



Planning Board Meeting
Monday, December 14, 2015
Council Chambers, City Hall at 7:00 PM

MINUTES
Approved 12/28/2015

The Chairman Wahrlich called the meeting to order at 7:00 PM

I. Roll Call

Present: David Putnam, James Short, Victor Bergeron, Neil Ward, Marilyn Harris, Richard Wahrlich, William Greenrose

Absent: Chris Belvin, Bruce Kolenda, Jim Neilsen

City Staff: Michael McCrory, Interim City Planner

Mr. Wahrlich appointed Mr. Putnam to sit in for Mr. Kolenda.

II. Review of Minutes – November 23, 2015

Motion: To accept the minutes of the November 23rd meeting as written.

Made by: Mr. Greenrose **Second:** Mr. Bergeron

Vote: Unanimous in favor

III. Old Business

IV. New Business

- a. **PL 2015-00015 Keith Bagetis, 225 North Street:** Application for a Special Use Permit to add a third apartment to the existing building at **225 North Street**. Tax Map 95, Lot 60. Zone: CR2.

Mr. Wahrlich read the public notice.

Mr. McCrory stated that this application is for a residential conversion in the CR2 district to add a third residential unit to an existing duplex. He said prior to the zoning change in 2013, this action would have required a variance. The site will not change. Mr. McCrory provided the Board with an aerial photo of the property. He said there are two units there now. There is a third space that has been used in the past as a residential dwelling unit until the City informed the owner that it could not be used as such. The owner decided to proceed with the application for a permit to use the third unit.

Mr. McCrory provided the Board with review criteria derived from sections 22-387.1 and 22-387.2 of the Zoning Ordinance, *Residential Conversions*. The minimum development standards are the standards he refers to his in staff memo. He said this

property does meet the standard of being an existing duplex being converted to a three-unit. A site plan review is not required for this, but many of the review criteria are similar. He reviewed them with the Board. He said the building is on City water and sewer (required) and according to the Building Inspector, handicapped accessibility is not required. He said the renovations will not be extensive; there will be no change in the footprint of the building. There are sufficient areas to meet the parking requirements on this property. Any renovations that are necessary will need to meet the building code and fire safety requirements. The applicants are working with the Building Inspector and the Fire Department.

(There was discussion regarding condition #4 about lease rates and the US Department of Housing and Urban Development.)

Motion: To accept the application as complete with the provision that information that is missing in the application be obtained during the course of the hearing.

Made by: Mr. Short **Second:** Mr. Putnam

Vote: Unanimous in favor

The applicants, Keith and Amelia Bagetis, addressed the Board through a sign language interpreter. They said they have some photographs that might help answer the Board's questions. They showed the Board a picture of the parking lot; they said they have two driveways that run alongside the building, one for their residence and one on the other side of the building. They used to get blocked into their space so they have made additional parking so now everyone has access in and out of the spaces and no more blocking.

Mr. Short asked about the number of bedrooms in the apartment. Mr. Bagetis said two bedrooms, one bathroom, a living room and a hall. The kitchen was there prior. It is about 900-1000 SF.

Mr. Short asked if the building is sprinklered. Mr. McCrory said that would be addressed by life safety requirements.

The applicants showed the Board pictures of the house to further clarify where the apartment would be.

Mr. Wahrlich asked how many cars would typically be parked on the lot. Mr. Bagetis said five. Mr. Putnam pointed out that the ordinance requires 1.5 parking spaces per dwelling unit in the CR2 zone and that this proposal meets that requirement.

The Bagetises showed the Board pictures of the house and indicated where the different dwelling units are located.

Mr. Greenrose asked about snow removal. Mr. Bagetis said that he usually removes the snow himself, unless the snow is very heavy. Then he hires someone to do it for him.

Mr. Short asked about fire exits. Mr. Bagetis said there are stairs and windows that open onto the roof and then down.

There were no more questions from the Board.

