

## Minutes of the Meeting of the Lakeshore Redevelopment Planning Commission

June 16, 2020

### By ZOOM and Conference Call Only (for Commissioners + General Public)

[Pursuant to RSA 91-A:2, III(b) the Commission Chair and its Presiding Officer have determined that due to the current coronavirus outbreak, the unavailability of our regular meeting space, the recent orders and guidance issued by NH State Government relative to social distancing during this health crisis, and the need to convene a Commission meeting prior to the end of the 2020 session of the General Court on June 30, 2020, an emergency exists. Consequently, this Commission meeting will not be held at a physical location, but will be conducted entirely by conference call and over the Internet via Zoom. All members of the public that wish to listen to the meeting will be able to call-in at the number below or join via Zoom using the link below. Specific instructions for the conduct of this meeting will be announced by the presiding officer at the beginning of the meeting. Thank you for your patience.]

**Dial-in Number: 1-929-205-6099**

**Meeting ID: 916 2828 7266**

**Connection via ZOOM: <https://sheehan.zoom.us/j91628287266>**

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### Attendees/Location:

- George Bald at RFS Engineering in Laconia with Commissioner Shumway.
- Gino Baroni listening alone at home in Salem, NH.
- Bob Cheney listening alone at home in Bow, NH.
- George Hurt listening alone in Hampton, NH.
- Rusty McLear listening alone in Meredith, NH.
- Chris Shumway at RFS Engineering in Laconia with Commissioner Bald.
- Peter Spanos listening alone at home in Laconia, NH.

The meeting was called to order by Chairman Bald at 9:06 AM.

### Approval of minutes

Commissioner McLear moved the adoption of the minutes for the meeting held on May 12, 2020. The motion was seconded by Commissioner Hurt. There was no discussion.

Roll call vote:

George Bald  Yes

Gino Baroni  Yes

Bob Cheney  Yes

George Hurt  Yes

Rusty McLear  Yes

Chris Shumway  Yes

Peter Spanos  Yes

The motion passed 7-0.

### **Update regarding Northern Borders Regional Commission (NBRC) grant application**

Commissioner Cheney report to the Commissioner that the Commission's grant application to the NBRC had been successfully filed. The Commission is seeking a \$1 million grant award to be matched by \$1 million in other funds. According to Commissioner Cheney the \$2 million project implements a modified version of the Phase I infrastructure improvement project detailed in the Redevelopment Master Plan prepared on the Commission's behalf by NBBJ. NBRC will make its grant awards at the beginning of October 2020. Commissioner Cheney thanked the representatives of the Lakes Region Planning Commission, NBBJ and VHB, and Russ Thibeault of Applied Economic Research for their teamwork and the strong application submitted on behalf of the Commission.

### **Update regarding status of contract with Nobis Engineering for soil removal + well monitoring**

Commissioner Cheney reported that the Commission and Nobis Group had executed a contract for removal of contaminated soils from three locations at the Lakes Region Facility identified in Nobis' Phase II site assessment report. In addition, this contract with Nobis Group covers another round of groundwater sampling from the monitoring well located in the general vicinity of the former poultry house. Commissioner Cheney stated that he expected the fieldwork to commence near the end of July and a report of the work to be prepared by Nobis Group for Commission review in September.

### **Update regarding status of RPF Environmental hazardous materials assessment**

Roger Francoeur from RPF provided the Commission with an update of work completed to date. According to Mr. Francoeur, the assessment of 9 of the 28 buildings on site was complete, 9 additional buildings were complete but for the roof, and 9 remained though some work has started in several of these remaining buildings. Overall, he estimated that 60%-70% of the fieldwork had been completed. RPF reported that it was finding lead paint, asbestos, mold and some PCBs in most buildings. Mr. Francoeur stated that some PCB-containing material had been found with concentrations above 50 parts per million – the US EPA threshold above which the bulk materials would have to be managed as hazardous waste. An initial draft of RPF's assessment is targeted for early August.

Commissioner Baroni stated that the Commission was expecting a "two-part" report – one part addressing and describing the field conditions encountered as well as the results of field and lab testing and one part providing estimates for each building for both the cost of removing the hazardous materials and keeping the building and the cost for removing the hazardous materials as part of total building demolition. Mr. Francoeur responded that the report would include that information.

