



Planning Board Meeting
Monday February 26, 2007, 7:00 p.m.
City Council Chambers, City Hall, Claremont, NH

Meeting Minutes

Meeting Called to order by Chair Alan Grigsby at 7:02 pm

Roll Call

Present: Fred Kuriger, Ralph Swift, Mayor Scott Pope, Alan Grigsby, Lori Richardson, Russell Fowler, Erwin Caplan

City Staff: Gerald Coogan, City Planner, Michelle Aiken, Boards and Commissions Coordinator, Bruce Temple, Planning and Development Director

Absent: Anita Engel, Peter Guillette, Richard Wahrlich

I. Minutes of January 22, 2007 Meeting

Motion to: Minutes of January 22, 2007 Meeting approved as amended

Made by: Mr. Kuriger **Second:** Mr. Fowler **Vote:** Unanimous

Mr. Grigsby advised that at the end of the last meeting he had expressed appreciation to Ms. Engel and Mr. Kuriger for their services to the City and that he urged persons to volunteer to be on the Planning Board. He would like to be on the record as far as appreciation is concerned and open the door to people who are interested in serving on the board.

II. New Business

- **(02-2007) Raymond & Anna Bernard, 5 Alden Road, Claremont, NH 03743** - Applicant desires Minor Subdivision approval for existing 1.03 acre lot. Proposed Lot 1 to contain 0.53 acre with existing house. Proposed Lot 2 to contain 0.50 acre. Tax Map 159, Lot 59, Zone RR.

Mr. Coogan advised that the proposed subdivision and is in the RR district which requires 1 acre, however the applicant received an area variance from the Zoning Board of Adjustment. The proposed subdivision is for 1 lot 0.53 and the other lot is 0.50 acre. There is also a 20ft water easement to lot 2. This is a minor 2 lot subdivision.

Motion to: to accept the plan as complete

Made by: Mr. Fowler **Second:** Mr. Swift **Vote:** Unanimous

Mr. Wayne McCutcheon advised that one lot is a half acre and the other is .53. There is a state approved septic on site. On it is the house and the garage and the plan shows the water line and septic, and the gravel driveway. There is a 20ft permanent easement to the water line to lot 2, lot 2 is a half acre and test holes have been done. On lot 2 you will see that everything is appropriately located within the property line.

Mr. Grigsby asked if the square on the plan is within the state or the city zoning requirements. Mr. McCutcheon stated it is within the city zoning requirements. Mr. Kuriger asked if it is typical that the ZBA

would allow that kind of approval. Mr. McCutcheon advised that they were able to show a hardship to the ZBA and they granted it. Mr. Coogan advised that it is unusual, although he believes that the board did take into consideration that many of the other lots in the area are under 1 acre.

Open public hearing

Closed public hearing

Ms. Richardson asked because the ZBA approved this sort of approval do they realize they are setting precedence. Mr. Coogan advised that every case is unique and just because they approve it one time does not mean that they will have to do it in the future.

Motion to: to approve the plan

Made by: Mr. Fowler **Second:** Mr. Swift **Vote:** Unanimous

- **(03-2007) New Hampshire Community Federal Credit Union, 98 Charlestown Road, Claremont, NH** – Application submitted for 0.50 acres on **Charlestown Road** to be annexed from Tax Map 154, Lot 101, owner New Hampshire Community Federal Credit Union, to Tax Map 154, Lot 96, owner Gary & Penny Newton. End result being Tax Map 154, Lot 101 total remaining area is 8.38 acres and Tax Map 154, Lot 96 new total area with annex is 1.22 acres. Zone R1.

Mr. Coogan advised that the Credit union wants to transfer a half acre to the Newton's. No new lots are being created and it is something that both parties have wanted to do.

Motion to: to accept the plan as complete

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

Mr. McCutcheon advised that the entire lot is shown on the plan. Partial A is a snowshoe lot and they are squaring it off and giving them a back yard. The house area is pretty tight and it will give them some room to enjoy their back yard.

