

Berlin Planning Board
July 1, 2014

Members Present: Chair Ernie Allain, Tom McCue, Aline Boucher, Mark Evans, Greg Estrella, Lori Langlois, John White, Councilor Lucie Remillard, and Richard Cassidy

Members Excused: Susan Tremblay and Martha Creegan

Others Present: Pamela E Laflamme, Community Development Director

Public Comments: None

Approval of June Minutes: Mr. McCue said that in the June minutes his comment under member comments was about bricking the wall at the Holiday Center, not the fencing. The fencing quote was made by Mr. Allain. Mr. McCue made a motion to approve the June minutes with the noted corrections, seconded by Ms. Boucher, all members voted in favor of the motion, motion passed.

Lot Mergers:

Bryant lot merger – three lots all owned by Bryant Funeral Homes, Inc. Bryant's had purchased two adjacent lots to expand their footprint and add a crematorium and additional parking. There had been a building on one of the lots which was demolished today. The lot mergers were a requirement of an earlier Site Plan as well as the recent approval by the ZBA for the crematorium.

Councilor Remillard made a motion to merge Tax Map 119, Lot 173 with Tax Map 120 Lots, 178 and 179 into one lot. The motion was seconded by Mr. Evans and the board voted in favor of the merger.

Demers lot merger – This application request involves two parcels Enman Hill Road. Earlier this year, the owner had inquired about a possible merger and during the initial research of the status and history of Enman Hill Road, there was only an assumption that the City did not own the road. Mergers across roadways that are owned by the City are not done as in those cases, there is a physical landowner between the two lots trying to be merged. In talking with the City Attorney, this case is a bit unique in that the lot on the western side of the road is where the septic system is located for the primary home. While there is no definitive answer to road status without further research, it is felt that the assumptions made based on the research done are likely correct and it is important to keep the septic system with the house and property it serves. It is important to note that the septic system is the critical reason behind this merger and that this does not set a precedent for future requests for mergers related to properties that across the street from one another. Each request must be treated separately based on the facts and information available. A brief discussion about roadway status was had by the board.

Ms. Remillard made a motion to merge Tax Map 131 Lots 4 and 10 in order to keep the septic system with the house & property it serves. The motion was seconded by Ms. Boucher and the board voted in favor of the merger.

Zoning Ordinance Discussion: Ms. Laflamme has found a few items that need housekeeping in the zoning ordinance as well as a few items that may need clarification or changes. She wanted to get input from the board on a couple of the changes.

Official Zoning Map – the Zoning Ordinance still lists the official zoning map as a map from 1999 which is no longer in use as several changes have been made. Ms. Laflamme is working with PeopleGIS to update the zoning layer on the City's GIS system and will then establish a new official map current as of the date it is finished. It will need to go through the ordinance process with the City Council.

Nonconforming lots – when the new language around nonconforming lots was added a few years ago to address small nonresidential lots, the wording was done as such to never use the word nonresidential. While there is a clear residential nonconforming lot section, Ms. Laflamme would like to provide clarity in the language so there is no confusion in the future. Councilor Remillard asked Ms. Laflamme to review the minutes from the previous ordinance change to make certain that was the intent of the language in 2010. She agreed that she remembered it being intended only for nonresidential properties but she just wanted to be sure.

Zoning related to Alternative Treatment Centers – House Bill 573 – This is related to the use of medical marijuana in NH. From what staff has learned, there aren't any centers yet set up but we have had an inquiry as to whether we have yet zoned for such centers. It is likely a zone will need to be designated to allow treatment centers, perhaps with parameters about location. There was brief discussion from the board about what zoning would be appropriate and the need to learn more about the bill and what other communities are doing. The discussion will be continued at a later meeting.

Electronic Signage – Ms. Laflamme indicated there was a need to revisit the electronic signage ordinance and figure out if there are changes that need to be made. Laconia is working on this and shared their draft ordinance. Councilor Remillard asked to send the draft signage language to the board for consideration and review. This will be discussed at a later meeting.

Other: None

Public Comments: None

Member Comments: Mr. Evans brought his materials from the OEP Spring Conference to share with the rest of the board. Mr. Cassidy asked about the OHRV ordinance and was told that it is enforced by Council rather than the Planning Board. Mr. White asked about the Jericho Family Campground and the board had a quick discussion about its status. At this time the campground is offering free camping so there is no basis to bring them in for Site

Plan Review. They will need to go through Site Plan Review and permitting with NHDES once they want to begin charging for camping.

Planner Comments: A reminder was given to the board that the August meeting will be held on August 14, 2014. There will be a site plan for the Bartlett School project. Ms. Laflamme told the board about two upcoming events – the Coos Youth update from the Carsey Institute on 7/10/2014 at White Mountains Community College and the North Country Exchange event by NHPR at the Colonial Theatre in Bethlehem on the same day.

Adjournment: Ms. Boucher made a motion to adjourn, seconded by Mr. McCue, all members voted in favor and the meeting adjourned at 7:20PM.