



Planning Board Meeting
Monday, November 10, 2008
Council Chambers, City Hall at 7:00 pm

Meeting Minutes
Approved 11/24/08

I. Roll Call

Present: Deborah Cutts, Paul LaCasse, Alan Grigsby, Richard Wahrlich, Peter Guillette, Lori Richardson, Brian Rapp, Adam Burke, Erwin Caplan

City Staff: Peter Dzewaltowski, City Planner; Katrina Spaulding, Administrative Assistant; Ed Tinker, Interim Director Planning & Development; Jane Taylor, City Solicitor

II. Review of Minutes

- Monday, October 13, 2008 public meeting minutes

Motion to: Approve the October 13, 2008 meeting minutes.

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

Vote: Unanimous

III. Continuation

- **(PL2008-00020) ML120-72 LLC, Kevin Lacasse, PO Box 823, New Hampton, NH –**
Applicant desires Site Plan approval for 9,859 sq ft. on upper two levels to be renovated into high end living space, located at **51 Pleasant Street, Claremont**. Tax Map 120; Lot 72; Zone B- 1.

Jane Taylor said at the meeting of October 13th, the Board didn't actually vote on the Site Plan for Kevin LaCasse. After reviewing the DVD, Ms. Taylor determined the original motion made wasn't actually for Site Plan approval; the motion which failed was for approval of 4 site specific conditions. According to RSA 676:4 C (1), the Planning Board must act within 65 days of the application being accepted as complete. On Sept. 22nd the Board deemed the application complete and under the law, this gives the board until November 26th to make a final decision on the application. Jane said the best way to handle the application would be to continue the hearing. There wasn't a request to continue at the prior meeting; however it should be treated as if it were suspended. One set of conditions had been voted upon at the last meeting. There can be new conditions made by the Board and the Board isn't limited to their decisions made at the previous Planning Board meeting.

Mr. Grigsby introduced Peter Dzewaltowski from the Upper Valley Lake Sunapee Regional Planning Commission. Peter is currently the Interim City Planner.

Mr. Kevin LaCasse prepared a statement to hand out to each board member. Mr. LaCasse mentioned at the last meeting the largest problem for the application was the lack of parking. Mr. LaCasse stated that he has currently rented up to 8 additional spaces in the parking lot next to the Century 21 building for a grand total of 26 parking spaces available to the 51 Pleasant Street location. These spaces will be rented from Roz and Erwin Caplan. Mr. LaCasse said he hopes this will resolve any parking issues going forward. The applicant feels this project will now serve the downtown and increase the Claremont tax base. This project is vital to the downtown revitalization. The City also needs to continue a solution for the downtown parking problem.

Mr. LaCasse said he would be agreeable to the conditions from the previous meeting such as the regulated number of occupants based on square footage and the restricted use of the dens not to be used as bedrooms, as well as the request for off site snow removal. Mr. Grigsby asked how far away the spaces will be from the building. Mr. LaCasse said it was about a 3 minute walk to the parking lot where the additional parking spaces are being provided.

Mr. Paul LaCasse asked if the lease for the parking would be renewable with the Caplan's. Mr. Kevin LaCasse said it will be allowed to be renewed. Mr. Grigsby said a previous applicant was required to obtain additional parking spaces and the Board made it contingent upon the lease there would be a one year warning prior to the agreement being terminated.

Open Public Hearing

Mr. Joe Gorman Jr., Chairman of the Claremont Development Authority wanted to address the Board as an interested business community member. Mr. Gorman mentioned there is a downtown parking dilemma for buildings with greatly different space and parking requirements. The downtown parking issue undoubtedly needs to be worked upon. Property owners need to be treated in an equitable manner. The CDA wishes to offer caution on debate and scrutiny on how these issues are recorded and reviewed by the public to prospective developers. The CDA urges the City and the Planning Board to resolve these issues quickly so as not to discourage a surging interest in Claremont now.

Public Hearing Closes

Mr. Grigsby asked Mr. Caplan to recuse himself based on the fact the parking involves a lease agreement between him and the applicant.

Ms. Richardson said it is a great thing Kevin LaCasse has done to acquire some additional parking spaces. Mr. Guillette also commended Mr. LaCasse for doing the work required to obtain additional spaces. Mr. Paul LaCasse asked if the Caplan's had enough parking spaces to spare to offer them up to Mr. Kevin LaCasse for usage.

Ms. Cutts said if the Caplan's are signing a letter offering the spaces, she assumes the Caplan's have already done the work required to decide if they have enough spaces or not.

Ms. Richardson agrees with Ms. Cutts that the Caplan's wouldn't be doing this if they felt they couldn't spare the 8 spaces.

Ms. Cutts said given the documentation in front of them, the motion failed for lack of parking at the last meeting it seems this has resolved the major dilemma.

Mr. Rapp asked if this includes the stacked parking. Ms. Cutts believes at the last meeting the stacked parking was done away with. Mr. Kevin LaCasse said when he brought the original plan forward the proposal was for 20 spaces. The number was reduced to 18 spaces and all are regulation sized.

