



Planning Board Meeting
Monday, December 28, 2009
Council Chambers, City Hall at 7:00 pm

Meeting Minutes
Approved 1/11/2010

I. Roll Call

Present: Adam Burke, Catherine MacKenzie, Erwin Caplan, Andrew Austin, Deborah Cutts

Absent: Peter Guillette, Lori Richardson, Paul LaCasse, Brian Rapp, Richard Wahrlich

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

The Chair of the Board and the Vice Chair are unavailable for tonight's meeting. The PB shall appoint a chair according to the bylaws of the Board

Motion: Appoint Adam Burke as Chair for the December 28, 2009 Planning Board Meeting

Made by: Andrew Austin

Second by: Deborah Cutts

Vote: Unanimous

II. Review of Meeting Minutes from December 14, 2009

Motion to: Approve the December 14, 2009 meeting minutes as presented.

Made by: Andrew Austin

Second by: Catherine MacKenzie

Vote: Unanimous

III. Old Business:

- **(2009-00017) Windham Environmental, LLC, 16 Hood Rd, Windham, N.H.** seeks a merger of Tax Map 119 Lot 84 to Tax Map 131, Lot 31. A portion of Tax Map 131, Lot 31 is to be annexed to Tax Map 119, Lot 91. Merger and Annexation will result in Tax Map 131, Lot 31 to be 55,933 sq ft, and Tax Map 119, Lot 91 to be 6,882 sq ft. Location **87 Mulberry Street. Zone B-2.**

Continuation of Public Hearing Opened.

Mike McCrory reviewed the Area Variance approval by the Zoning Board of Adjustment. Relief was requested from Section 22-298 of the Claremont City Code to permit expansion of subject parcel dimensions from approximately 4,172 square feet (sq. ft.) to 6,882 sq. ft. The property is located at 87 Mulberry Street, shown on Tax Map 119, Lot 91, lying in the B-2 zoning district.

Conditions of approval of the Area Variance include:

1. The construction of the site layout, regardless of phased site improvements, shall sufficiently accommodate the loading and unloading of vehicles entirely on the premises prior to receiving a Certificate of Occupancy. Such operations shall not encroach upon the public right-of-way and cause a public safety concern.

2. The Owner of the adjacent parcel to the south, Map 131, Lot 31, shall provide the Owner of the subject parcel an easement to accommodate two (2) standard parking spaces, or at total area of 18 ft x 18 ft for the benefit of snow storage or overflow parking as necessary.
3. Require recording the Area Variance in the chain of title.

Jeff Kevan, T.F. Moran (Agent), presented the plan to be reviewed. The applicant has acquired an Area Variance related to the creation of a non-conforming lot. The Owner has agreed to a Lot Line Adjustment that will benefit the subject parcel (Map 119/Lot 91). The Lot Line Adjustment will increase the area of Map 119/Lot 91 from 4,172 square feet (sq. ft.) to 6,882 sq. ft. This will increase surface parking by taking a portion of the adjacent parcel to merge the lots. Agreement of an easement to add 2 parking spaces if needed have been confirmed. Vehicles are anticipated to back into the building. A connector has been added so that a hauler or tow-vehicle could pull onto the property to off load. These solutions allow for multiple options when unloading vehicles.

Building will be used by a single owner.

Mayor Cutts inquired the number of structures on the parcel. There is one garage building, the adjacent Topstone Mill is owned by another party. Windham Environmental currently owns the three parcels that are part of the merger and acquisition of land to Map 191, Lot 91.

Motion to: Accept the proposed lot merger and annexation as presented by the Applicant.

Made by: Deborah Cutts **Second by:** Catherine MacKenzie **Vote:** Unanimous

- **(2009-00017b) Windham Environmental, LLC, 16 Hood Rd, Windham, N.H. -** Applicant desires Site Plan approval to convert an existing operations building for fuel sales to an automotive repair shop with additional parking. Building located at **87 Mulberry Street, Claremont, NH 03743.** Tax Map 119; Lot 91; Zone B-2.

Jeff Kevan, Agent, presented the site plan including the lot line adjustment and proposed site layout, the lot is in the B-2 Zoning district. The site includes an existing 1400 sq ft garage with partial basement currently on lot. The garage contains 3 bay doors and a small office. 2 bays will be parking spaces and the 3rd space will be for the repair. 3 parking spaces will be outside alongside the building.

