



Planning Board Meeting
Monday, January 11, 2010
Council Chambers, City Hall at 7:00 pm

Meeting Minutes
Approved 1.25.10

I. Roll Call

Present: Peter Guillette, Lori Richardson, Richard Wahrlich, Adam Burke, Catherine MacKenzie, Erwin Caplan, Andrew Austin, Deborah Cutts

Absent: Brian Rapp

City Staff: Mike McCrory, Interim City Planner; Kelly LeBlanc, Administrative Assistant

Chair/ Vice Chair Nominations:

- Lori Richardson nominated Peter Guillette as Chairman of the Planning Board; Unanimous Agreement.
- Adam Burke nominated Lori Richardson as Vice Chair of the Planning Board; Unanimous Agreement

II. Review of Meeting Minutes from December 28, 2009

Motion to: Approve the December 28, 2009 meeting minutes as presented.

Made by: Adam Burke **Second by:** Deborah Cutts **Vote:** Unanimous

III. Old Business:

○ **Master Plan Discussion**

Mike McCrory updated the board on the timeline of the Master Plan (MP). The Master Plan Advisory Committee (MPAC) was invited to attend the Planning Board (PB) meeting. Scott Pope and Bernie Folta attended on behalf of the MPAC.

Scott Pope, Ward II, MPAC Chairman, addressed the board. The MPAC had a 6 month hiatus in the MP process.

- 1991 – First Full MP
- 2001 – Economic Development Update
- 2005/6 – MP Process started intensively moving along.

The first two pieces of the MP, approx. a 13 month process, was the Land Use Chapter and Community Vision Chapter. Appledore Engineering & Upper Valley Lake Sunapee Regional Planning Commission aided in the process.

Three (3) community forums held: (1) Maple Ave School – 150+ community members attended, (2) 80-90 community members attended, (3) Roll Out of MP – 50+ community members attended.

- PB approval of the first two chapters (Land Use & Vision).
- Phase Two - Four Chapters: (1) Transportation, (2) Economic development, (3) Housing, (4) Historic and Community Resources (to be revised to Historic).

Finances and personnel changes shifted the intensity of support for the MP. Scott Pope indicated that City Staff, Nancy Merrill and Mike McCrory, are highly supportive in their desire to continue the MP process. The core group and core intent of the MP is to reflect the community.

The MP is the direct responsibility of the Planning Board. The MPAC reports to the PB (RSA 674:1). Final documents presented by the MPAC are to be approved or disapproved by the PB.

The recession influenced the data in the MP. There is a need to make a supportive database incorporating data which includes national trends, local trends, recession, etc. A goal of the MPAC is to create a 'living document.'

The MPAC is looking for the support and commentary of the PB and to assist in the MP process. One idea that was endorsed was the thought of having a MP review committee. A representative(s) from the Planning Board, City Government, City Manager, Citizens, etc. would be included.

Peter Guillette asked about vacancies. Scott Pope is waiting for the final tally due at the end of the month. He knows of 2 vacancies on the MPAC.

Andy Austin confirmed that the PB voted to accept the MP. Scott Pope confirmed - yes; the PB accepted the Land Use and Visioning Chapter. MPAC is looking to incorporate additional chapters.

Andy Austin inquired if there was an Open Space conflict – Open space is an Ordinance passed by City Council whereas Master Plan is not Ordinance but a philosophy. The Open Space Ordinance, if done correctly, has little to do with MP. However, the MP may support a specific ordinance.

Bernie Folta – Ward III – MPAC – Handed out Title LXIV Planning and Zoning Chapter 674 to the Planning Board. Chapter 674:1, 674:2, 674:3, 674:4 relate directly to the Master Plan. The MP is the legal underpinning for Community Zoning Ordinances. Mr. Folta confirmed that the state requires the Vision and Land Use chapters which Claremont has completed.