Motion to: Approve site plan with 6 site specific conditions

Made by: Mr. Guillette **Second:** Mr. Rapp **Vote:**
Motion Failed

Motion to: Modify Mr. Guillette's motion with three additional site specific requirements (7, 8, & 9)

Made by: Mr. LaCasse

Second: Mr. Rapp

Vote: Unanimous

Motion to: Approve the Site Plan with 9 site specific conditions

Made by: Mr. Guillette

Second: Mr. Rapp

Vote: Unanimous

Site specific conditions:

1. Applicant shall maintain 26 parking spaces
2. Applicant shall obtain written approval from the City of Claremont Department of Public Works and Fire Department for the location and dimension of the proposed parking spaces.
3. Require the Applicant to utilize contract haul for snow removal off-site.
4. Require Security system at all entrances of the building
5. In compliance with IBC required screens or barriers to the inside of the windows.
6. The dumpster shall be screened.
7. Require that the approved site plan include a note that “dens” and “loft,” so-called, are not permitted to be used as bedrooms
8. Require inclusion in the lease documents the maximum number of occupants per unit based on the requirements of the ordinance.
9. The site specific conditions be filed with the site plan at the registry of deeds

Mr. Paul LaCasse asked if the conditions could be placed on the Mylar for recording at the registry of deeds. Mr. Dzewaltowski said it is ok to list the conditions on the site plan and it is also ok to record supporting documentation in addition to the Site plan.

IV. New Business

- **(PL2008-00021) Blanc and Bailey Construction, John Caramore, P.O. Box 383, Charlestown, NH** – Seek Site Plan Approval in order to build additional living space in the basement at **451 East Green Mountain Road**. Tax Map: 101 Lot 7-3, Zoning District: RR-2. Owner of Record William and Jane Taylor.

Mr. Dzewaltowski said the accessory dwelling unit is located in the basement of a newly constructed home. The process for approval of an accessory dwelling unit is to first receive a Special Exception from the Zoning Board of Adjustment and the following requirement is to apply to the Planning Board and obtain site design approval. The Planning Board’s role is to ensure the structure and development is consistent with a single family home. This unit is located in the basement and acts to help camouflage the unit and it continues to appear as a single family residence.

Mr. Dzewaltowski mentioned there are six standard criteria for condition of approval and 5 suggested conditions for the application.

The 5 suggested site specific conditions are:

1. A deed addendum with approval conditions be executed and recorded with the registry of deeds.
2. Occupancy of the accessory dwelling unit must be a family member.
3. The accessory dwelling unit will share utilities in-common with the primary dwelling unit.
4. Applicant will obtain a certificate of occupancy from the City of Claremont
5. This special exception is discontinued once property ownership changes

Open Public Hearing

Abutters - None present

Public Hearing Closed

Motion to: Approve the plan with the 5 site specific conditions

Made by: Mr. Guillette

Second: Mr. Burke

Vote: Unanimous

- **(PL2008-00022) Ray and Eunice Roy, P.O. Box 1065, Claremont, NH** - Seek Subdivision Approval involving 4 Parcels of Property located on **Winter Street**. Tax Map: 73, Lot: 2, Zoning District RR & AR. Applicant's Agent: Wayne McCutcheon, 492 Washington Street, Claremont, NH 03743.

Ms. Taylor said there is no staff report because the application was not complete by the 10 day rule stated in the Planning Board by-laws. Ms. Taylor also wanted to say there is no letter from the additional property owner saying they are in agreement with the plan moving forward. If the Board decides to vote on this application, the Board needs to make a motion to suspend the rules.

Motion to: Suspend the rules to hear the application

Made by: Mr. Guillette

Second: Mr. Burke

Vote: Roll Call

Mr. Wahrlich - Aye

Mr. Guillette - Aye

Ms. Cutts - Aye

Mr. LaCasse - Aye

Mr. Grigsby - Aye

Ms Richardson - Nay

Mr. Rapp - Nay

Mr. Burke - Aye

Mr. Caplan - Aye

Motion Approved

Mr. Dzewaltowski said the application is requesting the annexation of 4 lots and subdividing them into 2. There would be an amendment to the lot line. The end result will be 2 conforming lots in the AR and RR zoning districts.

The transfer of authority which wasn't received will need to be submitted by the property owner prior to the recording at the registry of deeds. The Applicant will need to get the paperwork before the transfer can take place.

Mr. McCutcheon said this is located on Winter St. and the application is the result of the Eldon and Edith Owens estate settlement. One of the owners will be contacted and Mr. McCutcheon will get a letter from the interested parties. The property was recently conveyed to the Roy's and the house and the two large buildings just north are going to be occupied by Larry and Susan White. The four lots of record will be dispersed into two lots. All improvements to the property will all happen south of the White's property the trust land being conveyed is tax map 84-22 has already been conveyed from the Roy's to the White's.

Open Public Hearing

Abutters - None Present

Public Hearing Closed

Motion to: Accept the application as complete

Made by: Ms. Cutts

Second: Mr. LaCasse

Vote: Unanimous

Motion to: Approve the subdivision and merger with the requirement the City receives a transfer of authority from Mr. & Mrs. Larry White

Made by: Mr. Guillette **Second:** Mr. Burke **Vote:** Unanimous

V. Correspondence

- **Proposed Site Plan Approval: (PL2008-00021) Blanc and Bailey Construction, John Caramore, P.O. Box 383, Charlestown, NH** - Claremont Zoning Board of Adjustment's Approval of a Special Exception from Section 22-187 (9) allowing the building of additional living space in the basement at 451 East Green Mountain Road. Tax Map: 101 Lot 7-3, Zoning District: RR-2. Owner of Record William and Jane Taylor, 451 East Green Mountain Road

VI. Other

- **NH Division of Historical Resources:** Request for Project Review by the New Hampshire Division of Historical Resources

VII. Adjournment

Motion to: Adjourn

Made by: Mr. Burke **Second:** Mr. LaCasse **Vote:** Unanimous

Meeting Adjourned at: 8:30 PM

Respectfully Submitted,

Katrina Spaulding
Administrative Assistant