

March 1, 2016
Planning Board

Members Present: Chair Ernie Alain, Regular Members, Greg Estrella, Martha Creegan, Mark Evans, Tom McCue, Alternate Members Richard Cassidy and John White

Members Excused: Lucie Remillard, Susan Tremblay, Aline Boucher, and Lori Langlois

Others present: John Scarinza, Acting Code Enforcement Officer; Jennifer Myers, Code/Housing Clerk; Pam Laflamme, Community Development Director,

Public Comments – there were no comments

Approval of February Minutes

Mr. Evans moved to approve with a second from Mr. Estrella to approve the February 2, 2016 minutes. So moved, the motion carried.

Site Plan Review – Conceptual Consultation – Map 136 Lot 28/Thibodeau

Ms. Laflamme read the definition of conceptual consultation aloud. Mr. and Mrs. Thibodeau gave the following update on their project. Currently the property is being used for storage and they will be utilizing the current poles for billboard signage. Future plans include continued use as storage for their container business and renting out spaces to others for use as storage. Mr. Thibodeau's plan is to leave his trucks at the lot, plugged in on his company's dime, not at his home. When discussing the location (Hutchins St where Nicoletti Memorial previously was), mention of the gate on the property came up. The gate must remain open as it is on property owned by Verizon. The Thibodeaus have already put in a street light. Electricity is planned to be installed this spring. Once electricity is installed, the Thibodeaus will make billboard signage area available for rent to other businesses. Ms. Laflamme stated the fact that ordinance allows only a certain allotment of signage per business and that they will need to keep that in mind if they are going to use the bulletin board space. The Thibodeaus replied that they will not be putting up any of their own signage, they will only use the signage space to rent out for income. The Thibodeaus will only use the two existing poles on the property and there will only be one bulletin board.

Ms. Laflamme inquired whether or not they are planning fencing in the property. The Thibodeaus plan to in the future but it will require them to raise funds, as they have exhausted what they had on the improvements that have already been made to the property. Ms. Laflamme stated that trees could be used for screening or landscaping is an option to create a natural barrier instead of actual fencing. Ms. Laflamme asked where will the Thibodeaus have signs, lights, a building site? The Thibodeaus answered that they will definitely not put a building on this particular property. They also do not plan to put in any other driveways, they will only use the existing drive off Hutchins. There are currently drives to enter the property off of Hutchins and off of 12th Street.

Mr. Thibodeau inquired whether or not they could bury the existing drainage hole. Mr. Allain replied that that would not be possible as it is drainage for the hospital. It is large and Department of Environmental Services would likely not okay it.

Mr. Thibodeau also stated that a second light pole is being put in and will be on a switch for use for his trucks. As for lighting the billboard, there is already a pole with lights. He will just need to run power to it. Ms. Thibodeau remarked on the current physical condition of the property. She stated that it does look raggedy due to a renter who left too much stuff in his allotted space and it overtook the area. It will be cleaned up and that renter won't be allowed to rent there again.

Mr. Scarinza asked what exactly is required for the Thibodeaus' site plan. Ms. Laflamme listed: placement of buildings, lights, signage, easements, and landscaping. The Thibodeaus replied that they have had 3 surveys done. Ms. Laflamme stated that it could be more cost effective to just work with what they already have instead of getting a 4th survey done.

Mr. Thibodeau plans to keep no more than 3 of his container trucks parked at the property at one time, this would also include the dumpster containers. There will be no work will done on the trucks at this site, they have a garage specifically for that at another location in town. This property/lot will strictly be for storage.

Mr. Thibodeau inquired if he could put an ice skating rink on the property during the winter. Ms. Laflamme suggested that he speak to an attorney regarding liability issues. Ms. Thibodeau asked if it would be allowed for personal use. Ms. Laflamme answered that it could.

Ms. Creegan questioned if lighting and landscaping should be included on the site plan. Ms. Laflamme answered that the Thibodeaus should include everything on their site plan.

Mr. Scarinza inquired if the board had a recommended time frame for the Thibodeaus to submit their site plan. Ms. Laflamme asked the Thibodeaus when would they want to start storing things at the property. Mr. Thibodeau replied that everything they'd ever store at the property is already there.

Ms. Laflamme noted that the previous owner has been trying to help get the Thibodeaus site plan approved. Also, that as far as requirements and in regards to complexity the one in question is one of the more simple ones. She also mentioned that York Land Services should have everything they need to aid the Thibodeaus in submitting a site plan.

