has come up with some projects like red listed bridges and road upgrades to work on.

Department of Transportation – The City of Berlin has been an interested party in the Conway Bypass. Of the three phases, the first two have been done. The status of the Madison bypass is now in question and they are deciding if they will go through with the third phase. There is a meeting October 11 at Kennett Middle School and the City of Berlin Planning Board is invited.

Route 16 – The project is wrapping up. We are just a couple weeks from the final course of paving. Quite a bit of paving will be done Wednesday and Thursday including the Twelfth Street intersection. The trees, sidewalks, and pavers are coming together nicely. Ms. Laflamme encouraged members to head out to look at the finished product.

Riverwalk Project – The City selected HEB Engineers. They will start with design work in fall and over the winter.

Skate Park – Bid proposals are due next Friday.

Heated Streets – Request for Qualifications will be going out soon.

Welcome Sign – Syliva Poulin will wait until the spring to install and do a ribbon cutting. The engineer will put the package together over winter, getting price quotes over winter (better pricing) and the sign will go in spring.

New Flag Pole – Is here, just waiting to be installed.

Citizens Academy – will be Wednesday October 18 at the Waste Water Treatment Plant. There will be a tour and presentation of upgrades, equipment and the process. On October 25 it will be at the Fire Department and they will be serving firehouse fries. November 1 will be Candidates night. Citizens will have a chance to talk to those running for Mayor, City Council and the School Board.

The City Election is on the first Tuesday of the month, there will be no Planning Board that night. The next meeting will be on November 14.

SUAV – There will be a 10K run on October 21 from Berlin to Gorham Common. All proceeds will be split, going to Berlin High School and Gorham Middle High School. SUAV provides kids and families with alternative activities that are drug free.

**Other** – No one spoke

**Public Comments** – No one spoke

### **Member Comments**

Mr. Estrella said he appreciates the work being done Route 16. He asked if the City was planning to put up a No Pets Allowed sign as people are out walking their dogs on the new landscaping. There was discussion of installing a dog waste station in that area.

Mr. Estrella also inquired if there was money in the budget to replace the missing trees. Ms. Laflamme explained that Eversource had removed trees because they were growing at a rate that was not anticipated. They did promise to replace with a shrub, they want something that will grow out not up. This prompted thoughtful discussion of the new trees along Route 16.

Regarding the Chlor-alkali, Mr. Estrella wondered if there had been any discussion regarding fixing or correcting the road in that area.

The building at 255 Main Street is currently being used for storage purposes for the Fire Department. The roof is getting repaired by Public Works.

Mr. McCue pointed out that the Planning Board has been making the Berlin Daily Sun regularly, most recently regarding the proposed open air market and greenhouse project.

He also inquired about the police situation with the possibility of Berlin entering into a contract with the Town of Gorham. Mr. McCue felt like the public had not been well informed. Ms. Laflamme will see if there are any public hearings scheduled.

The new Fire Chief will not start until after the first of the year. This is based on the SAFER Grant currently funding positions at the Fire Department that requires a certain number of firefighters.

**Planner Comments – None**

There being no further business to come before the Board, Mr. Cassidy moved to adjourn; Ms. Boucher seconded and the motion carried. The meeting ended at 8:01 pm

Jen Myers  
Administrative Clerk