



Planning Board Meeting
Monday, October 13, 2014
Council Chambers, City Hall at 7:00 PM

MINUTES
Approved 11/24/2014

I. Roll Call

Present: Matthew Whooley, Richard Wahrlich, James Short, Mayor Neilsen, Victor Bergeron

Absent: Marilyn Harris, William Greenrose, Bruce Kolenda

City Staff: Michael McCrory, Interim City Planner

II. Review of Minutes – September 22, 2014

Motion: To accept the minutes of the September 22nd Planning Board meeting

Made by: Mr. Bergeron

Second: Mr. Whooley

Vote: Unanimous in favor

III. Old Business

IV. New Business

- a. **PL 2014-00014 Cumberland Farms, 336-338 Washington Street:** Site Plan Review for construction of a 4,738 SF retail motor fuel outlet and convenience store at 336-338 Washington Street (Tax Map: 133; Lot 4) Zone: B2
(This item was taken out of order.)

Mr. McCrory stated that this project is a redevelopment of the “Sam’s Convenience Store” site on Washington Street. A full application packet has been received. The plans have been reviewed by the staff. The applicant was present to discuss the proposal.

Motion: To accept the application as complete.

Made by: Mr. Short

Second: Mr. Whooley

Vote: Unanimous in favor

Mr. McCrory stated that the existing buildings will be totally demolished. Access points to the property will be reconfigured. General site usage and layout are discussed in the application. A trip generation and access safety study are also included. Based upon staff review that was done earlier in the summer on a conceptual plan, there are no substantive issues, with one exception – the lighting plan. The plan shows “hotspots” of high-intensity light which fade with distance from each fixture. Mr. McCrory asked the Board to consider requesting an amended lighting plan to eliminate those “hotspots” in favor of more uniform lighting across the site.

The amount of impervious area on the site will be substantially reduced, which will benefit storm water management. DPW has no concerns with the design. Substantial off-street parking provided.

Mr. McCrory stated that snow machines often travel close by to refuel at this property. He asked that the Board keep this in mind during the review.

F.X. Bruton (attorney), Chris Tamoula (engineer) and Heather Monticup (traffic engineer) were on hand to present the project to the Board.

Mr. Bruton said this site fully conforms to the zoning ordinance. The Board had no questions for Mr. Bruton.

Mr. Tamoula first addressed the existing site conditions. All existing buildings and fixtures, including the underground storage tanks and all of the pavement, will be removed. A 4,738 SF structure will be constructed with a canopy over 4 fueling pumps (8 positions). Two new 20,000 gallon underground fuel storage tanks will be installed. One of the Washington Street access points will be removed. The access points to Burger King and Hubert's will be off-set to increase safety on the site. Parking spaces will be reduced from 54 to 22 striped spaces. A loading zone will be provided. The dumpster will be screened. Pedestrian access from Washington Street to the site will be provided. Runoff will be treated to remove oil. A groundwater recharge area will be provided behind the main building. Street trees will be planted along the frontage. The 25-ft. high, 85 SF, LED-lit Cumberland Farms pylon sign will be placed in front of the canopy. Additional low-growth plantings will be provided throughout the site.

Mr. Tamoula showed the Board a photo-simulation of the new building. The colors are neutral - no more orange and blue. The building is cape-style with faux dormers. Faux stone covers the lower part of the building front and the columns of the canopy. The canopy will have a mansard roof with the same design elements as the building. There will be two 11 SF signs on the canopy. There will be a 37 SF sign on the front of the building and 27 SF signs on the ends of the building.

There will be seven 14-ft tall pole lights on the site. Illumination levels drop to zero at the property boundaries. Lighting under the canopy is flush-mounted. The facility will be open 24 hours, so lighting is necessary for safety reasons. All lighting is *Dark Sky* compliant.

Mr. Tamoula said that a small area for snowmobile parking could be provided in the northeast corner of the property. They want to discourage snowmobiles from driving across the pavement. Mr. Wahrlich said that many snowmobiles access the current site in the winter and drive their machines up to the pumps to fill up with gas, which Mr. Bruton appeared to be saying would not be allowed on the Cumberland Farms site.

Heather Monticup presented the results of the trip-generation analysis for the project. The analysis is based on counts at the site and ITE trip generation data. They counted the traffic for the gas station/convenience store and compared them to the ITE data. They found that the local data exceeded the ITE data with only four fueling stations. The study predicts that with an increase in the number of fueling stations, an increase of 14 new trips at the weekday PM peak and 37 trips on the Saturday peak hour (1 new vehicle trip per every 1 ½ - 4 minutes) will occur. Ms. Monticup stated that this should

not result in a noticeable impact on the traffic away from the site. The site distances at the access points are well in excess of the required standards. An NHDOT permit will not be required for this project.

Mr. Tamoula told the Board that Cumberland Farms would consider dedicating a special snowmobile lane on the south side of the property in the loading zone where the snowmobiles could access the gas pumps by crossing a much smaller area of pavement than from the north side of the lot. The Board agreed this would be a good idea and appreciated the compromise.

Mr. McCrory said that the proposed signs would have to be addressed as a separate permit.

Mr. McCrory read the abutters' roll. Mr. Wahrlich opened the public hearing. No abutters were present. Mr. Wahrlich closed the public hearing.

Motion: To approve site plan application #2014-00014 with the following conditions:

Conditions Precedent:

- I. The applicant shall provide an amended site plan with snowmobile parking for staff review and approval.

