

**Planning Board Meeting
March 4, 2014**

Present were: Chair Ernie Allain, Members Greg Estrella, Tom McCue, David Morin, Ex-Officio, Sue Tremblay; Alternate Members Richard Cassidy, and John White

Excused: Martha Creegan, Aline Boucher, Lori Langlois, Lucie Remillard, Mark Evans

Others present: Lindsay Deane, Gordon Deane

Chair Allain opened the meeting at 6:30 and appointed Mr. White and Mr. Cassidy as voting members

Public Comments: No comments

February Minutes: Mr. Morin moved with a second from Mr. Estrella to accept the minutes as presented. So moved, the motion carried.

Site Plan Review – Jericho Power LLC & Allen Bouthillier

Ms. Laflamme reported that the application is complete. Mr. Morin moved with a second from Mr. McCue to accept the application as complete. So moved, the motion carried.

Lindsay Deane stated that Jericho Power is seeking the Board's approval for Phase II of their project which will add another 3 wind turbines and 8.55 megawatts to what they currently have approval for (Phase I). Jericho Power will be leasing land from Allen Bouthillier. The ZBA gave its approvals for a variance and two special exceptions at their meeting of February 26, 2014.

Ms. Deane gave an overview of the project saying that the same infrastructure from the first project will be used in Phase II. Preliminary permitting is underway. Concerns such as the effect of the project on property values, noise, glare, shadow flicker, fire, vibration, effect on birds have been addressed with studies that show no adverse effect. Ms. Laflamme has copies of the studies on file. The turbines will be lit as is required by the FAA.

Mr. Morin asked if there is a specific fire danger and Ms. Deane stated that it is a remote location, and the tower could be hit by lightning. In most cases a perimeter would be established around the tower and the fire would burn out; however there needs to be an emergency plan in place and that is the discussion going on with the Fire Department and Fire Marshall.

Mr. Estrella asked what waste will be created and Ms. Deane replied that there may be oil or a part would be changed; such waste would be removed from the site. Mr. Estrella asked

if ledge removed was going to be left on the property. Ms. Deane said that the project is designed not to end up with extra waste.

Mr. McCue asked about security around the perimeter and Ms. Deane said that there is lighting on top of the wind turbine but there is no intent to light the entire site and no fencing is planned. Ms. Laflamme added that ATV and snowmobile access is allowed on the property and fencing would deter that.

Mr. Estrella asked what trades would be used in the installation. Mr. Deane noted that the project involves rebar, concrete, drillers, electricians and heavy equipment for the erection; local subcontractors will be utilized as much as possible. Mr. Morin asked if they know what to expect and Ms. Deane explained that core samples were taken and engineers designed the bases to be site specific.

The Board reviewed conditions:

- Phase II will have three towers with a maximum height of 500 feet, all parts moving and stationary.
- FAA and other relevant Federal and State permits will be copied to the City and placed on file with the Planning Board.
- Decommissioning plan is to be on file with an appropriate funding source

Public Hearing

Chair Allain opened a Public Hearing at 7:03 p.m.

Ms. Laflamme read a letter from Berlin Water Works that expressed a concern about continuing to have an uninterrupted electric power supply for the water treatment plant. The letter was sent to Jericho Power LLC and the concerns were addressed to the satisfaction of Berlin Water Works.

Barbara Tetreault asked if all of the turbines will be ordered at the same time and when construction will start. Ms. Deane confirmed that turbines will be ordered together and construction was started in the fall but had to be paused due to weather conditions. The hope is to resume construction this summer and to have the turbines in operation before 2016.

Chair Allain closed the public hearing at 7:08 p.m.

Board Discussion

Mr. Estrella asked how access is gained to the towers and Ms. Deane explained that there are sections of stairs with landings inside the pole.

Mr. Morin moved to approve the site plan review of Phase II - Jericho Power LLC with the following conditions:

1. **Three towers with a maximum height of 500 feet, all parts moving and stationary included.**
2. **FAA permit and any other Federal and State permits will be copied to the City and placed on file with the Planning Department**
3. **A decommissioning plan will be executed that will include the removal of towers, foundations, and utilities. It will also include returning the site to pre-existing conditions should the project cease. The form of the plan (either by bond, letter of credit, insurance, etc.,) shall be agreed upon by the City through its attorney.**

Mr. McCue seconded the motion and the motion carried unanimously.