Open public hearing

Closed public hearing

Motion to: to approve the plan

Made by: Mr. Kuriger **Second:** Mr. Fowler **Vote:** Unanimous

- **(04-2007) Matthew & Lynn Tinker, 275 Pleasant Street, Claremont, NH 03743** - Applicant desires Minor Subdivision approval for existing 0.77 acre lot. Proposed Lot 1 to contain 13,090 sqft with existing house. Proposed Lot 2 to contain 12,840 sqft. Tax Map 143, Lot 43, Zone R1.

Mr. Swift advised that he would like to reclude himself

Mr. Coogan advised that Mr. Tinker has been trying to sell his property and has been unsuccessful and he thought that if he subdivides he may have better luck in the selling the property. Lot 1 will be accessed by Pleasant Street and lot 2 will be accessed by Mulberry Street. Mr. Woodley of DPW has advised that a driveway would be acceptable off of Mulberry Street and has given preliminary approval.

Motion to: to accept the plan as complete

Made by: Mr. Pope **Second:** Mr. Fowler **Vote:** Unanimous

Mr. McCutcheon advised that this property is just under 26,000 sqft, there is a large house, barn and driveway off Pleasant Street. There is an elevation change off of Mulberry Street, but this is not something that cannot be solved with some grading. It is possible to develop the lot within the city zoning guidelines. There are services available off Mulberry Street, it shows on the plan where the water line goes by the property and would be available.

Open Public Hearing

Mr. Jones is an abutter and he has some questions about the purpose of this subdivision. How is this going to help the tax situation in Claremont, are you going to get more taxes out of the subdivision and a new house. Is this going to improve or decrease the value of their properties? Mr. Grigsby advised that if someone was to improve the property it should increase the value of the properties around it.

Mr. Bouchard is the closest abutter. There is a perpetual yard sale at the property and he went to city hall to find out if it is legal and he was told that this was not legal and the city would take care of it. He is not saying that they are not good neighbors but they have a difference of opinion. Their property looks down onto Mulberry Street. They are asking \$250,000 for this property, which is a 400% increase from what they bought it for \$65,000. Mr. Tinker came down to \$199,000 and he can't imagine why anyone would buy this home when the backyard has been split up. The backyard and the porch is the best thing about this property. The elevation is steep and you would have to cut all the trees down and it would cut the value of his property and the view from the backyard. He has lived here for 37 years and it is sad to see this done. You would be spoiling a nice piece of real estate in this community.

Mr. Jones advised that where he lives his backyard has a lot of trees and its very tranquil. If that property is subdivided not only the aesthetic area is destroyed, but he also believes that the property values would go down. Also you should not that Mulberry Street is a busy thorough fair. Right now the city can plow the snow in there, but if someone builds a house and moves in there, they will have problems with snow. He hopes that Mr. Tinker can sell his property without subdividing.

Mr. Bouchard advised that if this property is sold as it is today or if it's sold in 2 pieces, the property owner has plans to leave the State and his best interest is not in what Claremont is left with. What we will be left with is something that is distasteful.

Mr. Tinker advised that they are looking at the subdivision and it gives him a little flexibility with the price on his property. There is no intention to build on that lot, maybe the new owner or an abutter will buy the piece of property.

Ms. Richardson asked what makes it more salable. Mr. Tinker advised that he is able to drop the dollar value if he reduces the size of the lot. The whole lot is a much better piece, but this gives him the opportunity to make the house more salable.

Closed public hearing

Mr. Grigsby asked Mr. Coogan how do they factor in aesthetics. Mr. Coogan advised that aesthetics do not play that much of a role as long as they are meeting all the regulations. If the board feels that a site walk is needed, they can continue until the next meeting. Mr. Grigsby asked what kind of issues or concerns can warrant that. Mr. Coogan advised that there was a mention of the topography. Mr. Fowler asked if it meets all the regulations it is just a judgment call on our part he does not see how it can come into play and it cannot be turned down. Mr. Coogan advised that it is always good to take into account the information from the abutters, etc.