Open Public Hearing

The abutters' roll was called. There were no abutters present and no one else in the audience.

Close Public Hearing

Mr. Wahrlich closed the public hearing.

The Board turned to the review criteria.

Section 22-101 Standards for Review:

1. The compatibility with and impact on abutting uses and the surrounding neighborhood: Mr. Greenrose said there would be minimal impact on the neighborhood and noted that no one was present to complain; Mr. Putnam agreed.
2. The proposed degree of renovation, if any; Mr. Putnam said that renovations will be supervised by the Building Inspector and Life Safety Officer and had no issues with it. All agreed.
3. The location's appropriateness for the proposed development or conversion; Mr. Short said the zoning is right for this and it's in the right kind of neighborhood for this type of development; all agreed.
4. The provision or availability of adequate parking; Mr. Short said he thought the parking was adequate. Mr. Putnam said they had met the requirements for the CR2 district zoning laws.
5. The impact on vehicular and pedestrian safety; No one felt there would be any impact on vehicular or pedestrian safety.
6. The provision of appropriate related services and facilities; The Board asked Mr. McCrory for guidance. Mr. McCrory gave an example that indicated how this criterion would not be applicable to this project. Mr. Bergeron asked if there were sufficient water and sewer capacity to handle the additional four residents that this apartment might contain. Mr. McCrory said that over the hours that this project has been discussed, this question has never arisen. All agreed that this would not be a problem.
7. The consistency with the intent and spirit of Claremont's Master Plan; Mr. Short said he felt this was consistent with the Master Plan. All agreed.
8. The provision of adequate transportation, water, sewerage and other public requirement, including handicapped accessibility; the consensus was that there is adequate water and sewer; the building inspector will address handicapped accessibility as needed.
9. Other criteria as may be appropriate based on the specific nature of the application. All agreed that there were no other issues to address.

Additional standards from Section 22-387.1(2):

a. Minimum size

The minimum size requirement will be met.

b. Density

N/A - This is not a mixed use building.

c. Gross floor area

The existing building footprint will not change.

d. Space requirements

The proposed residence will satisfy the minimum space requirements. Ceiling height of the unit is unknown and shall be a minimum of seven (7) feet. Mr. McCrory said that condition #3 (of his proposed conditions) would address this standard.

Motion: To approve with the following conditions:

Conditions Subsequent

1. The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Planning and Development Department.
2. 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 application submitted for review and all conditions of approval.
3. The applicant shall maintain the three-unit multifamily dwelling in accordance with applicable regulations.
4. The residential unit shall be for lease at no less than the market rate in any year, as established by the U.S. Department of Housing and Urban Development and published annually in the Federal Register.

Motion made by: Mr. Short **Second:** Mr. Bergeron

Vote: Unanimous in favor.

- b. **PL 2015-00016 ML 120-72 LLC, 7-9 School Street:** Application for a Special Use Permit to convert vacant commercial space to residential use at **7-9 School Street**. Tax Map 120, Lot 69. Zone: MU

Mr. Wahrlich read the public notice.

Mr. McCrory said that residential space had been established in one of the commercial units at the property without permits. The City contacted the owner and requested that they obtain a Special Use permit for the conversion. Mr. McCrory said that he believes the applicant would like a second commercial unit to be converted to residential use; that there are some things in the application that need to be clarified with the applicant at this hearing.

Mr. McCrory said the building is on School Street across from the auto parts store. It used to house a dentist office, an insurance agency and a third commercial space. He asked the Board to have the applicant specify which units are being converted. He said he had done a walk-through with the building inspector and the specific spaces seemed adequate. There is parking in back of the building. Mr. McCrory stated that the application was essentially complete and that any questions there might be could be addressed at this hearing.

Motion: To accept this application as complete contingent upon adequate answers to questions posed in this meeting.

