



City Center Project Steering Committee
Tuesday, August 28, 2012 at 5:00 p.m.
The Visitor's Center
14 North Street, Claremont, NH

Minutes
approved 9.25.12

I. Roll Call

Present: Marty Davis, David Putnam, Victor Bergeron, Jason Farrell, Keith Raymond (5:10), David Messier (5:20), Thomas Rock, Gary Trottier, Robert Tatro, James Feleen, Kristen Kenniston

Absent: William Greenrose

Staff: Nancy Merrill, Tracey Hutton, Katrina Spaulding, Guy Santagate

II. Meeting Minutes

Motion: to approve the minutes of July 24, 2012.

Made by: Mr. Bergeron **Second:** Mr. Farrell **Vote:** 8 in favor, Ms. Kenniston abstained

III. Old Business

- Design Charrette – Review and Results
Steve Cecil of The Cecil Group described what he thought of the zoning charrette. He felt it was a success and an enormous amount was learned by participants not only reflecting their own opinions, but also the opinions of views not represented.

Quite a bit was learned from the game piece exercise. The summaries were prepared by Eunice Kim, who did not attend the charrette, so has an objective eye.

Zoning, over time, is a mechanism used to sift uses. It was apparent from the conversations that the residents would like to see a mixture of uses, but the amount and type should be controlled in some way.

In the visual preference survey two things were clear. The first observation was that neat, clean, and complete streetscapes were clearly preferred. The second was that buildings that looked like houses, regardless of the use, were on the top of the pile.

Mr. Cecil said he was pleased with the results and the content.

Ms. Merrill said staff had reflected on what was heard and felt the summary provided was useful.

Ms. Kenniston commented that it was nice to hear the ideas formally and that the attendees had good comments.

Ms. Hutton said that the citizens who came to the open studio were curious about the event and had productive comments on mixed use and parking that were passed along to The Cecil Group.

IV. New Business

- The Structure of Zoning Coming from Charrette results

Mr. Cecil explained that in order to formulate a more effective tool the Steering Committee must look at form versus content. The matrix handed out in the packets is about the “form” of the regulations, in other words how the zoning will be organized.

The Cecil Group is tracking the content issues. Ms. Kim is compiling a list of issues to be addressed. Before work can begin, however, the form must be decided.

There are six approaches that could make sense for the City of Claremont.

1. Overlays or lenses that look through zoning. The advantage of this is that it leaves the underlying zones undisturbed. Individuals would look at how the filter changes the regulations on their parcel. However, because there are already overlays in the City Center, overlays on overlays can get confusing.
2. Retain zoning districts and modify them. Here improvements are made with possible additions, but there can be intangible conflicts.
3. Rename the zones that are shared in the City Center and elsewhere in the City.
4. Rename and revise districts unique to the City Center.
5. City Center only focus with design standards or guidelines and a hybrid form based code.
6. A pure form based code.

Following Mr. Cecil’s review of the six options there was discussion of each. Ms. Kenniston felt that option one did not simplify the regulations. Mr. Putnam reviewed the goals of the grant and emphasized that the administration by the Zoning Board of Adjustment and Planning Board should be more efficient with the new standards. Mr. Rock stated that the existing regulations are confusing and to add overlays would make the problem worse. Mr. Trottier suggested that there is consensus that this is not a viable option. All agreed.

As for options two and three, these seems equally unpalatable to the committee. Mr. Trottier suggested, however, that there are zoning problems with the whole City. Mr. Bergeron reminded the committee that they need to stick to the scope of their undertaking to examine just the City Center.

Option four just covers the City Center. Mr. Feleen asked in options five and six were sunsets of option four. Mr. Cecil explained that they were indeed distinct. Option four retains what is working in the zoning ordinance and makes changes to the rest.

Option five discards the entirety of the City Center zoning and starts anew.