### **Update regarding Commission FY2020 (+ FY2021) operating budget**

Commissioner Cheney presented a spreadsheet summarizing the Commission's expenditures in FY2020 and projected expenditures for FY2021. Commissioner Cheney review each of the expense categories for FY 2020 and FY2021. He noted that the largest expenditures in FY2020

related to refining the Phase I infrastructure work described in the Redevelopment Master Plan to support the NBRC grant application and the costs associated with obtaining a waiver to file the grant application and preparation of the grant application itself. According to Commissioner Cheney, spending in FY2020 was less than projected because of the late approval in 2019 of the State Budget and the effects of the coronavirus. Commissioner Cheney noted that the major expenditures in FY 2021 would be for the ongoing hazardous materials assessment project, the soil removal project, a wetlands delineation of the entire site, site survey work, work with the City of Laconia on developing performance zoning standards for the Lakes Region Facility site, an archaeological sensitivity assessment of the entire site, and preparation of a further NBRC grant application and other grant applications.

Commissioner Baroni moved that the Commission adopt as its operating budget for FY2021 the proposed categories and levels of expenditure as set forth in DRAFT BUDGET FY2020/FY2021 FOR BOARD DISCUSSION dated June 15, 2020.

The motion was seconded by Commissioner McLear.

Roll call vote:

George Bald \_\_ Yes \_\_  
Gino Baroni \_\_ Yes \_\_  
Bob Cheney \_\_ Yes \_\_  
George Hurt \_\_ Yes \_\_

Rusty McLear \_\_ Yes \_\_  
Chris Shumway \_\_ Yes \_\_  
Peter Spanos \_\_ Yes \_\_

The motion passed 7-0.

#### **Discussion of proposed land survey**

Commissioner Shumway stated that he has only had a preliminary discussion with Richard D. Bartlett & Associates regarding previous work they have done regarding the boundary of the Lakes Region Facility. Commissioner Shumway said he would investigate further and make a further report at a future meeting.

#### **Discussion of historical resources Phase IA survey**

Commissioner Cheney reported that he had prepared a draft RFP for this project and with assistance from Commissioners Baroni and Bald was prepared to discuss the proposal further with the NH Division of Historic Resources and the Department of Administrative Services with the goal of issuing the RFP through the NH DAS website for state agency proposals. In particular, Commissioner Cheney pointed out that the Division of Historic Resources had previously offered to assist the Commission with developing the appropriate scope of services for a Phase IA survey and recommended that the Commission seek out that assistance.

Commissioner Cheney moved that Commissioners Bald, Baroni and Cheney be authorized to confer with the Division of Historical Resources and NH Department of Administrative Services and prepare and issue as soon as practicable a final REQUEST FOR PROPOSAL FOR LAKES REGION FACILITY – PHASE IA HISTORIC RESOURCES ASSESSMENT similar in terms and structure to draft RFP LAKESHORE RPC 2021-252.

The motion was seconded by Commissioner Shumway.

Roll call vote:

George Bald \_\_ Yes \_\_

Gino Baroni \_\_ Yes \_\_

Bob Cheney \_\_ Yes \_\_

George Hurt \_\_ Yes \_\_

Rusty McLear \_\_ Yes \_\_

Chris Shumway \_\_ Yes \_\_

Peter Spanos \_\_ Yes \_\_

The motion passed 7-0.

### **Update regarding Commission FY2022-FY2023 capital budget request**

Commissioner Cheney reported that the hearing for the capital budget was scheduled for Monday, June 22, 2020, and that he and Commissioner Bald would be prepared to speak regarding the Commission's request submitted as part of the regular state process for reviewing capital budget requests from state agencies for the next biennium.

### **Discussion of Commission reimbursement requests**

Commissioner Cheney requested that any Commissioner that wanted to submit a request for reimbursement had to forward the request to him as soon as possible so that the request could be submitted and paid before the end of the current fiscal year.

