

**November 4, 2020
Planning Board
VIA Zoom**

Present were: Regular Members: Tom McCue, Lori Langlois, Christina Lefebvre, Naomi Levesque, Lane Strahan, Suzanne Wasileski; Ex-Officio members Lucie Remillard and Lise Barrette; Alternate Members: Richard Cassidy.

Excused were Regular Member Brian Valerino; and Alternate Member Anthony Valliere.

Others Present: Pamela Laflamme, Community Development Director; Burke York, York Land Services; Mike Caron, 86 Bemis Street; Steve Whitman and Liz Kelly of Resilience Planning and Design LLC; and Barbara Tetreault, Berlin Daily Sun.

Call to Order

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

Chair Mr. 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:

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, meeting ID 832 5268 5046, Passcode #310503, or by clicking on the Planning Board agenda on the City's website, www.berlinnh.gov.

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.

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.

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 – Present and alone

Reg. Member Loris Langlois—Present and alone

Reg. Member Christina Lefebvre – Present and alone

Reg. Member Naomi Levesque – Present and alone

Reg. Member Lane Strahan - Present and alone

Reg. Member Suzanne Wasileski – Present and alone

Ex-Officio Member Lucie Remillard – Present and alone

Ex-Officio Member Lise Barrette – Present and alone

Alternate Member Richard Cassidy – Present and alone

Mr. McCue appointed Mr. Cassidy an alternate member to take place of absent member Mr. Valerino for this meeting.

Public Comments

None

Approval of July 2020 minutes

Ms. Remillard made a motion to approve the minutes of the September 2020 meeting as presented. Ms. Langlois seconded the motion. So moved, the motion passed by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

Meet & Greet with Resilience Planning & Design LLC –Consultants for the Master Plan Revision Project

Steve Whitman and Liz Kelly of Resilience Planning and Design LLC introduced themselves. They have been contracted to work on the new Master Plan. They are based out of Plymouth and Mr. Whitman has had experience working with the City as an employee of a different company. Mr. Whitman will be the project manager, and Ms. Kelly will be our main point of contact. Ms. Laflamme mentioned that in 2010 we had a committee set up to work on the Master Plan made of city councilors, BIDPA members, and members of the public. It is planned to also invite others to be part of a committee for this 2020 Master Plan.

Site Plan Review – Timberland Adventures Inc., Tax Map 407 Lot 15 (continued from September 1, 2020 meeting)

The Site Plan Review is not ready at this time and is being tabled. This is the official Public Notice for a continuance until the December 1, 2020 meeting at 6:30pm. No notice will be mailed or published, this is an official notice of record.

Common Driveway Subdivision– Mike & Elena Caron, Tax Map 135 Lot 73

Burke York pointed out that the plan for the new and existing lot(s) aren't going to change except for the actual shared driveway. In light of new circumstances, Ms. Laflamme made the following recommendation: a waiver of an actual built driveway; while understanding that this is indeed a Common Driveway Subdivision which is being utilized due its large acreage and small amount of existing street frontage, this parcel was originally permitted to be a much larger subdivision back in the late 1980s – thus the existing easements for sewer and drainage and the existing water line which has already been installed and its accompanying easement. With lot 73.3 having existing street frontage along Bemis Street and water & sewer available right at the street, there are in actuality only two lots that will need access from a Common Driveway but due to the layout and unique situation in that it unlike other previously permitted & approved subdivisions under this provision, it has access at both Wood and Bemis Streets – Ms. Laflamme stated that she feels it is entirely appropriate to keep all easements, including one for a Common Driveway (in the event future development is ever proposed beyond this currently proposed layout). With that in mind and it seeming likely that lots 73.2 and 73 will utilize the closest access points for extending sewer and power, the construction of a road from Wood to Bemis straight through both parcels does not seem practical or the best use of funds that will be needed for sewer and power extensions. Ms. Laflamme also mentioned that creating such a road will invite traffic over private property and be used as a thru street where one is not necessary nor public.

Ms. Laflamme made the following recommendations due to the unique circumstances of this proposed subdivision and its layout and that the Planning Board waive the actual construction of a common driveway and allow for access as follows:

1. A private driveway to be built off the end of Wood for Lot 73.2
2. A private driveway to be built off the end of Bemis for Lot 73 and
3. Lot 73.3 to utilize existing Bemis Street as it currently sits in front of this parcel and as shown on the plan.