Option number six would recommend a Form-Based Code for the City Center only. This type of zoning, while predictable, is strict. However, once the standards are in place, unless there is a request for variation for the form, staff review is sufficient.

Both options four and five suggest a hybrid zoning regime. Those projects that met the standards would not have to be brought to a design review phase of review. This, combined with other regulations, would be more flexible.

Mr. Raymond stated that option five could rename and reduce the total number of districts in the City Center. Mr. Trottier expressed the opinion that the zoning ordinance is prescriptive now and doesn't allow for redevelopment or reinvestment. He also commented that if what is accomplished works for the City Center; it could be applied to other parts of the City.

Ms. Merrill added that options two thru five are all hybrid codes and option six is total Form-Based, which would be difficult to accomplish since the City Center is already built out. Mr. Cecil confirmed that variation within a Form-Based Code is difficult.

Mr. Bergeron stated that it seems the committee had narrowed the decision down to options four and five. Mr. Santagate praised the committee or doing a great job, but cautioned that people do not like change. The two things they hate most are eminent domain takings and zoning. How these recommendations are accepted by the people is very important. In the end of the process it need to be right, but keep an eye on the approval/adoption process.

Bernie Folta, Ward 3, inquired about grandfathering. He asked where the existing zoning would persist as long as the building remained in use. He also inquired whether the decision this evening on the form from the matrix would be used to building the new City Center regulations.

Mr. Cecil stated that as for the second inquiry the answer was yes, this decision would effectively guide his company in the form the recommendations would

take. In terms on existing non-conformities, the uses may persist as long as there is not discontinuance or change in use. In allowing for the expansion of non-conformities under certain conditions, there is room for investment in the community.

Mr. Cecil continued the discussion by delving further into prescription. It is important to be clear about what is acceptable and make the rules as clear as possible so properties can be repurposed in a prescriptive code.

There is also Conditional Uses that may permit uses, while preventing too much of a good thing. This is different from performance standards which state that if certain conditions are met the use is permitted.

There was consensus that option six was inappropriate.

Mr. Cecil stated that the ordinance needs to be repaired and the simpler the answer the better. Mr. Farrell echoed this sentiment by stating it is how the changed are sold to the community.

Mr. Folta stated that it is important to discuss prescription versus judgment. The less flexibility there is the less chance there is for accusations of malfeasance. Claremont is ingrown and these sorts are accusations run rampant.

Mr. Cecil stated the importance of being clear where you can but the need to figure out what needs to be a “maybe” box. There needs to be at least one clear path of minimal resistance.

Mr. Feleen inquired about making a motion; Mr. Putnam requested the committee go around the room one more time to state their opinions. Both Mr. Rock and Mr. Davis were leaning towards option number four. Ms. Kenniston wanted four, but with an open mind towards option five, maybe a combination thereof.

Motion: to adopt option number four with the understanding that modification would not be a restriction on the results.

Made by: Mr. Feleen **Second:** Mr. Raymond

Mr. Trottier stated that the goal should be to modify, consolidate, and add to the existing zoning. Mr. Kenniston wished to amend the motion to include the words, “modify, consolidate, and add.”

Motion: to amend the motion.

Vote: Unanimous.

Amended Motion Vote: Unanimous.

V. Other

Mr. Putnam expressed his desire to present the draft to the Planning and Zoning Board together at a joint meeting. Mr. Cecil stated the goal is to have this draft done in 4-6 weeks. Perhaps a special meeting will be in order just for discussion of the draft.

Ms. Merrill explained why the sidewalk inventory was in their packets. She explained that the Department of Public Works would like assistance in prioritizing the top six or so streets to have the sidewalk renewed.

It was decided there would be a meeting for this purpose in 2-3 weeks' time with Mr. Temple.

VI. Adjourn

Motion: to adjourn.

Made by: Mr. Trottier **Second:** Ms. Kenniston **Vote:** Unanimous

Meeting adjourned at 7:15 PM

Respectfully Submitted by, Tracey Hutton