



Planning Board Meeting
Monday February 11, 2008, 7:00 p.m.
City Council Chambers, City Hall, Claremont, NH

Meeting Minutes

Meeting Called to order by Chair Alan Grigsby at 6:35 pm.

I. Roll Call

Present: Peter Guillette, Paul LaCasse, Mayor Deborah Cutts, Alan Grigsby, Lori Richardson, Russell Fowler, Erwin Caplan, Andy Austin

City Staff: Jerry Coogan, City Planner; Allan Britton, Economic Development Director; Bruce Temple, Director of Public Works; Michelle Aiken, Boards and Commissions Coordinator

Absent: Richard Wahrlich

II. Minutes of January 28, 2008 Public Meeting Minutes

Motion to: Approve the January 28, 2008 meeting minutes as amended

Made by: Mr. Guillette **Second:** Ms. Richardson **Vote:** Unanimous

Mr. Coogan introduced the new Planning and Development Director Allan Britton.

III. Guest Speaker Dari Sassan, Assistant Planner, NH Office of Energy and Planning.

Mr. Coogan advised that this presentation is about smart growth, trying to develop your infill sites which have water and sewer and protect your green fill areas that are farther out and good for agriculture and other kinds of land use and also promoting a walkable City. Mr. Dari Sassan is a Planner from the Office of Energy and Planning (OEP) and he is assigned to working on the Smart Growth program they have been working on for a number of years.

Mr. Dari Sassan presented ideas of smart growth and innovative land use techniques. Mr. Sassan took questions from board members and audience members discussing cluster development and open space ideas.

Mr. Grigsby advised that on Monday March 24, 2008 Ann Duncan Cooley from the Upper Valley Housing Coalition will educate the board regarding planning and community development.

IV. Zoning Ordinance #486 – Conservation Residential Development

Open Public Hearing

Mr. Coogan advised that there is a lot of information to be discussed tonight and he would recommend holding the public hearing and then have a work session where the board could delve into this at their leisure.

Discussion on Conservation Residential Development. Mr. Regan advised that their committee worked for 18 months on this ordinance. The previous ordinance was written only by city staff and it was turned down 8 to 1. Mr. Regan expressed his dissatisfaction with Mr. Coogan's review of the ordinance.

Mr. Folta stated that he felt that there were two sides to this, the content and the process of how the proposal was constructed. The process of having citizens work on this committee and take as long as it needed to take was far better than the previous process. Mr. Folta stated he felt that the meetings were posted at the very least amount necessary and he does not feel that the citizens of Claremont were really given the notice needed.

Mr. Putnam advised that this is a working document; their responsibility was to come to some conclusion and produce a document that can be modified. Maybe there can be some compromises and we should respect what is best for

Claremont. It is in our best interest to take a good look at this. Mr. Putnam advised that this ordinance was reviewed by Matt Upton a former City of Claremont Attorney. It would be good to work out some of the issues and keep the integrity of the ordinance. Ms. Pope read a list of areas that the ZBA would look at that the Planning Board would not be required to look at and felt that this is why the ZBA should see the applicant first to grant a special exception. Providing two opportunities for citizen review.

Mr. Lacasse advised that he has more questions and would be more comfortable if there were a couple more discussions about this. Mayor Cutts advised that she can appreciate Mr. Coogan's comments and advised that she feels that the points that Mr. Coogan has mentioned in his effort to help Claremont grow is part of the mistakes other communities have made and she does not want to see that in our community. Mr. Putnam advised that some of the concerns that were voiced at the City Council meeting from the last ordinance were addressed and some of the people who had questions were on the committee. Mr. Putnam advised that this ordinance shouldn't be a waste of time, it should be discussed they should speak to Mr. Coogan as to why this ordinance would not be used. It should be used to preserve open space and compromise is essential.

