

Planning Board Minutes

July 2, 2013

Members Present: David Morin, Vice Chair; Martha Creegan, John White, Lori Langlois, Mark Evans, Tom McCue, and Richard Cassidy

Members Excused: Ernie Allain, Sue Tremblay, Lucie Remillard, Greg Estrella, and Aline Boucher

Members Absent: Andre Duchesne

Others Present: Pam Laflamme, Community Development Director; Barbara Tetreault, Berlin Daily Sun; Lynn Lipari; Eric Grenier, Josh McAllister, HEB; Olivia Bealeau, Mike Claflin, AHEAD; Phil Bennett, Alba Architects; Lorraine Leclerc, Eileen Rooney, and Rita Gagnon, Notre Dame Alumni; Edith Tucker, Berlin Reporter; Naomi Levesque; public

Vice Chair Morin acted as chair for the evening in Chair Allain's absence and appointed Lori Langlois, John White, and Richard Cassidy as voting members for the evening.

Public Comments: Agenda clarification from the audience about the order of the agenda.

June Minutes: Mr. Evans made a motion to approve the June minutes, noting Mr. McCue's correction regarding page two of the June minutes, under the Zoning Ordinance discussion, paragraph 5, he indicated he only spoke of the liability issues while he believed Chair Allain spoke of the licensing issues. So noted, the motion with the correction was seconded by Ms. Creegan, all in favor, motion passed.

Site Plan Review – Affordable Homes, Education and Development Inc. (AHEAD): Ms. Laflamme let the board know that the application is complete, noting that the City is still the owner of the property and has a current purchase & sales agreement with AHEAD that allows them the right to obtain this and other approvals for their project. Ms. Creegan, made a motion to accept the application as complete, seconded by Mr. McCue, all members voted in favor, motion passed.

Ms. Bealeau introduced her team to the board. Mr. McAllister, from HEB started the discussion by providing an overview of the project. Thirty three units of housing are proposed (by our zoning ordinance, the permitted uses are sheltered care facility for the zone and convalescent home for the parking designation). The site is largely surround by residential properties and has significant topographic challenges. Mr. McAllister spent time explaining the access changes and the surrounding streets that provide access both current and proposed.

There will be 33 parking spaces on the property, more than covering the spaces required by the City's zoning ordinance as well as more than necessary ADA spaces. The parking lots are on the south and north side of the building. There will be space for pickup and

drop off for public transit. There will be a need for multiple retaining walls, building new ones and reusing current ones if they are structurally sound. This is necessary for the topographic challenges associated with the property.

The pellet storage will now be inside the building in the basement level as opposed to outside as previously discussed. The drainage for the property will be the same post project construction as the current pre construction conditions. The roof drain system will be transferred to the sewer system as recommended by Public Works Director Mike Perreault. There will be a new sewer main for the project, and reuse of a current drain.

The site will be lit but there will not be any significant offsite spillage of lighting onto surrounding properties. The cooling tower proposed for the building will now be only 12 feet tall and no longer needs a special exception from the Zoning Board. Mr. Bennett noted there will be a slight change to the footprint of the building as the elevator will be built as an extension of the building as it could not be fit inside the current layout of the building.

Vice Chair Morin opened the public hearing at 6:50PM.

Ms. Tetreault asked for clarification on the pellet storage. Mr. McAllister stated the storage will now indeed be indoors not outdoors as originally proposed. Ms. Tucker asked how many floors the elevator serves. Mr. Bennett answered all 4 floors or levels. It is not even because of the way the additions were constructed, it is almost like there are five levels but the entire facility will be ADA accessible. He was then asked about whether there would be any common rooms to which he replied there will be a common dining area and that the Chapel will be a secondary common space, possibly a community space mainly for residents, but perhaps for the community at large.

Someone asked about the zoning terms that had been used - sheltered care facilities and convalescent homes. Ms. Laflamme provided clarification of the definitions and noted the confusion was a product of the zoning ordinance using conflicting terms.

Ms. Tucker asked AHEAD about who can live there. Ms. Bealeu replied that the residents will be income restricted and will pay 30% of their income. The rest of the building is subsidized. Each unit will be a one bedroom apartment with a kitchen. There will be about 20 units that will have perpetual waivers/vouchers which are for the frail population according to AHEAD staff. There will be an assessment coordinator who will determine the level of needed services. Personal Touch, a local business will be working with AHEAD to provide onsite services.

Ms. Tetreault asked about the determination of who gets vouchers and was told that the residents have to qualify physically which is specific to property and tied to the grants that are being received for the project. The Notre Dame project will always have this type of support.

Chair Morin asked for any site specific site plan questions from the public, there were no more, public hearing was closed at 6:56PM

Board Discussion:

Mr. McCue raised traffic and safety items/concerns. He explained he is very pleased with the project and what it will do for the neighborhood but reiterated he had some concerns. Mr. McCue asked about the number of employees that will be onsite. AHEAD answered that the actual AHEAD employees are mainly part-time and then there are home health staff that come onsite for services. Mr. McCue voiced his concerns about the intersections of Spring/School/Cambridge Streets. He is concerned about introducing more traffic into the area. He asked about the on street spaces shown on the plan in front of the building. They are spaces in the public way, which are current spaces. Mr. McCue also raised concerns about construction traffic. He was advised the board can send recommendations to the City Council traffic safety committee. He confirmed with AHEAD that the Fire Department has reviewed the plans and has verified the location of the propane tanks. He was told the Fire Department has indeed reviewed and was okay with the plans.