The Planning Board then waives this criteria of its subdivision regulations and that this waiver as laid out in the regulations as follows:

- a) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property.

b) The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property.

c) Because of the particular physical surroundings and shape conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience.

d) The waivers will not in any manner vary the provisions of the Zoning Ordinance – and in this case, it does not... in that each lot will still have access to a physical, existing City Street and therefore not create landlocked parcels.

The Planning Board also accepts the subdivision with two conditions:

As noted on the plan – any future subdivision of land of any of the parcels will require a new subdivision that will follow the prevailing regulations in place at the time of application.

Plans for sewer extension shall be submitted as required by the City's Subdivision regulations, Chapter 16 of the City Council Code of Ordinances – Chapter 16 Utilities and any applicable NHDES regulations and standards necessary for development. The cost for such extension and development shall be borne by the developer, either current or future at whatever time it is determined appropriate to take such action.

Mr. McCue made a motion to accept the application complete as submitted. Mr. Cassidy seconded. So moved, the motion passed by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

Mr. McCue opened up the public hearing scheduled for this evening at 7:10pm. No public comments. Public hearing was closed and regular meeting was resumed.

Ms. Remillard made a motion to accept the waivers as recommended by Ms. Laflamme. Mr. Cassidy seconded it. So moved, the motion passed by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

Ms. Wasileski made a motion to approve the subdivision with the aforementioned waivers and the two conditions recommended by Ms. Laflamme. Ms. Langlois seconded it. . So moved, the motion passed by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

Lot Merger- Jun Jun Law-As, 84 Corbin Street, Map 114 Lots 56 & 57

The city has recently sold lot 56 to Mr. Law-As with requirements that both lots be merged with the house lot 57. There are currently no structures on lot 56. Ms. Remillard made a motion to approve the lot merger. Ms. Barrette seconded it. So moved, the motion passed

by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

Zoning Ordinance Amendments Review & Discussion – Bulk Energy Project Language, Amendments to Commercial Solar, Change from Special Exception to Special Use Permit

The Zoning Ordinance Amendment 2020-04 previously sent to council has been passed. The amendment changed energy projects from being heard by a Special Exception with the Zoning Board to being heard as a Special Use Permit with the Planning Board. Zoning Ordinance Amendment 2020-5 will include making solar energy part of the Bulk Energy Projects and will include Rural Residential zone, the Jericho Gateway and Industrial Business areas. This will clean up the Zoning Ordinance for future energy projects.

Project Updates

Ms. Laflamme has submitted an application for a Brownfields grant. At this time we are using North Country Council funds and recently completed Phase II report on the old courthouse which will assist the city in making decisions on how to move forward with the building. Many other properties need to be done in the future.

Ms. Laflamme and Ms. Langlois continue to work on the countywide Broadband Project and look forward to getting more communities on board within the next few weeks.

The signage project is still on Ms. Laflamme's to do list.

There are potential site plans in 2021 which are all in the field of energy.

There is a possible Downtown Incentive project that is in the early stages right now.

Ms. Laflamme and BIDPA are doing work which is a feasibility study around lodging.

Other

None

Public Comments

None

Member Comments

Ms. Remillard shared that the council heard a wonderful presentation the other night from Mr. Luksza on a campground on West Milan Road.

Mr. McCue shared his concerns over how board members comment on social media and cautioned everyone to be careful of anything we may say concerning upcoming projects or anything related to city business.

Mr. Cassidy brought up some concerns from residents at St. Regis over the voting accommodations at St. Anne's Hall. The exit they were required to use was very difficult for

the elderly to navigate. Mr. McCue also mentioned that with all the COVID precautions taken, the exit door handle had to be grabbed by everyone who exited. These concerns will be brought to the City Clerk. Ms. Levesque expressed her thanks to everyone who worked hard and staffed the polls during elections.

Planner Comments

Ms. Laflamme expressed her concerns of a Public Health matter concerning COVID. Our numbers in the community are going up and Monday night there will be a Public Hearing for a proposed mandatory mask ordinance.

Happy Thanksgiving!

Adjournment

There being no further business to come before the board, Mr. Cassidy made a motion to adjourn, seconded by Ms. Lefebvre. So moved, the motion passed by roll call vote: McCue – aye, Langlois – aye, Lefebvre – aye, Levesque – aye, Strahan – aye, Wasileski – aye, Remillard – aye, Cassidy – aye and Barrette – aye.

The meeting ended at 7:45pm.

The next Planning Board meeting will be held on Tuesday December 1, 2020.

Respectfully submitted,

Lise Barrette

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