



**Planning Board Meeting**  
Monday, June 12, 2006, 7:00 p.m.  
City Council Chambers, City Hall, Claremont, NH

**Revised MINUTES**

Meeting called to order at 7:00 pm by Chair Engel. Chair Engel thanks CCTV for televising meetings

**I. ROLL CALL**

**Present:** Anita Engel, Mayor Scott Pope, Alan Grigsby, Fred Kuriger, Erwin Caplan, Russell Fowler, Lori Richardson, Peter Guillette, William Regan

**Absent:** Chhouen Prach, Ralph Swift, Jim Hanson

**II. APPOINTMENTS**

Lori Richardson is appointed by Mayor Pope as a Full Board Member to the Planning Board. Mayor Pope thanks Dr. Berggren and recognizes his service with gratitude.

**III. MINUTES**

**Motion:** To accept the minutes of May 22, 2006.

**Made By:** Mr. Kuriger

*No second, motion fails.*

Mr. Fowler would like to bring to light that there was lengthy discussion regarding incoming tractor trailer truck traffic and his understanding was that all truck traffic, incoming and outgoing, would be via Citizen Street that samples of the road would be taken and the board would receive results of report. Mr. Fowler states that he had a call from a resident stating the trucks are using Sullivan Street. Chair Engel requests clarification on road report from Mr. Coogan. Mr. Coogan responds that the report is in progress. Mr. Fowler adds that Twistback Road was posted with a 6 ton limit last spring and questions if it will be posted again and if so how that would affect truck traffic. Mr. Grigsby does not think the board was specific regarding incoming truck traffic but feels it does make sense to limit incoming along with outgoing and suggests that motion be made to clarify incoming and outgoing truck traffic is limited. Chair Engel responds that the item would be under other business. Chair Engel agrees that it was her understanding that the report would be from an engineer and discussion was that it would make the most sense for trucks to take the Citizen Street route. Chair Engel clarifies that the board is attempting at this time to decide if the minutes reflected accurately. Mr. Caplan suggests listening to the tape. Chair questions if approval should be postponed until minutes are listened to. Mr. Grigsby questions if it is possible to amend conditions. Mr. Coogan responds that case would need to be reopened in order to do so. Mr. Coogan's recollection was that it was inconclusive on mandating incoming traffic but outgoing was clear.

**Motion:** To postpone accepting minutes of May 22, 2006 until conditions of approval regarding incoming truck traffic can be clarified.

Mr. Grigsby request the following items be corrected:

- o Page 1 bottom reference to Wayne McCutcheon – across from site should be on site western portion of site
- o Page 2 there is no mention of the question Mr. Grigsby directed to Mr. Pernaw regarding incoming truck traffic and Mr. Pernaw's response that the study included outbound truck traffic only and did not consider inbound weight and count.

**Made By:** Mr. Fowler

**Second:** Mr. Regan

**Vote:** Unanimous

*Motion passes*

**IV. NEW BUSINESS**

- o **Eagle Hill Real Estate (Eagle Times Publications), 401 River Road, Claremont, NH 03743** - Applicant desires Site Plan approval for a 4320 SQ FT addition to existing building. Addition to be used for equipment and shipping, Tax Map 175; Lot 1; Zone I-1.

*Mr. Grigsby recuses himself, and Mr. Guillette is appointed for Mr. Grigsby.*

Mr. Coogan presents that the addition is for equipment and shipping with no additional employees. The total increased runoff will be sheet drained into abutting hayfield with little or no impact to existing drainage system. The Fire Chief has reviewed the plan and has no issues, 4 new parking spaces proposed, no new signage, no snow storage is shown on the plan, applicant will move and screen dumpsters. Mr. Coogan recommends granting the waiver that is presented and concludes that there is sufficient information on the plan to accept it as complete.

**Motion:** To grant the waiver of a topographical map.

**Made By:** Mayor Pope      **Second:** Mr. Fowler      **Vote:** Unanimous

*Motion passes.*

**Motion:** To accept the site plan as complete.

**Made By:** Mr. Guillette      **Second:** Mr. Kuriger      **Vote:** Unanimous

*Motion passes.*

Warren Stevens, M&W Soils, points out that the proposed addition will be over existing paved parking plot and partially over where existing propane tanks are currently located. Pavement will be extended so that tractor trailers can pull in and out, 4 additional parking spaces next to existing loading dock that will not require any additional water or sewer and that the sprinkler system will be extended into the addition. Parking lot in front of the building will be graded and repaved. Currently has a leach field but will be connecting to city sewer. Addition will not change drainage patterns. Matt Blanc and John Caramore who will be building addition are present

