



Planning Board Meeting
Tuesday, November 12, 2013
Council Chambers, City Hall at 7:00 pm

MINUTES
Approved 11 25 2013

I. Roll Call

Present: Peter Guillette, Bruce Kolenda, Victor Bergeron, Russell Fowler, James Short (alt)

Absent: William Greenrose, Richard Wahrlich, Jim Neilsen IV

City Staff: Michael McCrory, Interim City Planner, Louanne Lewit, Minute Taker

James Short will sit in for an open seat.

II. Review of Minutes October 14, 2013

Motion: to approve the minutes from the October 14, 2013 meeting with the following corrections:

Discussion: Peter Guillette noted that the Review of minutes should read October 14, 2013, not September 9, 2013.

Made by: James Short

Seconded by: Bruce Kolenda

Vote: Unanimous

III. Old Business

- **Zoning Updates** - Review of corrections to the recently adopted City Center Project zoning amendments.

Interim City Planner Mike McCrory reviewed the Memorandum dated November 12, 2013 regarding City Center Project Zoning Amendments and clarifications.

Mr. McCrory is seeking a consensus from the board as to how the staff should proceed with amendments to review report to City Council for review and vote.

He commented that a longer list of possible amendments could be addressed under other business. His current focus is on minor tweets. It's been six or seven months to try it out and he is looking for feedback.

Regarding Section 22-1 Definitions: It would be useful to differentiate between principle use and accessory use. Also defining light versus heavy industry.

Mr. McCrory is looking to clarify uses with the assistance of the Planning Board.

Variances and Special Exceptions: typos need to be corrected. As of September of this year the time limit on an active permit is 2 years to act on it or ask for an extension. Mr. McCrory would like to identify the process to seek an extension.

Mr. McCrory has found inconsistent, overlapping, and unproductive language. When two things address the same issue the most restrictive applies. For example, in article 3 the distance of setbacks from center lines and property lines could effectively contradict the city center revised setbacks. Mr. McCrory suggests revamping the language to fit with the zoning ordinance and follow the spirit of what was done for the City Center Project.

Mr. McCrory questioned how the planning board wished to address residential use in the upper stories in PR and Mixed Use districts per section 22-387.

Peter Guillette commented that the number of bedrooms in the apartments related to the number of parking places. Section 22-387.1 only talks about the criteria of the dwelling space, not the secondary impacts such as parking. Mr. McCrory questioned if a three unit apartment building came to the downtown would the Planning Board rely on City Staff to determine its compliance with the ordinance.

Mr. McCrory questioned what the Planning Board would like to see or not see, is the Planning Board concerned about Mixed-Use Residential. Answers included parking and what business is in the building. Office, retail, and restaurants would be good companions. James short noted that parking would always be an issue downtown. Chair Guillette commented that the Planning Board is all about the site. The building is already there and is covered by other ordinances in the City, either to be allowed or not. The Planning Board is concerned with the parking issue. Do they meet city code? Do they have the correct number of parking for tenants? Shared Parking Spaces would help some of those situations.

Standards of Review for Special Use Permit: other than site plan review. The Planning Board would consider the impact to surrounding neighbors, parking, vehicle and pedestrian safety, etc. Section 22-100 speaks to Special Use, not non-conformance. Special use is different from special exception. Should it be for all mixed use residential? Should they all have special use permits?

Chair Guillette says from his perspective, yes. If it doesn't conform to normal plan or use it should come before the Planning Board. They look to protect rights of the abutters and be cognizant of how abutters feel about it and make the right decision for the city of Claremont and its residents.

Mr. Fowler agrees. Mr. McCrory asked for consensus. Victor Bergeron asked about having a small business in home. Mr. McCrory commented that a Home Office is permitted. Home Occupation such as hair salons and embroidery businesses would be Special Exceptions as they are beyond a level of home office..

Mr. McCrory suggests they could amend it to have Residential Use in upper stories to be allowed by Special Use permit in PR and Mixed Use; not site plan review but addressing Special Use considerations.

There was consensus on Special Use permits for mixed use.

Parking: Some parking requirements might be revising 9 x 19 parking spaces, typically 9 x 18. Design requirements need to be refined to include standards like a minimum with 20 foot aisle width. The ordinance references design standards but is outdated. It needs to be more consistent with the local flavor, have its own standards, and the user should be able to see them stated. Also there is a need to build on verbiage about site lighting.

Child Care parking needs to be refined.

The biggest glitches were definitions of Mixed Use residential portion and Mr. McCrory asked for Planning Board feedback. Mr. Fowler asked for it in draft form to read and then they could act on it. Mr. McCrory

commented that these relatively simple, but necessary fixes be done after the holidays, at the beginning of the new year.

- **Draft Site Plan Regulations** - Discussion of draft amendments to the Site Plan Regulations.

IV. Other

Mr. McCrory was granted time to review other zoning changes with the Planning Board.

Keeping Chickens: Currently, the Zoning Ordinance does not address keeping of chickens. Without a local ordinance, state law predominates and residents keep them in the City. The City would like to at least set standards because there have been complaints regarding noise, cleanliness, and chickens getting free on neighbors properties. Victor Bergeron suggested that there be a limit as to how many chickens you can keep. James Short suggested an ordinance to regulate where you can have chickens so won't be in the center of a City. Mr. McCrory stated that certain zones would have restrictions.

Refining noise standards is needed. City code enforcement for Police Department is different from standards in the Zoning Ordinance. There should be some realistic standards for reasonable enforcement.

Under non-conformances, if you change a non-conforming lot it needs to become conforming. You might merge 2 non-conforming lots which may make it less non-conforming but it would still require a variance. Mr. McCrory suggested that if there is a good faith effort trying to make less non-conforming to Zoning Ordinance, it should be allowable.

Victor Bergeron commented that the City Council is pushing the City to put vacant lots up for sale and getting them back on the tax roll because it makes sense to redevelop them.

Accessory Dwelling Units: Restrictive standards for accessory dwelling units were discussed. Mr. McCrory would like to take a look at how to make them more permissive, reducing standards because they are exceptionally restrictive. Accessory Dwelling Units: Given recent licensing for the downtown heat district energy production is increasingly important. Standards should be incorporated if someone wants to put up a windmill on their property. Standards would address potentially falling on neighbor's property, size of unity, noise impact. Mr. McCrory discussed looking at lessening set back restrictions for solar panels. Mr. Fowler questioned if permits are needed from public utilities. Mr. McCrory said that he would have to check on it. It was suggested that you can work out a deal with the power company if you want money back if you are feeding the grid but he hasn't heard that PUC would need to permit.

Mr. McCrory stated that there could be a special section for lighting standards for parking lots, walkways, and buildings. In section 22-532 parking lot design # 4 needs to be refined to deal with downcast lighting to avoid flood lighting. James Short questioned if there was any section on how much light on a parking space or row is required to ensure a safer parking lot. There is no lighting standard on illumination.

Chair Guillette stated that it was a living document. Things change all the time and are up for discussion.

V. Adjournment

Motion: to adjourn

Made by: Bruce Kolenda

Second: James Short

Vote: Unanimous

Meeting adjourned at 8:15PM

Respectfully Submitted by, Louanne Lewitt