Zoning Discussion

Downtown & Business General Zoning

Ms. Laflamme explained that in 2003 the downtown zone was amended to allow dwelling units above the first floor, leaving the first floor for retail. In the last several months there has been some interest in converting the courthouse into housing. Acknowledging that housing in the downtown may not make sense for the entire downtown, it may be that the upper section of downtown from Mason Street north, could be changed to business general zone which would allow all the uses of downtown but would also include the option for multifamily dwellings. There is a meeting of the merchants to see if they support the idea.

Mr. White asked if the city needs more housing. Ms. Laflamme replied that there is little market rate housing or housing specific for 55 plus with no maintenance; safety and spacious units. Mr. McCue commented that it could be business general to Heritage Park; he added that he likes the mixed use with business general that is presently allowed on Main Street up to Brown School.

Mr. McCue asked if there is still interest in having a safety complex on that block. Ms. Laflamme confirmed that there has been interest in the past but it is not likely to be funded soon.

If the merchants favor the idea, language could be drafted for review by the Planning Board and Council. Mr. Morin commented that it is time to get creative and it is worth considering options.

Request Residential General

Ms. Laflamme reported that she received a letter from Elizabeth Amato about expanding Residential General zoning to allow an auto repair shop by special exception.

Mr. Morin commented that there is oil, and gas and circumstances that go beyond what a home business usually looks like. There are existing places that are grandfathered that would accommodate such a business without changing zoning. Mr. McCue shares the

concern adding that a special exception is a landowner's right and it runs with the land. Questions were asked and answered about home occupations and the neighborhood. There was consensus that this situation would be better suited for a variance and advised that Ms. Amato apply for a variance from the ZBA. There was no support to change Residential General zone at this time from the Board.

Route 110 Realignment Zoning Discussion

Ms. Laflamme reported that BIDPA had a discussion about the new land areas that will be created along Route 110 after the realignment that could potentially be used for business and it is an area that will need some consideration once the project is complete in terms of changes to the zoning along some areas of Route 110.

Route 110 is a gateway out to Jericho Mountain ATV Park however, it has a heavy, industrial feel and looks worn down. Mr. Morin made the point that there is access to rail corridor on Route 110 and that could be important for future industrial uses. He suggested a series of neighborhood charrettes to determine the needs of the neighborhood once the realignment is complete. It is too soon to make dramatic changes.

Complete Street Policy Discussion

Ms. Laflamme stated that this discussion comes as a result of focus groups held through a Healthy Eating Active Lifestyle (HEAL) grant that is administered by Angela Martin Giroux. People were asked what they like about the community and what is missing. This desire for a complete street policy came to the top as a priority. The complete street initiative relates to having pedestrian buffers and bicycle lanes.

Berlin has 70 miles of narrow streets and there is not a lot of extra right of way width. We certainly cannot go back to add buffer and bicycle lanes; however there could be support for guidelines that future development of streets would include sidewalks with buffers and bicycle lanes. Concord passed a one page policy that does not mandate but it promotes a comprehensive streetscape.

If the Board is supportive, an amendment to the current street regulations to recognize that there is interest in all modes of transportation could be adopted. Mr. McCue agreed that it would be too expensive to go back; however going forward it could work. He said that he is comfortable recognizing the healthy lifestyle without calling it a policy. Ms. Laflamme offered to bring the issue back to the Board next month.

Member Comments

Mr. Morin informed the Board that he would not be seeking another term on the Planning Board after serving in some capacity for nearly 25 years. Ms. Laflamme commented that Mr. Morin's insight has been truly valuable and we have been lucky to have such a well versed member on the Planning Board.

Planner Comments

Ms. Laflamme mentioned upcoming conferences:

- North Country Council 3/27 listening session with DES on the Wetlands Program
- Saving Special Places on April 5, 2014
- Local Energy Conference on April 5, 2014 in Tilton
- New Futures - NH Listens Session on Drugs and Alcohol at the White Mountains Community College

She reminded everyone that April is board elections.

Other: None

Mr. Morin moved with a second from Mr. McCue to adjourn the meeting. It ended at 8:17 p.m.

Respectfully Submitted,
Susan Tremblay