Bernie Folta stated that the Planning and Zoning ordinances should have a place in the MP. There is a legal risk if it can be shown that there is no linkage between the Planning and Zoning ordinances and the MP. Mr. Folta stated that the Land Use Chapter is the legal basis for Zoning.

Peter Guillette reinforced that the MP is a living document and it is important to have a subcommittee with public involvement

Scott Pope confirmed that while we have the MPAC, public input and involvement is essential on the documents. Changes reflect public interest (forums, roll outs, community organizations – to collect data). The MP is not a closed door process.

Deborah Cutts confirmed that there are 'chapter' teams which then bring recommendations for a final product. The teams are comprised of individuals other than members of the planning board. It shall be the duty of every PB to prepare and amend the MP. Theoretically, in some

communities the PB could complete the entire task and Claremont is progressive in incorporating the community even though it might take a longer period of time to finish.

Bernie Folta contended that while the PB is the 'law' responsible for the MP; involving members of the community functions as a form of cohesiveness bonding. Proactive advocating of ideas and needs is the communication that fosters the bond of the Claremont Community with the MP.

Richard Wahrlich stated that the UNH group collaborated with the MPAC confirmed that the interest groups all seem to be evenly divided through the community. This occurrence is atypical. The interest groups were a large contributor of information that was given to the MPAC.

Peter Guillette asked Scott Pope to review the next step – Scott Pope replies with the four (4) Chapter Titles: Transportation, Housing, Economic Development, Historic and Cultural Resources. These were the interests of the PB 14 months ago and the MPAC would like to continue them. Energy use and conservation is gaining involvement in the aforementioned chapters. The hiatus has supplied the MPAC with more information to work with.

Adam Burke inquired if there will be a telecommunications chapter. Scott Pope stated the plan is to finish the four (4) chapters at hand and then move from there.

Mike McCrory reviewed the timeline handout for the PB and subsequent Chapters located on the timeline.

The Planning Department/MPAC would like the PB to accept the following chapters to round out the MP – (1) Community Facilities & Recreation, (2) Natural Resources, (3) Utilities and Public Services, and (4) Summary - Goals and Recommendations [5 Chapters if Energy is included]. The Historic & Cultural Resources Chapter can be shifted over to 'existing MP Update Chapters.'

Mike McCrory would like permission for the MP to continue with these four chapters in addition to the existing chapters. Approval is sought to search out and employ future volunteer boards – i.e. Natural Resource Chapter would be matched with the Conservation Commissions and the Community Facilities & Recreation Chapter would be matched with the Parks and Recreation Department if the board concedes to this plan.

Deborah Cutts inquired about which PB members are/were involved in the existing four (4) MP Chapters. It is noted that Planning Board representatives were not involved in all existing chapters. Mayor Cutts contends that it is logical to tap into resources but also important to meet intent and continuity. The PB representative should actively work on the subcommittee they are affiliated with so that they take an active roll in development and do not solely just 'approve.'

Richard Wharlich supports the community aspect of the MP but does not want the PB to just be a body on the board and lacking true interest as the current members are truly interested in their respective committees.

Peter Guillette asked that if any PB member has an interest in a committee to speak with him. Deb Cutts agreed that the PB participant should be active and fair to help the MP process in moving forward

Adam Burke would like to give access of resources to the MPAC/Sub-Committees so that the MP is done correctly.

Mike McCrory states the first 4 chapters are the forefront of the MP, followed by the 4 subsequent chapters (5 chapters if Energy included). In the next year the MPAC will find any hurdles or impediments with information and move onward from that point.

Lori Richardson is concerned about stretching the MPAC too thin to work on the 4 original chapters and 4 subsequent chapters. Mike McCrory stated the 4 additional chapters could involve staff work to update tables/figures/maps etc to alleviate potential committee burden or work overload.

Deborah Cutts stated that the PB needs to take an active and directive roll if following the RSA. Has the Conservation Commission been contacted about the MP Chapter for Natural Resources? Mike McCrory stated the chair of the CC agreed that the Natural Resources chapter was a fitting idea. The PB can assign individuals as needed to serve on committees.