Mr. Folta asked what the incentive is for developers. This will determine the connection between the value of cluster development and workforce affordability goal in enhancing Claremont's economic development. Mr. Regan advised that workforce housing is a political term, low rent, low mortgage. He does not feel that enticing workforce housing is their charge. There was a major developer on the committee who also helped write this ordinance

Mr. Brothers advised that he is a member of the commission, he lives on East Green Mountain Road and he knows that the area is ready for development and he is concerned with his way of life. The first thing people look for when coming to Claremont is the taxes, the taxes in Claremont are outrageous. More housing will negatively impact the schools which will increase the taxes. We need to draw in high end properties to help reduce the tax rate.

Mr. Alan Croteau was a member of the committee and advised that they considered making this form of development a right. They have proposed required a special exception which the community would be comfortable with. We need housing and developments, but we need housing that is clustered and affordable.

Ms. Richardson asked Mr. Putnam if they actually went through each section of the ordinance. Mr. Putnam advised that they used the original ordinance as a template and took the questions from the community and tried to address those items. They did look at and rewrote every section of the ordinance.

Mr. Folta advised that 18 months ago the City staff dropped an ordinance on everyone. The citizens committee has now also dropped an ordinance on everyone. Maybe a better way would have been to have a collaboration of citizens and professional staff.

Discussion among board members as to whether or not the City Councilor and Mayor should vote on the ordinance. Mayor Cutts stated that if the board will let her, she will abstain because she was an alternate on the committee and did attend a few meetings. Mr. Grigsby advised that he would not let her do this because he was also on the committee and this is legislative not judicial.

Mr. Guillette advised that he is in support of the ordinance and would like to express his appreciation for the work put into the ordinance by the committee. Mr. Grigsby advised that if the Master Plan approval process goes ahead and there will be zoning changes, he thinks that a citizen based committee is the way to go on that also. Ms. Cutts advised that she would also like to express her thanks to Mr. Coogan for his input and the Open Space Committee for the work that they put into this ordinance. Mr. Fowler felt it was also important to remember that they had been told that most of the time there was a 9-10 vote among the Open Space Committee members.

Motion to: recommend the ordinance as written by the committee to the City Council

Made by: Mr. Fowler

Second: Mr. Grigsby

Vote: Mr. Guillette – Aye

Mayor Cutts – Aye

Mr. Grigsby – Aye

Ms. Richardson – Aye

Mr. Fowler – Aye

Mr. Caplan - Aye

Mr. Lacasse chose to abstain and would vote on the matter at the City Council level.

V. New Business

- **(PL2008-00002) City of Claremont, Parks & Recreation Department, City Hall, Claremont NH 03746** – Applicant desires Site Plan approval to convert vacant unmanaged open land into a skate board park, passive recreational use on **Washington Street**, Tax Map 108 Lot 125; Zone B-2. Property Owner of Record the City of Claremont.

Mr. Coogan advised that this is the Sara Smith Riverside Park. This will be a passive recreational area for skateboarding and will be open for seasonal use sunrise to 8:30pm, consistent with City Codes. Vehicular traffic has been brought up as an issue. The traffic committee has reviewed this and has suggested a right turn in and right turn out, a stop sign for the access road, the entrance will be widened and the City will issue a driveway permit due to it being in the compact area. Mr. Coogan advised that there will be no buildings, landscaping will be retention of the existing natural vegetation, give or take a few trees that will be removed and maybe a few trees planted. The floodplain regulations come into play and the applicant has to apply for a floor plain zoning permit. The park elevation is 530ft and the skate park is below that base level flood area. Based on the information presented he recommends that the application be accepted as complete.

Ms. Cutts asked what is acceptable in the flood plain area. Mr. Coogan advised that the Zoning Administrator would determine what is acceptable or not. Mr. LaCasse asked if Mr. Coogan could provide a definition of structure. Mr. Coogan provided the definition of a structure and advised that this was considered equipment just like playground equipment.