*Abutters list read.*

Lot ID	Owner Name	Owner Address	Owner City
175-6	MARILYN AND LLOYD PAGE	412 RIVER RD	CLAREMONT NH 03743
174-4	CANNON REAL ESTATE LLC	PO BOX 1470	CLAREMONT NH 03743
175-5	GRISSOM AND RIVER LLC	386 RIVER RD	CLAREMONT NH 03743
175-1	EAGLE HILL REAL ESTATE LLC	469 MORSE HILL RD	CHARLESTOWN NH03603
175-2	LIVINGSTON ERVIN F 1990 TRUST	113 GRISSOM LN	CLAREMONT NH 03743
174-6	DONOVAN TIMOTHY M	PO BOX 1456	CLAREMONT NH 03743

*No abutters present, Chair Engel opens Public Hearing, no response, Public Hearing closed.*

Ms. Richardson questions if new parking will be a hindrance to existing loading dock. Mr. Stevens responds that it will not. Discussion regarding sewer capacity fees that would need to be paid. Mr. Coogan questions if the abutting hayfield is owned by applicant. Mr. Stevens confirms.

**Motion:** To approve the application be approved

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

*Motion passes, site plan approved. Mr. Grigsby returns to the board.*

Mr. Stevens updates the board that the LaValleys study has not had much work done on it yet due to the rain. Mr. Fowler requests that a DPW representative be with Mr. Stevens during the study and to keep in mind the 6 ton limit on Twistback concern. Mr. Grigsby requests that both Sullivan Street and Twistback Road be included in the study. Mr. Stevens clarifies that the study will include core pavement and sub-base. Mr. Coogan will update the board once the report is received by DPW.

- **James and Joshua Baird, 102 Case Hill Road, Claremont, NH 03743** – Applicants desire Minor Subdivision approval for existing 35,600 SQ. FT. lot at **200 Sullivan Street, Claremont, NH 03743**. Proposed Lot 1 to contain 14,400 SQ. FT. Proposed Lot 2 to contain 21,200 SQ. FT. Tax Map 119, Lot 228, Zone R1.

Mr. Coogan presents that the existing lot has 1 building with 3 dwelling units. The proposed lot 2 is 21,200 sf and could only accommodate 2 dwelling units. Mr. Coogan takes note of topography changes and would like Mr. Dombroski to address existing gravel drive. House does have drive off of Laurel St to North. The application did receive TRC review. Mr. Coogan states that the application is complete and recommends acceptance. Mr. Grigsby questions if there have been limitations to further subdivision. Mr. Coogan responds that he is not aware of any. Mr. Regan questions if the intention is to build a home on lot 1. Mr. Coogan confirms.

**Motion:** To accept the site plan as complete

**Made By:** Mr. Grigsby      **Second:** Mr. Caplan      **Vote:** Unanimous

*Motion passes.*

Mr. Thomas Dombroski, Surveyor of Record, presents for applicant. The existing gravel drive goes from south end of property and the intent is to keep access serve lot 1 only, along with other access for lot 2. Mr. Dombroski explains that there will not be an easement as previously planned. Mr. Baird proposes to build house on slope and have walkout basement on north side, as a result he may have to build a wall higher than 9 ft to make it work. House to be 28 ft x 36 ft, city water and sewer. Mr. Dombroski shows strip of land that was annexed onto the parcel the only restriction is that there is normally a statement that it would become part of the original lot. Became part of property to north would have to be subdivided to be separated. Mr. Dombroski does not know of any other limitations. Mr. Regan clarifies that lot 2 will be accessed from Laurel Street only. Mr. Dombroski confirms. Ms. Richardson questions which dwelling will be abandoned. Mr. Baird states that one of the units is a 1 room with bathroom, and it will be combined with one of the other apartments by taking out a door.

*Abutters List read.*

Lot ID	Owner Name	Owner Addr	Owner City
119-211	ROBERT & HEIDI KNIGHT	61 GROVE ST	CLAREMONT NH 03743
119-210	THOMPSON CATHERINE G	52 GROVE ST	CLAREMONT NH 03743
119-216	HOPE N PORTER ET AL	39 GROVE ST	CLAREMONT NH 03743
119-229	WALKER OLGA K	196 SULLIVAN ST	CLAREMONT NH 03743
119-227, 226, 225	PAGE GAIL C	2 LAUREL ST	CLAREMONT NH 03743
119-224-1	CITY OF CLAREMONT	CITY HALL	CLAREMONT NH 03743
119-365	FAMILY HOMESTEAD INDUSTRIES LLC	1017 RTE 12	WESTMORELAND NH 03467
119-228	JOSHUA & JAMES BAIRD - present THOMAS DOMBROSKI	102 CASE HILL RD 19 MYRTLE ST	CLAREMONT NH 03743 CLAREMONT NH 03743

