

**Claremont Planning Board**  
**Monday, May 9, 2005**  
**City Hall, Council Chambers, Claremont, NH**

**Minutes**

**1. Roll Call:**

**Present:** Heather Giannuzzi, Mayor Pope; Frederick Kuriger, Anita Engel (Chair), Russell Fowler;  
Erwin Caplan, Alan Grigsby

**Absent:** Michael Demars, Allen Berggren, Bruce Temple, Scott DeCoteau

**2. Appointments**

Mr. Hanson was appointed for Mr. Demars.

**3. Minutes of April 11, 2005**

**Motion:** To approve the minutes with the revisions made by Mr. Grigsby.

**Made by:** Ms. Giannuzzi Second: Mr. Kuriger

**Vote:** Unanimous

**Minutes of April 25, 2005**

Amendments:

- a. Mr. Hanson was not appointed for Mr. DeCoteau because Mr. DeCoteau is a City Representative, not a public member. Mr. Hanson is an Alternate for Board members only.
- b. Under "Old Business"; item "a, 1", insert the word "provide" between "and" "a grassy".
- c. Under "Old Business"; item "a", omit "Mr. Demars" as seconding the motion and replace with "Mr. Fowler".
- d. Under "Old Business"; item "b", 4th paragraph, insert the words "driveways to" between "if the".
- e. Under "Old Business"; item "b", Page 3, 1st paragraph, insert the word "one" after the word "lot" and omit the previous word "the".
- f. Under "Old Business"; item "b", Page 3, 2<sup>nd</sup> paragraph, 3rd sentence, insert the words "concerns raised by Vollmer Associates and omit the word "issues".
- g. Under "Old Business"; item "b", Page 3, 3<sup>rd</sup> paragraph, omit the last two sentences.
- h. Under "Old Business"; item "b", Page 4, 6th sentence, insert "to a question about how drainage calculations had been done" after the word "response" and omit the words "to the calculations".

Mayor Pope requested the Board review the conditions of approval again to be sure they are correct. The Board unanimously agreed the conditions were correct.

**Motion:** To approve the minutes of April 25, 2005 with the amendment.

**Made by:** Mayor, Pope Mr. Kuriger

**Vote:** Unanimous

**4. Old Business**

**David and Patricia Sclafani, 32-38 LaFayette Street, Claremont, NH**—seeks approval to subdivide 11.34 acres into 5 individual lots in the rural residential and streambank zones. Map 73, Lot 25; Zoning District: RR and SB.

**Open Public Hearing**

*Mr. Caplan recluse himself. Mr. Berggren was appointed for Mr. Caplan.*

Mr. Coogan distributed an updated plan provided by Mr. Dombroski, which outlines useable land on lot #3. In a letter dated May 2, 2005, Mr. Dombroski states the property has 43,900 sf usable non-wetland area. The applicant has identified a new well radius area for lots #1, 3 and 5. Also identified on the plan are all existing, abandoned and proposed water lines and the location of the water line easement. The applicant has received NHDES approval for the septic systems. The applicant is also requesting a waiver from having a City official present to observe the perk test pits. Mr. Coogan concurs with their request and stated that the applicant has met City subdivision regulations.

Mr. Dombroski addressed the septic system placement on the lots. According to DES, 4,000 sf is required. The actual amount of required land is less. On lot #3, the septic system was moved back further onto the lot; and on lots #1 and #5 the septic systems were moved away from the right-of-way. Mr. Dombroski provided information on the soil types and other testing data. Each area shown conforms to the setbacks and has been approved by NHDES.

Mr. Grigsby questioned a water pipe in the ground. Mr. Dombroski answered that it carried water from one reservoir to another and at present, has been shut off on the upper end. Mr. Berggren confirmed this.

### **Open Public Hearing**

Ms. Lisa Richmond, has been advised by NHDES that the pipe that runs across the property will clip lot #2's septic system. Mr. Fowler asked if the pipe could be moved. Mr. Hanson answered that the pipe was too fragile to move. Mr. Grigsby requested Mr. Coogan summarize the City Attorney's letter to Mr. Dombroski since the Board has not had an opportunity to read it. Mr. Coogan said the letter related to State Regulations; however, he felt the applicant has addressed all the issues. In regard to the easement, the applicant must request and receive approval from City Council for a release of the property interest by quick claim deed. This can be a condition of approval.