### **Legislative Update**

Commissioner Spanos reported that HB 1224 addressing the Commission's appropriated funds had passed the House and that the House was meeting on June 30 to take up House bills amended in the Senate, including HB 1234 – a Senate "omnibus" bill that included the language establishing the Lakes Region Development Authority that was introduced through the Senate as SB 635. Commissioner Spanos noted that the Mayor and Laconia City Council was very supportive of the legislation related to the new authority and the appropriations for the new authority. Commissioner Spanos noted that in light of the impact on state revenues due to the coronavirus crisis, adjustment to agency appropriations, including the Commission were possible. He stated that it could be end of the summer or fall before the Commission and other state agencies might know exactly what funds will be available for the rest of FY2021.

### **Report to the Legislature**

Commissioner Bald noted that a report to the legislature should be prepared and that the Commission would have further discussions regarding this issue.

### **Discussion of NBBJ contract amendment**

Commissioners Cheney and Bald reported that they had a meeting with NBBJ and the Laconia City Planner to generally discuss the process for developing performance zoning for the Lakes Region Facility. Commissioner Cheney stated that he thought that developing the necessary plans and diagrams required for the performance zoning review would require further refinement of the

redevelopment master plan in addition to numerous additional plans and drawings beyond those contained in the Redevelopment Master Plan and nearly equal to the quality of the plans accompanying the recent NBRC grant application. Commissioner Cheney also stated that NBBJ's subcontractor, VHB, had the qualifications, background and resources to undertake in the immediate future a sitewide delineation of wetlands at the Lakes Region Facility. According to Commissioner Cheney, it would be highly advantageous to have this work completed in advance of the NBRC award date so that the Commission would be prepared to proceed with the project of the NBRC grant were received. Commissioner Bald also noted that NBBJ would be needed to assist with the preparation of another NBRC grant application in the fall. Commissioner Cheney recommended that NBBJ's contract be amended to expand the scope of work, extend the contract completion date, and increase the total contract price.

Commissioner Spanos moved that the Commission vote to further amend the Commission's contract with NBBJ dated July 30, 2018, with Contract Amendment #7 to extend NBBJ's contract to June 30, 2021, and increase the total contract price by \$98,000 to \$316,000 in order for the NBBJ team to (i) complete through its subcontractor, VHB, a sitewide delineation of wetlands and written report consistent with the proposal from VHB to NBBJ dated May 7, 2020, no later than September 15, 2020, for an amount not to exceed \$38,000 in support of a Northern Borders Regional Commission grant application submitted by the Commission and for the purpose of implementing as much of the proposed Phase I and/or Phase II infrastructure improvements identified in NBBJ's September 2019 redevelopment master plan as are feasible; and (2) provide support and planning services to the Commission for the purpose of preparing a performance zoning plan and lot parcelization plan for the Lakes Region Facility; and (iii) provide planning services to the Commission in preparing a second grant application to the Northern Borders Regional Commission in May 2021, and authorize Commissioners Cheney, Baroni and Bald to prepare and execute such contract documents as are necessary for these purposes.

The motion was seconded by Commissioner Baroni.

Roll call vote:

George Bald \_\_ Yes \_\_

Rusty McLear \_\_ Yes \_\_

Gino Baroni \_\_ Yes \_\_

Chris Shumway \_\_ Yes \_\_

Bob Cheney \_\_ Yes \_\_

Peter Spanos \_\_ Yes \_\_

George Hurt \_\_ Yes \_\_

The motion passed 7-0.

### **New business**

No new business was brought forward.

### **Comments from public**

Jane Whitehead asked whether the historic resources survey would include an archeological assessment as well as review of the buildings. Commissioner Cheney responded that he understood the Phase IA assessment to include such an assessment, but did not know how detailed the review would be. The Commission, he said, would meet with the NH Division of Historic Resources to review the scope of work and rely heavily on their recommendations.

Another commenter asked if water was available at the site. The Commission responded that the existing water tower was decommissioned and that water service was only available from Route 106. Consequently, due to insufficient water pressure, there was no water service to large portions of the site generally at elevations above the existing 911 Call Center building.

The Laconia City Planner, Dean Trefethen, stated that preliminary discussions with the Commission regarding performance zoning had started and he welcomed them. He noted the importance of completing a wetlands delineation since there was no relief or exceptions provided in the performance zoning process for impacts to wetlands or infringing on buffers around wetlands and vernal pools.