Made by: Mr. Greenrose **Second:** Mr. Short

Vote: Unanimous in favor

Kevin Lacasse, owner, said the building is an existing 3-unit building that was being used for commercial uses. There was a dentist in one space, then the dentist moved out and the space sat vacant for two years. He said there were no real conversions to the space as it already had a kitchen area and a bathroom. Since no renovations were done, he thought he would rent it out as a residential space. It is being rented as a three bedroom apartment. The other two spaces were commercial, and one of those two has left. He has spoken to both the building inspector and life safety and is ready to make the necessary renovations. It is a small space so it would be rented as a studio. There are six parking spaces directly behind the building that would be used for the dwelling units.

Mr. Greenrose asked if the six spaces are dedicated to these dwellings and if they cover the remaining commercial use. Mr. Lacasse said yes because the commercial space doesn't need any parking – that there is no requirement for commercial parking. He said the owner of the commercial space and the customers can use the municipal parking lot that is behind the building during the day. He said he also owns the Latchis Building and there are some spaces behind it that always have been shared. He said he has overflow parking on Union Street (about a five-minute walk away), but in the years that he has owned the building (2006) he has never had to utilize it.

Mr. Putnam said that the standard of 1 ½ spaces per dwelling unit has been met by the six spaces behind the building.

Mr. Wahrlich asked about trash removal. Mr. Lacasse said there is a dumpster behind the Latchis Building that is shared by the two spaces.

Mr. Bergeron asked if the commercial space is still operating. Mr. Lacasse said yes.

Mr. Short asked if there would be an increased need for City services. Mr. Lacasse said no because the apartment has been rented for three years and because it uses less water and sewer than the dentist office. The studio unit would have a one or two person occupancy which would have minimal use.

There were no other questions from the Board.

Mr. McCrory said he thought this satisfied the intent of the ratios with the remaining commercial use. He said the ceiling height is greater than seven feet.

Public Hearing Opened

The abutters roll was called. The public hearing was opened. There were no abutters present.

Public Hearing Closed

Mr. Wahrlich closed the public hearing.

The Board turned to the review criteria.

Section 22-101 Standards for Review:

1. The compatibility with and impact on abutting uses and the surrounding neighborhood: All agreed that there were no issues for abutters.
2. The proposed degree of renovation, if any; Renovations are minimal so this is not an issue.
3. The location's appropriateness for the proposed development or conversion; All agreed that the location is appropriate.
4. The provision or availability of adequate parking; All agreed that parking was not a problem.
5. The impact on vehicular and pedestrian safety; There is no issue with traffic or pedestrian safety.
6. The provision of appropriate related services and facilities; The consensus was that there is no impact to City services.
7. The consistency with the intent and spirit of Claremont's Master Plan; The proposal is consistent with the Master Plan.
8. The provision of adequate transportation, water, sewerage and other public requirement, including handicapped accessibility; This is not an issue with this proposal.
9. Other criteria as may be appropriate based on the specific nature of the application. There were no other criteria to address.

Mr. McCrory noted that these residential units are at street level.

Motion: To accept the application with the conditions as follow:

Conditions Subsequent

1. The applicant shall obtain and receive approval for all necessary permits as determined by the City of Claremont Planning and Development Department.
2. 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 application submitted for review and all conditions of approval.

3. The applicant shall maintain the multifamily dwelling in accordance with applicable regulations.
4. The residential unit shall be for lease at no less than the market rate in any year, as established by the U.S. Department of Housing and Urban Development and published annually in the Federal Register.

Made by: Mr. Greenrose **Second:** Mr. Short
Vote: Unanimous in favor.

V. Reports from Boards and Commissions

Mr. Putnam announced that the Master Plan Steering Committee would be holding its first meeting tomorrow.

VI. Other

VII. Correspondence

Request for project review – submitted by Fish & Game for Ashley’s Landing boat access.

VIII. Adjournment

Motion: To adjourn the meeting

Made by: Mr. Putnam **Second:** Mr. Short

Vote: Unanimous in favor.

The meeting adjourned at 8:01

Respectfully submitted,
deForest Bearse
Resource Coordinator