Mr. Coogan reiterated the applicant's request that the requirement for a City official to be present during the perk testing be waived. He further stated that this task be eliminated in the future since the City does not have the trained personnel. Mr. Fowler stated this restriction should be waived until the City is able to enforce it.

**Motion:** To approve the subdivision as presented with a condition that the property issue regarding the water line be resolved to the City's satisfaction to waive that a City official be present during perk testing.  
**Made by:** Mr. Kuriger      Second: Mr. Fowler  
**Vote:** Unanimous

Chairperson Engel advised Mr. Dombroski that the applicant is responsible for all necessary legal work to have the property interest and easement released.

*Mr. Caplan returned to his seat.*

### **Public Hearing Closed**

#### **5. New Business**

- a. **41 Hanover Street Trust, 3 Ralston Place, Claremont, NH**—seeks approval to convert a two family residence into a rooming house consisting of six rental bedrooms with a common kitchen, bath, and living room. Map 108, Lot 48; Zoning District: R2

Mr. Coogan advised the Board that the application's request to convert from a two family house to a six unit rooming house is a permitted use. The applicant has received site plan guidance from the TRC in regard to fire and building concerns, and has submitted an updated, hand drawn plan that addressed the issue of lighting, snow storage, signage, screening of outdoor waste, security and a driveway permit. Mr. Coogan informed the Board that the applicant is requesting a waiver for a professionally prepared plan. He explained that the present regulations do not include standards for plans and that when accepting a hand drawn plan, the use of the plan must be taken into consideration. Mr. Houle's plan is drawn with sufficient accuracy. Mayor Pope expressed concern about setting a precedent and stated that a standard needs to be set to avoid confusion in the future.

**Motion:** To grant a waiver to a professionally prepared plan.

**Made by:** Mr. Fowler Second: Mr. Caplan

**Vote:** 7-1

<b>Roll Call Vote:</b>	Heather Giannuzzi	Yes
	Mayor Pope	No
	Frederick Kuriger	Yes
	Anita Engel (Chair)	Yes
	Russell Fowler	Yes
	Erwin Caplan	Yes
	Alan Grigsby	Yes
	Allen Berggren	Yes

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

**Made by:** Mr. Grigsby Second: Mr. Kuriger

**Vote:** Unanimous

#### Open Public Hearing

Mr. Edward Houle presented an updated plan. He stated that when he purchased the building it was in serious need of repair. He intends to restore the building. In order to recoup his investment, he proposes a rooming house. His plan is to physically oversee the property on a weekly basis. While he plans to cautiously interview prospective tenants, he will not discriminate.

Mr. Houle's goal is to have long-term tenants, but is willing to rent rooms by the week. Mr. Hanson's concern is with the ramp and dumpster. Mr. Houle responded that Gary's Disposal has handled the dumpster. The retaining wall has been removed to aid with the turn around. His plan is to carry the slope around the side of the building to provide easement. The new proposed parking plan will increase the water run off, but this should be controlled by the storm drain. Due to tight parking, the restrictions will allow for one tenant per room and one vehicle per tenant. The dirt pile will be removed, a street sign will indicate that it is a one-way; gutters will be placed around the house to prevent water accumulation and subsequently freezing during the winter months. Pets will not be allowed. Mr. Berggren expressed his concern that if the driveway was not paved, over the long-term the traffic could create damage to the house and the ledge.

#### Open Public Hearing

David Santini, 9 Ralston Place—is concerned with a rooming house in a residential area, with different people coming and going, and safety.

Sandra Wilson, 5 Ralston Place—as a one time renter and currently a landlord, is concerned with renters having other people move in with them, pets, loud music, and drug use. Mr. Grigsby asked how she felt about an apartment. The applicant responded that a family would be less likely to be involved in drugs or criminal activity.

David Spydell, 46 Hanover Street—questioned why a 3 family home cannot be approved due to insufficient parking and yet a rooming house can be approved with six parking spaces.

Mr. Coogan stated that the applicant had originally applied for a variance for a 3 family and was denied due to insufficient area. Attorney Smith, representing the applicant, stated that based on the R2 Zoning regulations, the City has deemed this use appropriate for the area. A rooming house complies with the required square footage. It is inappropriate to assume that renters will be undesirable people. Attorney Smith agreed with the Board that water run-off down the driveway will be an issue.