Andy Austin inquired about advertisement to establish renewed interest because the work has been dormant.

Scott Pope confirms that if old members are still interested because they had previous involvement they will remain, to be fair. Gaps will then be filled and areas strengthened. The end of January will hold more information on vacancies (January will be used as a time to regroup since mid-June).

Peter Guillette confirmed that there are no board objections for the MPAC going forward with the MP. The MPAC and subcommittees will be able to utilize resources as needed for the four (4) additional chapters.

Scott Pope will get a subcommittee report to the PB

Reports from Boards and Commissions

- No reports

IV. Other

- **Wavier Procedure**

Mike McCrory presented a request for specific concerns/question and also possibly amending the Wavier Procedure. Input from the board was requested.

Deborah Cutts inquires about which is which and also increased understanding regarding when conditions apply

- **Planning Board and Zoning Board Joint Meeting Inquiry**

The Planning Department is currently looking at a case that requires both Planning and Zoning review.

Would the PB be willing to have a special joint meeting with the ZBA for one application?

Lori Richardson inquires why both boards are requested?

Mike McCrory states that the Site Plan in question requires a Variance and the Planning Department just had a case with ZBA and PB involvement at different meetings. The Planning

Department would like to see if a joint meeting would expedite the process. This case would be viewed as a special circumstance. The concept of a joint meeting is consistent with city code.

Deborah Cutts would like to confirm how the meeting would be held. Would the ZBA and PB meet the same night but have different votes and consecutive meetings because of the judicial nature of the boards? Mike McCrory will follow up with the details concerning the work and voting process.

If both boards are needed, Mayor Cutts agreed that it might be more efficient to schedule both in one night so long as the legalities are followed.

Adam Burke agreed that this would benefit the applicant and not draw out the process

Lori Richardson is concerned that other applicants that will then want the same luxury and this will become a common request

Would the ZBA accommodate the PB schedule to meet jointly?

Peter Guillette– The ZBA and PB perform different functions and thus would vote no to a combined meeting. However, this is a board decision. Peter would like knowledge that the variance was approved before planning or this would not an efficient use of time for the applicant or board. The emotional process of the ZBA can be a lengthy process specifically if there are abutters who are not in favour of the plan. The PB would then be waiting on the decision of the ZBA to meet.

Adam Burke inquires about consecutive nights.
A special meeting could be scheduled if needed and proper public notice given.

Richard Wahrlich asks if the intent of the joint meeting to have the same idea of what is going on? Expedition purposes only?

Mike McCrory reports from past experience with joint meetings that if there is a Site Plan and part of that plan requires both Zoning and Planning approval then there is a potential loop that brings the applicant and corresponding boards back and forth to address concerns contingent on the others approval. The joint meeting with both boards can address all concerns so that the collaboration can reach a mutually agreed upon solution between the applicant and boards efficiently. The procedure is more complex but there would be greater insight if the boards can communicate.

Richard Wahrlich finds the idea progressive as it fosters communication between the boards and applicant

Lori Richardson – Would the PB then have 3 meetings in a given month? Procedure and logistics would need to be worked out.

The PB will agree to a joint meeting if it is possible to avoid an additional Planning Board meeting and if the other board is able to work through the scheduling difficulties.

Motion to: Agree to a joint meeting if the legal standards are met and in place.

Made By: Deb Cutts **Second:** Adam Burke

Vote: Peter Guillette - No, Lori Richardson - No, Brian Rapp, Richard Wahrlich - yes, Adam Burke - yes, Catherine MacKenzie - yes, Erwin Caplan - yes, Andrew Austin - yes, Deborah Cutts - yes

Correspondence

V. Adjournment

Motion to: Adjourn

Made by: Adam Burke

Second: Deborah Cutts

Vote: Unanimous

Meeting Adjourned at 8:18 PM

Respectfully Submitted,

Kelly LeBlanc
Administrative Assistant