Motion to: accept the application as complete

Made by: Mr. Guillette **Second:** Mr. Fowler

Vote: Unanimous

Mr. Scott Hausler, Director of Parks and Recreation provided a presentation on the history of the park and a presentation of the plan. Most recently there has been a fundraising collaborative effort from the local businesses, the police department, downtown merchants, etc. The fundraising has been very successful and Mr. Hausler listed a few of the donations that had been received so far and they are hoping to start construction in spring of 2008. They have reviewed potential lands and found this was the best suited site. The site is currently unmanaged and is deeded for recreation use and honors Sara Smith who was a long time resident of Claremont. Mr. Norman Lessard provided a presentation on the name of the Skate Park and the history of Sara B H Smith.

Mr. Victor St. Pierre advised he has been working on this project for about year and they have put an access road on the plan which is 20ft wide with a 5ft side walk beside it. There is a 13,000 sqft area for the skate park and it has been placed in the upper right hand corner, it will not be completely visible from the road. It is in the flood plain, although most of Washington Street is in the flood plain. The current dam is at elevation 517 and the bridge is at 518 and they are at 530, he would be more worried about the bridge flooding. The flood of October 2005 covered the track in Monadnock Park although it did not cover the football field and this area also did not flood. They are going to keep most of the grassy area and pave what is needed for the skating area.

Mr. Hausler advised that there will be a porta john there just like most of their parks, two of their parks have restrooms although are only open when the park is open. There will be some landscaping around it to make it look better. Mr. Hausler presented slides showing site access and right turn in and right turn out only. Mr. Hausler advised that they view this as playground equipment, there are different types of materials for the surface but the forms themselves are made from steel and the surface area feels like a plastic. Everything related to it is heavy grade steel. Some of it is stand alone and there are some other pieces that will need to be bolted down. They are steel and powder coated that can withstand the elements.

Mr. Grigsby asked what kind of equipment they will have. Mr. Hausler advised that they are still in the beginning phase of choosing the exact equipment, it depends on funding. Mr. Grigsby asked why it is still in the design phase. Mr. Hausler advised that its because this is a funding project and they will choose the equipment depending on the amount of funds. Also by the time they do have all the funding there may be new equipment to choose from. Mr. Grigsby asked when it will be built. Mr. Hausler advised that it all depends on the funding, they hope to start in the Spring. Mr. Fowler advised that he is concerned with the road way. Mr. Warren Stevens advised that they worked with the traffic committee and there will be an area for one car to lay flat at the top of the driveway. Mr. Grigsby asked about left hand turns. Mr. Stevens advised that they will have to turn around at Broad Street.

Mr. Grigsby asked if there would be grass parking and what other activities do they envision happening at the park. Mr. Hausler advised that there would be grass parking and he believes that there is lots of potential for unplanned activities; people can watch the kids, feed the birds, etc. They may also schedule some competitions for the kids. Mr. Grigsby asked about the proposed gate. Mr. Hausler advised that the gate is for the offseason similar to the other parks. The DPW would have a key to the gate for access.

Mr. Lacasse asked about the 12ft right of way that the road is being built on. Mr. St. Pierre advised that it is a deeded right of way. Mr. Lacasse asked if the park can be paved with pervious asphalt. Mr. St. Pierre advised that they could but the only water that sheds will be curbed and has drainage; it will be less than a 1/3 of an acre. You are barely touching the shore land setback. Mr. Lacasse asked Mr. Hausler if the ice skating rink that was donated could be located here. Mr. Hausler advised that he does not believe that there is enough area here for the rink, they need a 150X200ft surface and there would have to be concrete footings, etc they would need a larger location. Ms. Cutts asked if any of the trees would be displaced. Mr. Hausler advised that most of the trees are around the monument.

Mr. Grigsby asked why it wasn't put at one of the other parks where there is less traffic. Mr. Hausler advised that there is probably just as much traffic at the other parks. They also do not want to displace other activities while the skate park is being used. They wanted a location that was somewhat stand alone. Mr. Lacasse asked what is going to discourage the kids from using the guardrail. Mr. Hausler advised that they are hoping that the equipment will be challenging enough for them to want to use the appropriate equipment. They will encourage safety and education.