*No abutters present, Chair Engel opens Public Hearing, no response, Public Hearing closed.*

**Motion:** To approve the application with the following condition:

- no more than two (2) residential units on proposed Lot 2

**Made By:** Mr. Grigsby

**Second:** Mr. Fowler

**V**

**Vote:** Unanimous

*Motion passes, site plan approved.*

o **Proposed Amendment** -Ordinance #474 Planned Residential Development Zoning Change

Attorney Jane Taylor presents that the proposed amendment is a draft proposal and Mr. Coogan distributes a variety of handouts that will be referenced. Attorney Taylor presents board with information that was used in determining content of the current proposed amendment. Internally came to the conclusion choice needed to be made to avoid patchwork quilt type of development where open space would be at risk. The city has taken the existing Planned Residential Development Ordinance (PRD) and rewritten it, built on existing and added, changes made to streamline the process. Ms. Taylor presents that when researching information showed that Claremont was the only community that needs zoning approval prior to planning. Chair Engel invites Mr. Guillette to sit with the Board. Mr. Coogan points out water and sewer on map. Ms. Taylor continues that when looked at existing water and sewer and core population is within 1 mile to 1 mile ½ from center. Split into 2 types open space with existing water and sewer and an open space without water and sewer. Separated out where water and sewer is available then higher density would be allowed, basic 10 acre minimum taken from existing zoning. There is no minimum lot size, if you do the numbers minimum lots are approx 8000 sf. Attorney Taylor gives example that if the PRD were to continue as is in the AR zone there would be no true open space that a community could use. Purpose is to encourage creativity by mandating a portion remain open space. Attorney Taylor refers to example of small open space development in Plainfield, NH that is in the *Real Estate Guide*. There are several in Keene and also some in Hanover.

Mr. Coogan gives overview of ordinance proposal, density bonuses and reference to dimensional setbacks as opposed to minimum lot size. Mr. Coogan gives overview of home owner association responsibilities as proposed in ordinance. The goals are to preserve open space, concentrate development in areas that make most sense and build in smart growth and conservation design principles.

Attorney Taylor notes reference to open space proposal that permits developer to give land to conservation organization to manage.

Chair Engel questions procedure regarding 1<sup>st</sup> reading at next City Council meeting. Attorney Taylor responds that the Planning Board can recommend, not recommend or take no action. The board also has the option to hold for 30 days to review and then take action. If passed by Council at 1<sup>st</sup> reading the 2<sup>nd</sup> reading will occur at the

next meeting. If the Planning Board does approve majority vote by Council is needed to adopt amendment, if the Planning Board does not approve 2/3 vote is needed at Council.

Mr. Grigsby states concerns regarding how informed the Council will be due to the lack of time the Planning Board has had to review information. Mr. Regan questions why the amendment was presented to the City Council before it has gone through the Planning Board approval process. Taylor responds that is when it was ready, and in the past a similar process occurred. Mayor Pope states it is important to hear Planning Board member concerns. Mr. Regan states that the proposal rezones the whole town and quotes portion of ordinance “when reviewing applications articles will supersede articles, ...” overrides all existing zoning ordinances. Attorney Taylor disagrees because paragraph that Mr. Regan is referencing has provisions as a conflict resolution paragraph which is not unusual and does not rezone entire district only rezones PRD that had no conflict resolution language in it. Mr. Regan reads section 22 580 page 6 items 1, item 8, item 10, item 11, item 12, item 13, and states they are all vague. Mr. Regan voices concerns regarding developer ability to submit exclusively to Planning Office and not Planning Board, will allow for massive structures, massive tracts of building will be allowed, completely changes zoning of city. Attorney Taylor responds that legally encouraged, density requirements are only for those developments that are designated open space developments, these are not condos, maximum is 6 units per structure, single family are individual residential that are owned including property around house. Mr. Grigsby questions if multifamily units are condominiums. Attorney Taylor responds that there would not be the kind of ownership that is found in condominiums. There are condo developments that do have single family and multifamily, Mr. Grigsby states no difference in approach. Attorney Taylor states that the city is trying to provide options for development, due to need for housing.

Mr. Grigsby likes idea of cluster housing in development and liked green mountain revised approach as opposed to original approach. This particular approach is more expansive than originally thought, can use this proposed ordinance in any area of the city.

Mr. Guillette requests information on these types of developments in other communities.

Ms. Richardson questions why the board is not being given the full 30 days. Mr. Coogan states that the July 10, 2006 meeting would be 28 days plus or minus.

Mr. Fowler states that if he was sitting on the City Council and all this discussion is taking place along with uncertainties, he would recommend to council that it be postponed another month to give the Planning Board time to review. Chair Engel recognizes Judy Nessel, Developer, Property Appraiser.