It is the intent to add a driveway down the front of the lot for loading and offloading vehicles. An easement would be added to allow for 2 additional parking spaces as needed. The idea is to get in, open the business and make site improvements as the business grows.

The ZBA conditions of approval require the connection to be installed before occupancy of the building. The facility is on municipal sewer water and they would use the existing lighting. The scheduled hours of operation are Monday through Saturday from 8:00 AM to 6 PM.

Mayor Cutts inquired about the total number of parking spaces: up to 6 total (2 inside, 3 outside and 1 out back as needed). The spaces are for customers and cars in need of repair.

Jeff Kevan reported that city standards require 5 spaces. Severely damaged vehicles will be parked on the side of the building to prevent aesthetic decline.

Wayne McCutcheon, surveyor for the Agent, confirmed that this business is *not* a body shop but a repair service.

Andy Austin was concerned about the aesthetics of miscellaneous car parts piling up as this is a major route through town.

Jeff Kevan stated that parts and waste will be stored in the basement and in the dumpster, which will be behind the building. Both areas would prevent the piling up of parts and affect aesthetics. There will be no fuel storage tanks except for heating fuel for the building. Oil and vehicle fluids will be contained according to state regulations. All chemical deposits will be contained within the building.

Andy Austin inquired about the heating system in the building: Vilmar Da Conceicao, the proposed owner, stated he will be recycling the dirty oil and use it to heat the building.

Mayor Cutts inquired about possible new structures. Mr. Da Conceicao stated that only existing structures will be used and no additional structures are proposed.

Motion to: Accept the plan including conditional precedent and subsequent where as Conditions Precedent state (1) The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Public Works Department and (2) The applicant shall obtain and receive approval for all necessary permits as determined by the State of New Hampshire. Conditions Subsequent state (1) The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Building Department. (2) Prior to issuance of a Certificate of Occupancy, the owner/applicant shall notify the Zoning Administrator and Building Inspector that the project is ready for final inspection. Completion of the project shall be in substantial compliance with the plans submitted for review and all conditions of approval. (3) This Site Plan is valid for three (3) years from the date of approval. If a building permit has not been issued before the three-year deadline, the site plan is no longer valid and must be recertified through the Planning Board.

Made by: Deborah Cutts **Second by:** Catherine MacKenzie **Vote:** Unanimous

Open Public Hearing

No abutters present

Close Public Hearing

Mayor Cutts inquired about what the building look like when opened? Is there a 'side walk'? There is no curbing but a widened shoulder as a 'side walk.' The building aesthetically will not change as it is ready for operation from the owner's standpoint. There are large concrete cradles (8' off the ground), gravel, and paved apron in front of the building but no formalized landscaping. Additional landscaping not proposed at this time.

Andrew Austin asked if there will be a sign. A building mounted sign that will conform to city regulations and standards will be used.

Andrew Austin raised a safety concern for westbound vehicles on Mulberry Street. The rise in the street causes a blind spot in the vicinity of the subject parcel.

Mayor Cutts inquired if there is a solid goal for aesthetics as there is no sidewalk or grass. Jeff Kevan stated the occupancy of the building is an improvement in and of itself.

Motion to: Accept and approve the merger of Tax Map 119-84 with Tax Map 131-31 and annexation of a portion of 121-31 to 119-91. Merger and Annexation will result in Tax Map 131, Lot 31 to be 55,933 sq ft, and Tax Map 119, Lot 91 to be 6,882 sq ft. Location: 87 Mulberry Street. Zone B-2.

Made by: Deborah Cutts **Second by:** Catherine MacKenzie **Vote:** Unanimous

IV. Other

No Reports from Boards or Commissions

Mike McCrory informed the Planning Board that the Planning and Development Office received the Water *Resources Management Plan, Riverwide Overview* from the Connecticut River Joint Commission. It is available for public reference.

V. Adjournment

Motion to: Adjourn

Made by: Andrew Austin **Second:** Catherine MacKenzie **Vote:** Unanimous

Meeting Adjourned at 7:42 PM

Respectfully Submitted,

Kelly LeBlanc
Administrative Assistant