



Planning Board Meeting
Monday, February 22, 2010
Council Chambers, City Hall at 7:00 pm

Meeting Minutes
Approved 3/8/10

I. Roll Call

Present: Peter Guillette, Lori Richardson, Adam Burke, Catherine MacKenzie, Deborah Cutts, Erwin Caplan, Brian Rapp

Absent: Richard Wahrlich

City Staff: Nancy Merrill, Director of Planning and Development, Mike McCrory, Interim City Planner; Kelly LeBlanc, Administrative Assistant

II. Review of Meeting Minutes from January 25, 2010

Motion to: Approve the January 25, 2010 meeting minutes as presented.

Made by: Lori Richardson

Second by: Adam Burke

Vote: Unanimous

III. Old Business

IV. New Business

- **(2010-0002) Nicholas Koloski – Time-Out Sports Bar and Grill** - Applicant desires approval from Planning Board for a Site Plan Waiver. Proposed 86 seat restaurant, 3,781 Sq Ft, will be located in the space formerly occupied by the Lighthouse Church. Building Owner: **Topstone Holdings, South Burlington, VT.** Building located **101 Mulberry Street, Claremont 03743.** Tax Map 119; Lot 91; Zone B-2.

Project Description

The Applicant plans to occupy 3,781 SF of space in the Topstone Mill Building located on the above referenced parcel and open the Time-Out Sports Bar and Grill. The specifics of the operation are summarized in the application materials submitted by the Applicant. The proposed use will be a restaurant with a liquor license and a planned capacity of up to 86 seats.

III. Primary Planning Considerations

The Applicant requests a waiver for Site Plan Review per Article VII of the *City of Claremont Site Plan Regulations*. The proposed use will not substantially change the use or character of the site for the following reasons:

- Historic use of the site has included light assembly, storage, retail/commercial, and a place of worship.
- The existing uses, combined with this proposed use, will not require a substantial change to the layout or configuration of the existing site.
- There will be no addition to the existing building.

- There is sufficient utility capacity, including water and sewer services. It is the opinion of Staff that the surrounding road network has sufficient capacity to accommodate the proposed use.

Recent discussions about potential redevelopment of this parcel and redevelopment activity at an adjacent parcel led to the determination that the Applicant should request a waiver for Site Plan Review from the planning board. It is important to note that future redevelopment of this parcel to fully restore and utilize the Topstone Mill Building will be subject to City Staff review and will likely require Site Plan Review.

IV. Waiver Discussion

Upon consideration of a waiver for Site Plan Review the planning board shall consider the Article VII: Waiver Procedure of the *City of Claremont Site Plan Regulations* and RSA 674:44 III(e).

- Article VII, B states that, “The planning board may waive provisions of these regulations provided that the planning board has determined that such waiver of any requirements will not affect the purpose and intent of these regulations and will be consistent with the master plan.”
- RSA 674:44 III(e) allows the planning board to waive any portion of the regulations. A waiver may be granted, including a waiver for Site Plan Review, by majority vote if:
 - Strict conformity with the Site Plan Regulations would pose an unnecessary hardship to the applicant and would not be contrary to the spirit and intent of the regulations, or;
 - Specific circumstances relative to the proposal or conditions of the land indicate that the waiver will properly carry out the spirit and intent of the regulations.

Staff recommends that the planning board review this request as prescribed in Section C of the *Claremont Planning Board Bylaws*. The planning board shall evaluate the request per the above criteria and determine whether to approve or deny the request. The motion to approve or deny shall include specific reasons for the approval or denial and shall be recorded in the meeting minutes.

The current site is under utilized compared to the existing surroundings. The proposed use does not require a substantial change to the property. There will be minimal change to the parcel. Restriping of the parking lot is anticipated. A recent application to this site includes an auto repair shop. Pending redevelopment of the property is currently in the works and property use. At the time of redevelopment a full site plan will be completed.

Peter Guillette questions if there will be any exterior changes to the building. Mike McCrory states that there will at most be a restructure to the parking lot. Building code and safety review will be in line with the Claremont Fire Department.

Mike McCrory clarified the waiver process for the board. There are minor projects that fall within Article VII of the site plan regulations. If it is below a certain threshold the Zoning Administrator or designatee has the jurisdiction to waive the site plan. Once the

threshold is crossed a site plan review is recommended but it is the applicants digression to file for a wavier.

Three Options: (1) Zoning Administrator or Designee waives Site Plan Review, (2) Applicant submits a Site Plan Wavier Request to the Planning Board, (3) Full Site Plan review.

Ms. Cutts would like to clarify that this property is not in the HDC. This has been confirmed.

Eric Gomez, interior design for Time-Out Sports Bar, presented a power point presentation to the board regarding the interior and exterior of the proposed Time-Out Sports Bar. An ADA accessible ramp and awning will be added to the front of the building. There will be no other impact to the exterior of the building. The awning is built to replicate the awning located further down on the building façade.

The change from pavement to gravel will not affect parking for Time-Out. The interior will make use of interior structure to enhance the 'old mill feel.' The building is eco-friendly and 'green' designed utilizing recycled materials.

Tables and booths located in the interior / seating will accommodate those in wheelchairs.

The Claremont Room will be a 'free' meeting room for non-profit organizations. The Claremont Room will function as a meeting location that can be acquired on a sign-up basis.

Bathrooms in Time-Out are ADA accessible from the previous tenant.

Lori Richardson inquired if there will be a sign. Mr. Gomez states that they do not intend on displaying signage. Time-Out Logos will be placed on the windows.

Brian Rapp inquired about the black fence at the entrance of the property. Eric Gomez stated that at this point there are no plans to remove the fence.

The building is sprinkled and up to date.

Deborah Cutts would like to compliment the applicant on the clean-cut bulleted format.

Ms. Cutts would like to know about the waste containers.

Nicholas Koloski assures that there will be daily trash pick-up and there will be no large dumpster.

Ms. Cutts asks what 'close' entails for operational time. Mr. Koloski stated that close will be when business starts to taper off for the night. There are no current concrete answers on a delineated time.

Catherine MacKenzie inquired about live entertainment. Mr. Koloski stated he would like Time-Out to be family friendly/oriented. Live entertainment is not the priority as Time-Out will be family/sports oriented.

Lori Richardson asked the intended open date. Mr. Koloski stated approximately 60 days.

Ms. Cutts asks the total Sq Ft of the building/first floor. 17,500 Sq Ft per floor.

Motion to: Approve Request for Site Plan Wavier .

Made by: Lori Richardson **Second:** Adam Burke

Vote: Unanimous

V. Reports from Boards and Commissions

Peter Guillette announced that Catherine MacKenzie has been appointed Planning Board Representative to the Historic District Commission.

VI. Other

Mike McCrory reviews the order of the Master Plan Committees. The working timeline shows the chapter review process through October. There will be a hearing when the Master Plan goes to the Planning Board for review. Mike will talk with Chair Guillette about a appropriate time for hearing the Chapters. This will be a planned meeting and noticed.

Brian Rapp asks about additional chapters after October.

Mike McCrory states there are no additional chapters at this time.

Correspondence

VII. Adjournment

Motion to: Adjourn

Made by: Adam Burke **Second:** Brian Rapp

Vote: Unanimous

Meeting Adjourned at 7:27PM

Respectfully Submitted,

Kelly LeBlanc
Administrative Assistant