Mr. Fowler asked if there is any thought to making this like West Lebanon with picnic tables. Mr. Hausler advised there will be picnic tables, more trees etc. It would be nice to have some sort of pavilion, but currently that is not in the plan. Mr. Fowler asked if there will be any supervision during skateboarding activities. Mr. Hausler advised there will be a set of rules and there are guidelines the City has to follow as a municipality and they will follow those guidelines. There are requirements for helmets, knee pads, etc. They feel they have some good kids helping set this up and when they are involved in helping organize the park, the supervision trickles down to all the users. Mr. Grigsby asked who is liable if someone gets hurt. Mr. Hausler advised that there is an RSA 507-B11 related to this, the area has to have professional designed equipment, and properly posted for safety and uses so that the City is not liable.

Mr. Lacasse asked if the porta john will be bolted down. Mr. Hausler advised that all their porta johns are anchored. Mr. Lacasse asked if there will be any charges for uses of this park. Mr. Hausler advised that it must be free to all per the RSA; they wanted a free, safe, and state of the art skating surface for the children.

Open Public Hearing

Roger Hoffman advised that he feels that the skate park is great for kids who are not into team sports. He feels the location is not ideal and he feels that the intersection needs to be addressed. This intersection could be a hazard to the kids. Also if people are looking down into the park as they are driving this will be a hazard and he would like some sort of screen put up so that people are not distracted.

Mr. Bernie Folta asked if skateboards have to follow the same traffic laws as bicycles since they are required to follow the same traffic laws as vehicles or can they be on the sidewalk. Chief Alex Scott advised that the legislature has not determined this, it is an unanswered question. Chief Scott also advised that he is not concerned with the vehicle traffic due to the fact that skateboarders eventually get their license. There is a tremendous amount of walking traffic throughout the City and this location for the park is centralized and stands alone. There was a skate park next to the library and the library couldn't stand it. There was one in Barnes Park and this one took away from the basketball facilities and created conflict. There is an advantage to having a skate park stand alone and not having to worry about them skating in the tennis courts, etc.

Mr. Regan advised that a couple of years ago he remembers when the skate park came before the council. This was sparked by someone who felt that the skateboarders needed a place to go. Skateboarding is a unique sport and as far as location you have to remember that most kids use their skateboard to get places, until they get their license. This is probably the best location we are going to get; it is a ½ mile from the middle school and a ¼ mile from the high school, those are the people who are going to use the skate park. There may not be a perfect location in town but this is probably as good as its going to get. Most people who are using the park are going to skate in or walk in, not drive in.

Don LaPlume advised that he has 5 kids and 3 of his kids love to skateboard and there is no place for them to go. A place that is safe where they can enjoy themselves is needed, and this is not such a bad location.

Mr. John DeTore advised he owns a business downtown and he would be thrilled to see a place where the kids can go. His business attracts kids (and adults) and he always asks the kids why they are skateboarding on Pleasant Street, they tell him that there is no place to go. So he would love to see something built for the kids.

Closed Public Hearing

Mr. Lacasse asked if there is a way to put a 911 box or something in case of emergency. Mr. Hausler advised that they are looking into installing a call box. If they can raise another \$4000 that will be done, if not it will be in the plan to get done. Most kids have cell phones.

Mr. Grigsby advised that he is a little worried about the location due to high traffic volume. Mr. Fowler advised that he is worried about the river and thinks that a chain link fence along the river should be installed at some date.

Mr. Grigsby started a discussion on permeable asphalt. Mr. Lacasse advised that it helps with water drainage although it may not be in their budget.

Mr. Fowler advised that he would like someone to look at the crosswalk light at Winter Street which he uses frequently that does not work.

Mr. Guillette advised that he has faith in Chief Scott's comments and if the police chief is comfortable with the location then he is comfortable with it also. Mr. Fowler advised that he is concerned with the signage, how are you going tell people they cannot turn left into the driveway. Chief Scott advised that the manual on traffic control devices would hold the rules for where that sign is located. He is sure that there is a recommended sign set up to prevent against turning left, maybe a double yellow line, he will look into it.