Mr. McCue asked if a contractor had been hired, Ms. Bealeau shared that the general contractor for the project will be HP Cummings.

Mr. Evans asked about the role of the board regarding site plan review. Ms. Laflamme gave a quick review of what the board should be looking for and concerned with during a site plan review and the role of the board in the process.

Mr. Morin asked what they will do for refuse storage. He was told it will be kept in the existing garage.

Mr. White asked about the slope of the snow storage area and if the idea was just to push down the slope, which is apparently the likely plan.

Mr. Evans asked if the elevator is shown on the plan – Mr. Bennett pointed out the elevator on the plan. Mr. White asked about the choice of the location. Mr. Bennett explained it was necessary placement due to the uneven levels of the floors/addition and that they will utilize double doors to get to each level.

Mr. Morin summarized the discussions by the board. Mr. Morin asked the board whether it wanted to recommend the public parking spaces to be reviewed by the Traffic Safety Committee of the Council. Discussion ensued amongst the board members. Mr. Morin asked AHEAD if they were dependent on the public spaces to which they replied no. This could be an opportunity to clear up the traffic patterns.

Mr. Evans made a motion to approve the Site Plan for AHEAD with no conditions, seconded by Ms. Creegan. All members voted in favor of the motion.

Vice Chair Morin asked the board if it wished to forward a letter to the traffic and safety committee of the City Council regarding a review of five space west side of the School Street. The board decided it was in need of review. Mr. McCue made a motion to send such a letter, seconded by Mr. Cassidy. All members voted in favor of the motion, motion passed.

Zoning Ordinance Discussion: Vice Chair Morin introduced Lynn Lipari to the board. Ms. Laflamme explained that Ms. Lipari first approached the Mayor and Council with her request for considering an amendment to the zoning ordinance regarding the keeping of chickens in the urban parts of the community. Mayor Grenier would like to have input from the Planning Board on the matter.

Ms. Lipari reviewed a handout she prepared for the board regarding chickens, her research and her thoughts on how things might be structured. She then shared information requested by Mayor Grenier regarding what other cities in NH do regarding chickens.

Ms. Lipari shared another handout with the board listing the concerns raised by the members at the June meeting in a question and answer format. (See attached for all handouts shared with the board).

Mr. Morin asked Ms. Lipari about her property, which is a two family property that sits on a 50x100 lot. She shared a map she made of her property as well as photos of her property. Photos were passed around for the board's review. The board took a few moments to review the photos.

Ms. Lipari then shared a diagram of her property with the board showing how she would envision the layout of her property and where the chicken coop and the chicken yard would be located.

Mr. Evans shared with the board that he is comfortable with the information that has been proposed. He inquired about the idea of not allowing the sale of eggs or slaughtering of hens on the property. Ms. Lipari shared this was standard in the other communities that currently allow chickens.

Mr. McCue thanked Ms. Lipari for her presentation and the information she provided to the board. He also agreed with the idea of keeping chickens as a noncommercial use. There was then a discussion about the setbacks and it was agreed keeping a decent setback was probably necessary.

Mr. McCue then mentioned the issue of waste disposal. The regional waste district, AVRRDD has become more stringent with the rules regarding waste disposal. There will be a need to understand how waste will be disposed. What would the City do regarding the pickup of manure or AVRRDD? Mr. McCue indicated education will be key to the making this idea work.

Ms. Lipari shared that she has learned that other communities have provided trainings about how to properly care and raise chickens to help resident understand the complexity of keeping chickens. Mr. McCue raised the issue of potential co-op issues between neighbors.

Mr. Morin asked that the board consider the information presented and to remember the concerns that had been raised at the meeting in June. Ms. Lipari mentioned that it should be limited to single family and duplexes. She believes the number of properties could/should be limited. Questions were asked and answered by board members.

Mr. Evans suggested a potential solution regarding the idea of a permit or licensing. User fees could offset the labor cost of staff review. Mr. Morin suggested it should be handled as a special exception. The Zoning Board could handle sharing information/education with applicants.

Ms. Lipari was thanked for her time and information.

Lot Merger: Mr. Edgar Perreault, owner of Tax Map 128 Lot 192, 193, and 195 has applied to merge all three properties together. Mr. McCue specified frontage should be on Abenaki Lane as long as the primary residence remains on Abenaki Lane. Questions from the board were asked and answered. Mr. Evans made a motion to approve the merger with the condition that the frontage remains on Abenaki Lane as long as the primary residence fronts on that street. The motion was seconded by Mr. White and members were in favor of the motion.

Other: None

Public Comments: None

Member Comments: Mr. Morin asked that board members read an article from the Daily Sun that was published on June 5, 2013. It is about how the NH Fish and Game are urging residents to be smart about bears and the article mentions how the recent surge in the keeping of chickens across the state is aggravating the problem.

Mr. McCue mentioned that there has been a very loud clanking noise from biomass as of late that he believes could be the conveyor belt and we should be wary if this is to become a perpetual noise.

Planner Comments: Ms. Laflamme gave a quick update on the Jericho Power case. The abutter, Mr. Bouthillier is bringing both the Planning Board & the Zoning Board decisions to Superior Court for reconsideration. The hearings are scheduled for July 3, 2013 and will likely take some time before any decisions are made.

Ms. Laflamme gave a quick update about the status of Route 110 which is currently on schedule. Construction bids for the project are due at the end of the month.

Mr. McCue made a motion to adjourn, seconded by Mr. Cassidy, all members voted in favor of the motion. Meeting adjourned at 7:58PM.