



Planning Board Meeting
Monday, March 25, 2013
Council Chambers, City Hall at 7:00 pm

MINUTES
Approved 4.8.13

I. Roll Call

Present: Bruce Kolenda, Peter Guillette, Andy Austin, Richard Wahrlich, James Neilsen IV, William Greenrose, Rusty Fowler, James Short (alt)

Absent: Victor Bergeron, Ruben Ramirez, Ken Harlow (alt)

City Staff: Michael McCrory, Interim City Planner; Kelly LeBlanc, Administrative Assistant

Chair Guillette stated he will not be appointing any alternates as there are no applications.

II. Review of Minutes March 11, 2013

Motion: to approve minutes from March 11, 2013

Made By: Mr. Greenrose

Second: Mr. Kolenda

Vote: Unanimous

III. New Business

- Claremont City Center Project – Review of Site Plan Regulations

The discussion planned for this even was postponed to the April 8th meeting due to continued legal review.

Mayor Neilsen reiterated that the Site Plan regulations and Zoning Ordinance are separate items and thus are voted on separately.

IV. Other

The board discussed the Planning Board Voting Memo issued by Jane Taylor, City Solicitor. Chair Guillette stated the Planning Board does not follow Robert's Rules of Order. This memo was the result of a split vote and subsequent re-vote on an application at the last meeting.

Chair Guillette read the last paragraph of the memo aloud for the benefit of the viewing audience. He reiterated that the only individuals who can call for a revote are the individuals who voted in favor of the original application. These board members have up to 30 days for reconsideration. The board must agree to a revote.

Mr. Fowler stated that he would step down from the vote if a recall is requested as he was not at the meeting when this application was deliberated on.

Mr. Austin confirmed that he could ask for a motion to reconsider. Because of 30 day limitations, this could be addressed at the April 8th meeting. He would make a motion to reconsider at the next meeting when individuals present at the original deliberation are in attendance.

Chair Guillette stated if the revote goes forward and the application is denied the applicant has 30 days from the reconsideration date to make an appeal to the Supreme Court.

Mr. McCrory would like to stress that the voting procedure at the March 11th meeting was legal.

Mr. Short worries if they reconsider it will be make the board looks like they are not business friendly.

Mayor Neilsen stressed that the vote may not be reconsidered on a procedural basis. The vote was a legal vote.

Mr. Greenrose asked about getting a 9th board member. This seat is designated as for city staff.

Mr. Fowler stated that he was probably the reason this whole thing started. He remembered that a tie vote is as good as a no vote unless a person who voted in the negative changes to a positive vote. He reiterated that he was not questioning the application, but only the voting procedure.

Mr. Austin stated he would like to clarify that he is no way against new business or guns but he is against the location of the proposed gun shop and its proximity to the high school.

V. Correspondence

OEP Spring Conference Notice
Postcard – RPC – survey information

VI. Adjournment

Motion: to Adjourn

Made By: Mr. Greenrose **Second:** Mr. Short **Vote:** Unanimous

Meeting adjourned at 7:30PM
Minutes Respectfully Submitted by Kelly LeBlanc