Motion to: approve the plan as presented

Made by: Mr. Fowler

Second: Mr. Guillette

Vote: Mr. Guillette - Aye
Mr. Lacasse – Nay
Mayor Cutts – Aye
Mr. Grigsby – Aye
Ms. Richardson – Aye
Mr. Fowler – Aye
Mr. Caplan - Aye

- **(PL2008-00003) Kurt Zentmaier, represented by Provan & Lorber, Inc, 53 Maple Street, Contocook, NH 03229** – Applicant desires Site Plan approval and a waiver from Section 22-527(d) of the City of Claremont Zoning Ordinance for off-street parking which requires 36 spaces for the existing building on **Plains Road** (former Coy paper), Tax Map 69, Lot 64; Zone I-2.

Mr. Coogan advised that this plan was a previously approved site plan and they would like to have site plan approval for the balance of the site for industrial use. The applicant is also seeking a waiver for parking.

Mr. Theodore Kupper advised that the site is owned and operated by Tyler Mills Realty, which is owned by Mr. Zentmaier. Mr. Zentmaier would like to have the site plan approved for the larger mill building so that he can begin work on that building to attract tenants. They are proposing 22 spaces where 36 are required. Those parking spaces are easily accessed from the site and believe that this will meet the needs for the building. If at a future date the parking becomes an issue it could require an amended site plan. Mr. Grigsby asked if this is to make the property salable and he is assuming he does not have a specific buyer or tenant in mind. Mr. Kupper advised that they are only proposing warehouse use for this site; it would not preclude leasing the space to another tenant within zoning regulations.

Mr. Grigsby would like to have the applicant come back to the board when there is a tenant so they can determine whether or not it is appropriate. Mr. Zentmaier feels that it is a good suggestion although the building was used for a more extensive use, it served in the past as manufacturing and now it will be warehousing. What makes it difficult is that this is a speculative adventure and if he gets a potential tenant he will have to say maybe they can go into the building if they get approval. Mr. Zentmaier advised that maybe a compromise could be that if they had any other use than warehousing they would have to come back. His building on Washington Street is used for warehousing and is much larger and there are only 15 cars there, from his experience they are not going to need as much parking as they are requesting.

Mr. Fowler advised that he is in favor of designating the parking places. Mr. Lacasse feels that the parking area should be paved. Mr. Fowler advised that he is not worried so much about the pavement but the spaces should be defined.

Motion to: grant the waiver for 22 parking spaces
Made by: Mr. Fowler **Second:** Mr. Lacasse **Vote:** Unanimous

Mr. Coogan recommended the board accept the application as complete

Motion to: accept the plan as complete
Made by: Mr. Guillette **Second:** Ms. Richardson **Vote:** Unanimous

Open Public Hearing

Closed Public Hearing

Mr. Grigsby advised that he would like the applicant to come back to the planning board if there is anything other than warehousing. Ms. Cutts wants to be sure that they are not interfering with the new sewer line or an environmental issue by paving the parking area.

Motion to: Approve the plan as presented and if the site has a use other than warehousing and parking exceeds the amount planned, they will return to the board for approval and to add a condition that the parking area be paved as long as it does not interfere with any other issues and that the conditions are noted on the Mylar
Made by: Ms. Cutts **Second:** Mr. Fowler **Vote:** Unanimous

Mr. Guillette wanted to clarify that the parking spaces or the whole parking area are to be paved. Mr. Grigsby advised that it will be the entire parking area.

VI. Correspondence

- Comprehensive Shoreline Act Presentation at Sunapee Middle High School Music Room– Guest speaker Rene Pelletier from DES Wednesday, February 27, 2008 at 7pm

VII. Other

Mr. Grigsby advised that he would like to have the public hearing for the Master Plan next month at the March 10th meeting.

VIII. Adjournment

Motion to: Adjourn
Made by: Ms. Richardson **Second:** Mr. Fowler **Vote:** Unanimous

Meeting Adjourned at: 10:15 pm
Respectfully Submitted,

Michelle Aiken
Boards and Commissions Coordinator