**Set dates for next meeting**

Chairman Bald set the date of the next meeting of the Commission on Monday, June 29, 2020, at 9 AM and stated that it was likely to be a Zoom meeting once again.

**Adjournment**

Commissioner Baroni moved to adjourn the meeting. Commissioner McLearn seconded the motion.

Roll call vote:

George Bald  Yes

Gino Baroni  Yes

Bob Cheney  Yes

George Hurt  Yes

Rusty McLearn  Yes

Chris Shumway  Yes

Peter Spanos  Yes

The motion passed 7-0.

The meeting adjourned at approximately 10:10 AM.

*Robert P. Cheney Jr.*

Budget Category	Line Item Description	FY2020 - Budgeted	FY 2020 - Actual	Variation from Budget	FY2021 - Budgeted	FY 2021 - Actual	Biennial Total - 6/30/20 projected	Notes/Comments
	Appropriation							
	Carry forward from FY2019 - unrestricted							
	Carry forward from FY2019 - restricted							
	FY 2020 appropriation							
	Carry forward from FY2020							
	FY 2021 appropriation							
	Subtotal	\$477,845	\$477,845	\$0	\$617,914		\$827,845	"Restricted" + "Non-restricted" funds; funds remaining per appropriation in 2017, 240 (\$250,000 unrestricted and \$115,000 restricted) and 2019, 345 HB 3 (Sept. 2019 - \$350,000 per year FY2020 and FY2021)
	Expenses							
	Subtotal	\$477,845	\$477,845	\$0	\$617,914		\$827,845	
20	Current Expense							
	Dropbox account per year							
	8/14/20 Cheney Reimbursement Request - paid	\$135			\$1,620		\$3,240	9 licenses @ \$135 per month
	10/4/19 Cheney Reimbursement Request - paid	\$270						
	2/24/20 Cheney Reimbursement Request - paid	\$675						
	6/25/20 Cheney Reimbursement Request - pending		\$540					
	Miscellaneous Commission Expenses							
	8/14/19 Shumway Reimbursement Request - paid	\$270			\$8,380		\$16,760	Reimbursement for out-of-pocket costs and Commission supplies other than Dropbox
	5/1/20 Bald Reimbursement Request - paid	\$135						
	Additional Commission expenses in FY2020							
	Telecommunications							
	Subtotal	\$1,485	\$540	\$0	\$10,000	\$0	\$12,025	Assumes agency has no permanent location + continues to rely on NHDAS for web site
70	In-State Travel Reimbursement							
	8/14/19 Cheney Reimbursement Request - paid	\$34,22			\$7,000		\$12,624	Reimbursement to Commissioners for travel costs
	9/17/19 Hurt Reimbursement Request - paid	\$164,00						
	10/4/19 Cheney Reimbursement Request - paid	\$146,74						
	2/24/20 Hurt Reimbursement Request - paid	\$205,06						
	2/24/20 Barton Reimbursement Request - paid	\$623,84						
	2/24/20 Cheney Reimbursement Request - paid	\$213,79						
	5/1/20 Bald Reimbursement Request - paid	\$965,33						
	6/24 Cheney Reimbursement Request - pending		\$70,75					
	6/24 Bald Reimbursement Request - pending		\$200,00					
	Subtotal	\$2,352,98	\$270,75	\$0	\$771			
103	Contracts for Operational Services							
	Contract Employees							
	Administrative support staff							
	Executive Director (with benefits)		\$0	\$8,000	\$0	\$40,000	\$40,000	Part-time (20 hrs x \$40 x 50 wks) executive assistant with some financial/legal level skills (no benefits)
	Contracts for Planning Services							
	Planning Services (NBB)							
	Invoice #13 submitted 10/4/20 - paid	\$8,999			\$31,864		\$108,879	Continuation of current contract for master planning services, NBBRC grant application assistance, development of performance zoning, development of site parcelation
	Invoice #14 submitted 10/4/20 - paid	\$3,070			\$47,883			
	Invoice #15 submitted 5/1/20 - paid	\$4,500			\$49,879			
	Invoice #16 submitted 6/19/20 - pending		\$14,178					