Conditions Subsequent

1. The applicant shall obtain and receive approval for all necessary permits as determined by the Local, State, and Federal governments.
2. The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Planning and Development Department. All building permits applied for from the Planning and Development Department will be reviewed under the Building/Fire Codes in place at time of application regardless of the date of this approval.
3. 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.
4. Site Plans are valid for two (2) years from the date of approval. If a certificate of occupancy has not been issued before the two-year deadline, the site plan is no longer valid and must be recertified through the Planning Board.
5. Two (2) mylars in a form suitable for recording at the Sullivan County Registry of Deeds shall be provided to the Claremont Planning and Development Department.

Made by: Mr. Whooley
favor

Second: Mayor Neilsen

Vote: Unanimous in

- b. **PL 2014-00013 Cumberland Farms, 121 and 111 Pleasant Street:** Site Plan Review for construction of a 4,513 SF retail motor fuel outlet and convenience store at 121 and 111 Pleasant Street. (Map/Lot: 119-307 & 131-57) Zone: MU

Mr. McCrory stated that the applicant had provided a completed application form and plans and all of the information required to be considered complete.

Motion: To accept the application as complete.

Made by: Mr. Whooley

Second: Mayor Neilsen

Vote: Unanimous in

favor

Mr. McCrory stated that the project required variances for the building location, expansion of a nonconforming use, and signage from the Zoning Board. These were received in August. The project takes up two parcels. All existing buildings will be removed. This site is different from the Washington Street site because it is downtown with a substantial amount of pedestrian traffic through the site. There is potential for conflict between the vehicle traffic and the pedestrians. The number of access points will be reduced on both Summer and Pleasant Streets. The amount of impervious surface area will be reduced and storm water management will be improved. Sufficient off-street parking will be provided.

The facility is currently a 24-hour gas station/convenience store. There are documented complaints regarding activities on the site in the property file at the Planning and Development office. The proposed project is also for a 24-hour business.

Mayor Neilsen asked how fuel deliveries will impact customers at the fueling stations.

Chris Tamoula, civil engineer with MHF Design, stated the new facility will be on the existing foot print of the current structure. There will be double the number of fueling stations. Many of the features here will be similar to the Washington Street facility. There will be 19 striped parking spaces. Fuel deliveries will be scheduled for off-peak hours to minimize conflicts with customer traffic. Storm water management will be improved. Landscaping will be provided. A row of arborvitae will be planted along the western property line to prevent headlights from shining into the condominiums on Myrtle Street.

Mr. Tamoula said that a 6-ft high vinyl fence will be provided along the back of the building to prevent anyone but employees and deliveries from accessing the space behind the building. This is offered to address the complaints. He said the outside patio was moved to the north end of the building and will have limited access, again to reduce undesirable activities.

A traffic study was not done for this site.

(The Board took a short recess.)

Mr. Bruton stated that a 6-ft. high vinyl fence would be added to the north property line (not shown on the plan) to address concerns about snow storage raised by the Bannons, abutting property owners to the north.

Mr. McCrory read the abutters' roll. Mr. Wahrlich opened the public hearing. Mr. James Feleen, representing Carl and Fran Bannon, stated that the Bannons were concerned about the snow storage proposed for along the northern property line. He said that Mr. Bruton and his team had agreed to ensure that any snow that accumulated there would be removed within 24 hours of the storm, which Mr. Feleen said was certainly acceptable. He said that Mr. Bannon was opposed to a solid fence of any kind for a variety of reasons and would rather have the condition of the snow being promptly removed instead. Mr. Feleen also said that a fence such as is being proposed is inconsistent with the newly adopted zoning regulations for the City Center.

Mr. Bruton countered with Cumberland Farm's desire to have a fence along the line to prevent snow from being spilled onto the abutting property. He also said the fence would not compromise sight distances because it would be set 30 feet back from the street.

Ernest Montenegro, abutter to the west, asked if the applicants would consider installing a fence taller than 6 feet (behind the building) as he thinks a 6-ft fence will not be a sufficient deterrent. He also asked if the fans on the back of the building would be buffered in some way. He then asked if he could have the plum tree that's on the site now.

No one else wished to speak. Mr. Wahrlich closed the public hearing.

Motion: To approve site plan application #2014-00013 subject to the following conditions:

Conditions Subsequent

1. The applicant shall obtain and receive approval for all necessary permits as determined by the Local, State, and Federal governments.
2. The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Planning and Development Department. All building permits applied for from the Planning and Development Department will be reviewed under the Building/Fire Codes in place at time of application regardless of the date of this approval.
3. 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.
4. Site Plans are valid for two (2) years from the date of approval. If a certificate of occupancy has not been issued before the two-year deadline, the site plan is no longer valid and must be recertified through the Planning Board.

5. Two (2) mylars in a form suitable for recording at the Sullivan County Registry of Deeds shall be provided to the Claremont Planning and Development Department.
6. This approval shall not preclude the applicant from installing a fence along the northerly boundary shared with Carl and Francis Bannon.

Made by: Mr. Bergeron **Second:** Mr. Whooley **Vote:** Unanimous in favor

V. Reports from Boards and Commissions

VI. Other

VII. Correspondence

VIII. Adjournment

Motion: To adjourn the meeting

Made by: Mr. Short **Second:** Mr. Whooley **Vote:** unanimous in favor