Mr. Evans stated that the Planning Board had accepted a site plan that wasn't formally done for the Crabby Patty's (market/fruit stand). He noted that it was simply a piece of paper drawn on with permanent marker. Ms. Creegan replied that for that particular property, there was no change of use per zoning ordinance. McCue stated that in that instance there was no change of use of the property, but a motion had to be formally passed to allow the

use. Mr. Evans replied that if there is a way to save the Thibodeaus some money (like allowing a simpler drawing for a site plan) then the board should look into it.

Mr. McCue referenced the drainage hole mentioned before and inquired whether or not the change of property use that was passed for the Thibodeaus' lot would cause any issues with drainage. He asked Mr. Thibodeau if he planned on to do any more grading to the property. Mr. Thibodeau responded that he would only be bring gravel onto the property to even out the landscape and would not be removing any dirt. Mr. McCue inquired of Ms. Laflamme if this cause any issues with zoning issues with the current zoning ordinance. Ms. Laflamme replied that because the lot was recently changed to Business General (BG) this would be allowed.

In closing, Ms. Laflamme stated that the Planning Board would figure out exactly what formal instrument would be required to approve the use of the Thibodeaus' lot. Mr. McCue advised the Planning Board and the Thibodeaus that when considering waivers of fees and site plans, that he could not encourage anyone to count on getting a waiver. He would suggest footing the cost(s) and going with a more formal plan, therefore not having to worry about coming back to the Planning Board due to lack of information.

Ms. Creegan inquired if the time frame for submittal is up to the owners. Ms. Laflamme responded that it would be preferable to have it done by summer. In other words, the Board should not plan it coming up at the April meeting.

Site Plan Regulations-Update Review

Ms. Laflamme referenced the "working RSAs" (Site Plan Review Regulations) which were distributed in the meeting packet. She noted that Jen Myers had gone through the document and verified all the old RSA's and whether they were current or if changes had been made. Ms. Laflamme stated that the Coos County Registry of Deeds no longer registers site plans due to the amount of space required for storage. Ms. Laflamme asked that all members review the updated version entitled Site Plan Review Regulations for City of Berlin, NH and report any issues they may find. Ms. Laflamme will follow-up with Sue Tremblay to find out exactly what the issue was that she noticed with snow removal as it was listed. A clean version with any and all revisions should be available at April's meeting. At that time, a formal public hearing will be announced and the board will vote whether or not to accept the updated version. Mr. Evans inquired whether these were guidelines for reviewing a site plan. Ms. Laflamme replied, "Yes."

Ms. Creegan referenced the section V.B.3 entitled Application Fees and inquired if these were for site plans requested by the board. If that is the case, then would the board be able to waive those fees for the Thibodeau's to help lessen their costs associated with the project. Richard Cassidy stated that if the board waived the fees for the Thibodeau's, then it would set a precedence. Ms. Creegan followed with that perhaps the board should delete Regulation V.B.3e allowing the board to waive fees for a Site Plan Review Application that is initiated by the Planning Board. Ms. Laflamme brought up the windmill farm as an example, stating that in the scope of their project, Planning Board requirements were the

least of their costs. Referencing the Thibodeau's project and fees associated with the site plan review, she stated that the Thibodeau's sought a use that wasn't allowed per City Ordinances at the time they bought the property. The planning board chose to change the zoning of that property to help them at their request. She questioned whether it would be special treatment if the board continued to go out of their way to accommodate the Thibodeaus. Any board members with questions should contact Ms. Laflamme.

Signage Discussion

Ms. Laflamme explained that she'd asked Ms. Myers to look at several different communities', similar in size to Berlin, regulations for Electronic Message Centers (ECM). Referencing the Sign Ordinances of Laconia, NH Ms. Laflamme relayed that she chose it due to its simplicity and specifications in regards to electronic signage. In addition, the language used are words we already have in the current City Ordinance. She will be meeting with someone who deals specifically with signs to see if specific signs of question around the city would actually meet the new proposed ordinance. She asked that all planning board members take notice of signs while driving around and aide in putting together verbiage that would be easy and short for interpretation.

Mr. McCue inquired whether the Verizon business sign on Route 16 would meet these new guidelines. Ms. Laflamme's response was, "Probably not." The goal is to come up with guidelines that would allow something that is not obnoxious but is modern and cool while utilizing lights. The proposed verbiage regarding ECM and lighted signs will continue to be worked on and hopefully there will be a at the April's meeting.

Mark Evans stated that it would be nice to have the Verizon sign conform to the new ordinance. He also relayed that the Verizon sign would be at the upper end of what he'd like to see allowed under the new ordinance.