Ms. Nessel approaches, Chair Engel questions Ms. Nessel if ordinance were in effect what would she envision happening. Ms. Nessel responds that she sat on a Zoning Board for 5 years in Nashua, 1<sup>st</sup> thing she considers is what is economically feasible. The cost of a road with underground utilities is \$1.5 million per mile, raw land cost, soft cost incurred. Site she is interested in on Hanover Street has paid for wetland surveyor, and others, CAAJM subdivision in town has been on market for 1 year offering no water or sewer, 1 lot \$49, 500 priced above what market will bear. Maintain costs while lot sits, knows what will sell, what won't sell, what water, sewer and schools can handle. If development approved, 50 acres, 2 parcels separated by one lot, plan on putting in asphalt road with cape cod curbs, underground water and sewer, sidewalk on one side of street, lot prices tentatively \$46,000 cost vary with ease of putting in. Looking at development of single family homes, good marriage with current grade school, median age range 25 to 45 years old, no mobile homes allowed. Beginning lot prices are lower than CAAJM, provides water and sewer and pays initial hook up tax. 1.5 sell out per month, 95 lots. Ms. Nessel states that she was set and ready to do it by special exception, but internal city requested wait until proposed amendment is reviewed.

Mr. Kuriger questions what as a developer Ms. Nessel thinks of development that does not have minimum lot size. Ms. Nessel responds that she does not do low quality development. Kuriger clarifies that if no minimum lot size could there be lower standard housing. Ms. Nessel states that she cannot speak for others but heart of proposal is that it tells you what the maximum density can be. Gives example of if had 10 houses grouped into one corner marketability would be destroyed and project would have no economic feasibility.

Mr. Grigsby states that he has 10 or 12 questions regarding language. Mr. Regan questions how it is possible for the City Council to take action without Planning Board input. Mr. Grigsby in agreement that this is a big change and questions if this shouldn't be included in the Master Plan as a reflection of what the people of Claremont

want. Mr. Grigsby felt that the Master Plan should be completed prior to any changes made to the Zoning regarding ordinance #474. Mr. Fowler questions Mayor if must vote on within 30 days of presentation. Mayor Pope verifies unless it is tabled. Chair Engel states that perception is that the council will consider and the only difference a Planning Board input will make is how many votes are needed to pass amendment. Mr. Regan clarifies that his fear as a council member is that he relies on expertise of other board members in order to make a decision. Does not think it has had sufficient time for the Planning Board to review and will recommend tabling as soon as it is presented.

Planning Board to review and discuss further at next meeting. Attorney Taylor requests board members send questions to her attention in advance so she will have opportunity to research and prepare answers. Mr. Grigsby would like to have input from the Zoning Board. Mr. Fowler questions Conservation Commission input. Attorney Taylor responds that neither board input is required but can give input as citizens.

Chair Engel would like guidance from the board on how to proceed. Mr. Fowler questions if previously approved plans will be reviewed again. Taylor responds that previously approved plans would not be revisited. Chair Engel states proposed zoning amendment will be put on the agenda for June 26, 2006 meeting for further consideration. Mr. Fowler questions if Mr. Regan can attend the next meeting. Chair Engel encourages Mr. Regan to attend and participate in discussion. Taylor clarifies that all members and alternates are encouraged to participate.

## V. OLD BUSINESS

### o Continue Discussion on Master Plan Update Process

Mr. Coogan updates the board that he and Chair Engel are actively working on putting together an advisory committee.

## IV. OTHER

- o Arthur Luce, owns property on East Green Mtn Rd states that there was to be a subdivision to be heard by the ZBA but was postponed. Obviously if the proposed ordinance passes than the subdivision would skip Zoning Board review. Mr. Luce stresses that eliminating the Zoning Board review will eliminate important elements that are reviewed for site appropriateness. He adds that the board should consider if there is a real need for new housing. We have people that are making decisions that do not live in Claremont.
- o Mr. Grigsby would like to discuss LaValleys. Mr. Coogan requests wait until report received from M&W. The 5 trucks Mr. Elliot called Mr. Fowler about could have been a mistake and he has not had time to contact LaValleys to find out what occurred. Chair Engel states will wait until all reports received prior to reopening. Mr. Fowler requests clarification on why road posted 6 ton limit.

## V. REPORTS OF BOARDS AND COMMITTEES

- o Mr. Fowler will attend Conservation Commission meetings.

## VI. COMMUNICATIONS

## VII. ADJOURNMENT

**Motion:** To adjourn

**Made By:** Kuriger

**Second:**

**Richardson**

**Vote:** Unanimous

Meeting adjourned at 9:45 pm.

Respectfully Submitted By,

Suzanne Ripka