Mayor Pope asked if we have a public hearing and we hear from the abutters, what does the impact on the quality of life of the abutters have to do with the decision. Mr. Grigsby advised that it would be about the property values and they would increase if a house was built on the site. Mayor Pope advised that the abutters quality of life should be a factor since this is a public hearing. Mr. Grigsby advised that it is the right of the property owner to do as he wishes with the property. Ms. Richardson advised that if it was black and white they could issue the subdivision without this board.

Mayor Pope advised that he would like to do a site visit. Mr. Tinker advised that it is a gradual slope, the contour lines on the plan are deceiving. Mayor Pope advised that he would still like to see the sight.

Mr. Fowler asked what kind of house could be built on this new lot. Mr. Coogan advised that it would have to be within the city guidelines and a mobile home would not be allowed per zoning. Mr. Kuriger advised he is not apposed to a site visit, but he is not sure how we can legally deny this application even if we see the site.

Mr. Grigsby stated that he believes that a person should be able to do what they want with their land as long as the zoning is right and it seems to be legitimate. The city has determined that quarter acre lots are acceptable and the driveway access has been approved. Mr. Coogan advised that the trend in planning is having smart growth, higher density where there is water and sewer and this is an example of smart growth. Mr. Kuriger asked Mr. Tinker if he has had advice from a realtor. Mr. Tinker advised that this was on the advice of his realtor.

Motion to: approve the plan

Made by: Mr. Fowler

Second: Mr. Kuriger

Vote: 4-2

Mr. Kuriger - Aye

Mayor Pope – Nay

Mr. Swift – Aye

Mr. Grigsby – Aye

Ms. Richardson – Nay

Mr. Fowler – Aye

Mr. Caplan - Aye

Mr. Swift came back to his seat.

III. Correspondence

- o Memo from Jerry Coogan regarding the 2007 work program schedule for the Planning Board

Storm water management is becoming more and more important with subdivisions and site plans and we want to update the subdivision regulations and storm water management regulations. Mr. Coogan advised he would like to start the meeting at 6:30 on March 26th and hear the applications after the meeting.

The next information session will be third party engineering reviews. David Danielson of SEA is the city selected consultant to review site plans and subdivisions when there is a third party review. David Mann is who lives in Keene and he is the past president of the surveyors association and he is going to come and speak to us April 9th.

May 14th there will be 2 lawyers from the local government center talk about legal issues, land use issues on how to conduct meetings, how to determine findings of facts, etc. This will be for all the boards to come and discuss decisions, etc. Mr. Grigsby recommended to the board members who are on other boards to advise their boards of the meetings so that they can attend them.

Mr. Grigsby would like to see how the city will deal with urbanization, it would be good to understand what other communities have gone through, what they have done or what they wish they had done. There are some significant improvements and development coming to Claremont. Mr. Coogan advised that there has not been a lot of growth and they are trying to encourage growth. We are a City of 14,000 but with the City's water and sewer we can easily accommodate 20,000 or more in terms of the unused excess capacity of water and sewer.

March 29th will be the Master Plan Visioning Session at the Maple Avenue School from 6-9pm. Mayor Pope advised that this is a chance for the community to give their input. The public input is very valuable; Charlie French will be there to help. They are looking for positive input. There will be a light dinner served and Colin Sanborn will give a 15-20 minute presentation on the History of Claremont. There will also be childcare available. The goal is to have the land use section done by October.

IV. Report from Boards and Commissions

Mr. Grigsby advised that he belongs to the Open Space Committee group, they meet on a monthly basis, things are going good and they are making progress.

Mr. Swift advised that there is a school investment advisory committee that is looking at various strategies for school enhancement in the coming years. There are about 20-25 people that meet twice a month and they are evaluating schools and the needs of schools. Mr. Swift advised that he believes it will take a good year before they have a report.

V. Adjournment

Motion to: Adjourn

Made by: Mr. Swift **Second:** Mr. Kuriger **Vote:** Unanimous

Meeting Adjourned at: 8:18 pm

Respectfully Submitted,

Michelle Aiken
Boards and Commissions Coordinator