Martha Creegan asked about the brightness levels of lighted signs and if the current City Ordinance calls for limits. Ms. Laflamme replied that there are currently limits set for brightness. However, it is very subjective and the new verbiage can be given to the sign maker as specifications that will comply. Mr. Cassidy inquired if the brightness levels referenced background color on the sign. Remarks were made regarding the sign brightness of Mr. Pizza in Gorham.

Mr. McCue remarked that with technology, we are now seeing large computer monitors that are being used as signs. Ms. Laflamme stated that signs inside a business have different regulations than the exterior signs that would fall under the proposed ECM ordinance, but that there may be a need to look into regulations for computer monitors used as signs in business windows. Mr. McCue mentioned that the old fashioned style light and Exit Realty causes an issue with glare when he drives by in the dark due to the flood light used to light the sign. John Scarinza, Berlin's Code Enforcement Officer noted that the issue could be corrected by the City and that he would look into the situation.

Accessory Dwelling Units

Ms. Laflamme reviewed the Senate Bill 146 hand-out with the following statements. This law won't take effect until June 2017, this gives the Planning Board time to decide when will adopt it. The law references the fact that there is a growing need for more diverse, affordable housing for residents of NH. The state is now allowing the use of an accessory dwelling unit in any zone. Asking Mr. McCue, "Does that mean we will no longer have a single family zone?" Mr. McCue's response, If a city or town wants to adopt this bill they now have the authority to do it (allow the accessory dwelling units). The only place this is really applicable is single family zones. There is a company now promoting building essentially a garden shed. Mr. McCue stated that something to keep in mind is that this allowance is great to accommodate today's aging population but what will happen when the Gen-X and Gen-Y population is left with all of these extra buildings. More conversation ensued about what problems this allowance could present for zoning and other city departments. This will come back to the Planning Board later this year.

Project Updates

Ms. Laflamme gave updates on the following:

The spring zoning conference presented by the Office of Energy and Planning on April 23rd in Concord has been cancelled.

Bartlett School is making significant progress. The property owners had an open house and are hoping to have tenants moving in soon.

Bass Shoe/Route 110 Project – Mr. Chapman is making significant progress and the main building is being demolished. The property owners have changed the project site plan again and when they figure out the end use, they will come in for a site plan.

Food Cooperative project—The Steering Committee holds a meeting at WREN on the third Wednesday of each month. For anyone interested in volunteering, there are several subcommittees that are in need of participation.

City Riverwalk—The City Planning Department will be applying for another grant opportunity for the proposed Riverwalk. Ms. Laflamme has been asked to resubmit her application that wasn't approved last year for the Northern Borders Grant.

The Route 16 project—Work will start this summer. HEB has hired Ernie Allain as the Clerk of the Works to monitor the project and keep it on track.

Route 110-DOT and the contractor will be finishing up punch list items for completion.

Other Business

Ms. Laflamme shared that Mr. Evans and Ms. Creegan's membership is up in April. Mr. Evans replied that he will be retiring from the board and will not renew his membership. Ms. Laflamme reminded him that he will then only need to attend April's meeting. Ms. Creegan asked for 24 hours to make her decision and wanted to know how many years the membership would be active. Ms. Laflamme replied that 24 hours was acceptable to give notice and that the membership would be for a 3 year term.

Public Comments

Barbara Tetreault from the Berlin Daily Sun stated, "Counselor Rozek mentioned that they logged the private land by Jasper. Would the city consider joining this land with the Jasper Trail? Ms. Laflamme replied that for an answer, Ms. Tetreault would need to speak Sally Manikian. The Planning Board could propose it as an idea but the present owners will probably not donate the land, they will probably want someone to buy it. Ms. Tetreault inquired whether the site is 140 acres. Ms. Laflamme answered that it is 140 acres and that the company in charge of the project is selling the land and perhaps maybe someone would want to develop into a subdivision like Grandview Meadows. Their use of the property is complete.

Member Comments

Mr. McCue brought up the following events: UNH will be presenting Saving Special Places 2016 on Saturday, April 9 at Prospect Mountain High School in Alton. North Country Council is holding a drop-in office hours on Wednesday, March 23 from noon-3pm at City Hall in Berlin. This is a meet and greet for volunteers and staff to discuss community issues. The Site Evaluation Committee will be meeting on Monday, March 7 regarding the Northern Pass in Colebrook.

Planner Comments – There were no comments

There being no further business to come before the Board, Mr. Evans moved to adjourn; Mr. Cassidy seconded and the motion carried. The meeting ended at 8:05 p.m.

Jen Myers
Code Enforcement Admin Clerk