Attorney Smith does not feel that a security bond prior to a building permit should be required since all work must be approved by the City Inspector before receiving a Certificate of Occupancy. Mr. Houle stated that one of the benefits of a rooming house are more regulations making it is easier to evict people. Each tenant will have to sign a contract and each room will be rented to one person, overnight guest are not allowed. Mr. Houle will be at the property once a week and would like a resident to manage the property.

#### Public Hearing Closed

Ms. Giannuzzi stated it would be best if an engineer reviewed the property since there are some concerns regarding safety, the driveway radius and ice formulating from water coming down the driveway. She also wants to make sure that a rooming house is best for the area since there is a school nearby and the potential for 6 new tenants on a weekly basis. Mr. Grigsby agreed and stated that he is not in favor of the rooming house. Chairperson Engel said that members are making assumptions of potential renters. Mr. Kuriger agreed that an engineer should review the property; however, he does not understand how a rooming house could be considered an appropriate use for this area. Attorney Smith said that it is allowed as a matter of right, which means it cannot be denied on the basis of the neighborhood. Mr. Coogan is in favor of an engineer reviewing the property. Mayor Pope requested clarification of the tenant's rights and a copy of the rooming house rules. Mr. Coogan suggested the plan be approved with conditions. If complaints are received, a hearing could be held to assess the conditions and make modifications. Mr. Fowler recommended the hearing be continued to allow the applicant time to address the Board's concerns. Mr. Kuriger reiterated his concerns regarding the safety of the neighborhood.

**Motion:** To continue the application until June 13, 2005  
**Made by:** Mr. Fowler Second: Mr. Kuriger  
**Vote:** Unanimous

- b. **Lake Sunapee Bank, PO Box 29, Newport, NH**—seeks approval to erect a remote unit at 345 Washington Street. The unit will be utilized as a drive-up teller building, in the parking lot, southeast of the Market Basket grocery store. Map 133, Lot 63; Zoning District: B-2.

*Mr. Grigsby recluse himself. Mr. Hanson was appointed for Mr. Grigsby.*

Mr. Coogan presented the plan for the drive-up teller building to the Board. The updated plan does not include a staff person to operate the building. Fire Chief Chase has concerns with vehicles backing up to the fire lane. He feels the applicant needs to provide adequate security for the building. Mr. Coogan recommends accepting the application as complete and opening the public hearing.

**Motion:** To accept the plan as complete.  
**Made by:** First: Mayor Pope Second: Ms. Giannuzzi  
**Vote:** Unanimous

#### Open Public Hearing

Jim Bruss, Bruss Construction, presented the plan to the Board on behalf of the applicant, Lake Sunapee Bank. He displayed photos of where the building would be stationed, between the Market Basket plaza and Kmart plaza. The presentation to the Planning Board in January 2005 included a vacuumed based teller machine that utilized a tube to carry transactions between the bank building and the teller building in 30 seconds. There will be two-way communication with a TV monitor. There is room for 5 to 6 vehicles and the small building would provide protection from the rain. The plan calls for 3 overhead lights and there will be a 24 hour teller or ATM access.

**Motion:** To accept the plan as presented.  
**Made by:** Mr. Fowler      Second: Mr. Berggren  
**Vote:** Unanimous

**6. Other**

Mr. Coogan presented to the Board and Mr. Maranville a letter from Vollmer Associates regarding the 13 conditions that need to be addressed by Mr. Maranville. When the Board receives a letter from Vollmer certifying that all conditions have been met, the documents will be signed by the Chair. It will be handled administratively and will not be heard by the Board again. The letter from Vollmer Associates is expected in approximately one week. Vollmer Associates has not been given a deadline, but Mr. Coogan expects they will complete the process in a timely manner. No work can be done until the final site plan is approved. Chairperson Engel asked Mr. Coogan to contact Vollmer Associates for a completion date of the letter since the Board desires to move forward with this issue.

**7. Reports of Boards and Committees**

**8. Communication**

There are no applications submitted for the meeting of May 23rd.

**Motion:** To not conduct a meeting on May 23, 2005  
**Made by:** Mr. Grigsby      Second: Mr. Kuriger  
**Vote:** Unanimous

**9. Adjournment**

**Motion:** To adjourn  
**Made by:** Mr. Kuriger      Second: Mr. Caplan

**Meeting adjourned at 9:45 p.m.**

Respectfully Submitted,

Tracey Hagerman  
Recording Secretary