



## PLANNING BOARD MEETING

Monday March 27, 2017 7:00 PM  
Council Chambers, City Hall

### MINUTES

Approved 4/24/2017

Mr. Wahrlich called the meeting to order at 7:05 PM and asked for a roll call.

#### I. Roll Call

**Present:** Richard Wahrlich, Bruce Kolenda, Charlene Lovett, Victor Bergeron, David Putnam

**Absent:** Marilyn Harris, William Greenrose, James Short, Nicholas Koloski, Marlene Jordan,

**City Staff:** Michael McCrory, City Planner

#### II. Review of Minutes – February 27, 2017 (Meeting)

**Motion:** To approve the minutes as presented

**Made by:** Mr. Putnam                      **Second:** Mayor Lovett

**Vote:** Unanimous in favor

#### III. Old Business

There was no old business to discuss.

#### IV. New Business

- A. **(PL 2017-00005) Charles Michalenoick, 91 Foisy Hill Road, Claremont –**  
Application for a Lot Line Adjustment at **91 Foisy Hill Road**. Tax Map 86, Lot 17.  
Zoning District RR.

Mr. Wahrlich read the public notice. He asked for clarification on the zoning district. Mr. McCrory said the front portion of the property is in the RR zoning district; the remainder (and bulk) of the property is in the AR zone.

#### Planner's Report

Mr. McCrory explained that this application is for a minor adjustment to the property line between neighbors so that the line will fall outside of the Mr. Therrien's garage (it currently runs through it). This adjustment will make the property less nonconforming.

Approximately 550 SF will be transferred from Michalenoick to Therrien. Mr. McCrory said the application meets all of the requirements for a subdivision application and recommended that the Board find it complete.

**Motion:** To accept this application as complete.

**Made by:** Mr. Putnam                      **Second:** Mayor Lovett

**Vote:** Unanimous in favor

The abutters' roll was read. No abutters were present.

Mr. and Mrs. Therrien were present. They said they had nothing to add, just that everyone was in agreement with the proposed lot line adjustment.

The Board had no questions.

**Motion:** That we grant the applicant to fulfill the application that's in front of us to meet his expectations and requirements.

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

**Vote:** Unanimous in favor

Mr. McCrory said there were conditions. Mr. Putnam offered to read the conditions and include them in his motion.

#### Conditions of Approval

1. The final minor subdivision shall be in substantial conformance with the plan titled, "Annexation Plan of Land Owned by Charles J., Jr. & Catherine D. Michalenoick, Foisy Hill Road, Claremont, New Hampshire" dated February 23, 2017, prepared by Wayne McCutcheon, LLS.
2. The applicant or the applicant's agent shall ensure placement of proposed boundary markers identified on the referenced plan by a surveyor licensed in the State of New Hampshire.
3. The applicant shall submit two copies of the approved Minor Subdivision, printed on mylar, to the Planning and Development Office within six months of the date of this approval. The plans shall be suitable for recording at the Sullivan County Registry of Deeds.

#### **V. Reports from Boards and Commissions**

There were no reports.

#### **VI. Other**

The Board agreed to review the ADU zoning amendment language as they had not had time to do so in the work session. Mr. McCrory said they are eager to present the amendments to City Council so they can have their first reading in April with a second reading in May and thereby meet the deadline in June.

Mr. McCrory said in the amendment process, the Planning Board reviews the proposed amendments and drafts a report to Council. The public hearing on the amendments then takes place at the Council level.

Mr. McCrory stated that the changes to the draft language include input from the Planning Board as well as comprehensive legal review and consultation with the Regional Planning Commission.

Summary:

Page 18-19, Division 6: The term *Special Use* has been replaced throughout with *Conditional Use* to be consistent with the language in the state statute.

Page 19, Sec. 22-101(10) (a) and (b): This language is seen as giving the Planning Board more flexibility in the documentation it may need in its review of an application.

(10) *For proposed accessory dwelling units, the planning board:*

a. *May request or require of an applicant a building and site drawing of sufficient detail to enable the planning board to ascertain whether the proposed accessory dwelling unit would be compatible with the character of the neighborhood, and;*

b. *Shall find that all requirements set forth in Section 22-513 and as stipulated for the relevant zoning district(s) shall be met.*

Page 50, Sec. 22-377(7): It was decided not to add the words, *except single family dwellings*.

Page 105, Sec. 22-682: It was decided not to add the words: *No single family residential condominium shall contain an accessory dwelling unit except in a Planned Residential Development.*

Page 82, Sec. 22-513 (c)(1): Changed to incorporate the Board's input: (1) *The ADU shall not occupy more than 40% of the gross living area of the existing residential structure. While an ADU's floor area may be less than 750 square feet, it is not required to be*

Page 82, Sec. 22-513(c)(5): Changed to incorporate the Board's input: (5) *The ADU may use an existing exterior door as an entry, except new ADU entry doors shall not face the street*

Page 82, Sec. 22-513 (c)(6): Changed to incorporate the Board's input: (6) *The ADU, including any new construction or physical addition to create an ADU, shall comply with all existing dimensional requirements of this Chapter but shall not extend beyond the front wall of the dwelling structure*

Mayor Lovett said she finds the definition of *Duplex* redundant and confusing:

*Duplex shall mean a single residential structure containing two (2) dwelling units or two (2) dwelling units which are separated by a common wall.* After much discussion, it was agreed not to change it.

Mayor Lovett also found the definition of *Dwelling Unit, single-family* confusing,

*Dwelling unit, single-family, shall mean a residential building which provides complete housekeeping facilities for one (1) family which contains a minimum of five hundred fifty (550) square feet of area, and which may also contain an accessory dwelling unit* - in particular the underlined portion. After much discussion, it was agreed not to change it.

There was no further discussion and the Board agreed to recommend the proposed amendments to the City Council.

**Motion:** The Planning Board recommends approval of the proposed ADU zoning language following completion of its review with the City Planner.

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

Mr. McCrory said he had received comments on the draft CIP letter from Mr. Putnam which had been incorporated into the letter. Mr. Wahrlich read the letter aloud and all were in agreement with it. It will be forwarded to the City Council.  
There was no other business to discuss.

**VII. Correspondence**

The Board received the March/April issue of *Town and City* magazine.

**VIII. Adjournment**

**Motion:** To adjourn the meeting

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

**Vote:** Unanimous in favor

The meeting adjourned at 7:56 PM.

Respectfully submitted,  
*deForest Bearse*