



Planning Board Meeting
Monday, April 28, 2014
Council Chambers, City Hall at 7:00 pm

MINUTES
Approved 5/12/2014

I. Roll Call

Present: Peter Guillette, Victor Bergeron, James Short, Richard Wahrlich, Jim Neilsen, Marilyn Harris
Absent: William Greenrose, Bruce Kolenda
City Staff: Michael McCrory, Interim City Planner

Chairman Guillette welcomed new Board members, Marilyn Harris and James Short as active member.

II. Review of Minutes

• **March 10, 2014**

- **Motion:** To accept the minutes of March 10, 2014 as presented.
Made by: Mr. Bergeron **Second by:** Mr. Short
Vote: Unanimous in favor

III. Old Business

There were no old business items to discuss.

IV. New Business

- **PL2014-00003 Eastern Propane** : 286 Main St-Site plan for 1,170 sqft building for fuel loading/downloading. Tax Map 107, Lot 125. Zone: B-2.

Mr. McCrory stated that a site plan had been approved for this property in 1990. The current applicant is proposing to make changes to the fuel loading/downloading facility. City staff have reviewed the application, consulted with the applicant and their representatives, and concluded that this application is complete.

Motion: To accept this application as complete.
Made by: Mr. Short **Second:** Mr. Neilsen **Vote:** Unanimous.

Mr. McCrory stated that because of the property modifications to the site and site circulation, city staff requested site plan amendment for the project. Mr. McCrory further stated that this project is also pending zoning board approval as an expansion of a nonconforming use.

Dana Arey with Pathways Consulting gave further details of the project, including the change from a top-loading system to a bottom-loading system, moving the entire operation inside a prefab, 18 ft. x 65 ft. steel, tan-colored building, and providing spill containment features. The operation will be much

more compliant with EPA regulations. He stated that the number of vehicles in and out of the facility will not change as a result of the improvements.

There were no comments or questions from the Board.

Chairman Guillette opened the public hearing. Mr. McCrory read the abutters roll call. No abutters were present. There was no public comment. Chairman Guillette closed the public hearing.

Mr. McCrory repeated that the proposal is for substantial improvements to the facility. There are no proposed changes to the circulation patterns, no new curb cuts and no changes in parking provisions or needs. The project site is bordered on two sides by residential development.

New changes in the City Center zoning regulations call for visual and sound barriers between commercial/industrial and residential land uses. There are no specific landscaping requirements.

Mr. Neilsen stated that by placing the operations inside a building, noise would be abated.

Motion: To accept the amended plan with the following conditions:

Condition precedent:

1. This approval is contingent upon approval from the Zoning Board of Adjustment for expansion of a nonconforming use.

Condition 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. Neilsen

Second: Mr. Wahrlich

Vote: Unanimous.

- **PL2014-00004, 5 Dunkin' Brands:** 200-202 Washington St – Site plan for 2,584 sqft fast food restaurant with drive-thru. Tax Map 121, Lots 7 & 8. Zone: B-2.

Mr. McCrory stated that the project site is at the corner of Moody Avenue and Washington Street. The applicant is seeking site plan approval to merge lots at 200 and 202 Washington Street and construct a

2600 sq ft Dunkin Donuts restaurant with drive-through facility. The property is located in the B-2 zoning district. Mr. McCrory stated that city staff has deemed the application complete.

Motion: To accept the application as complete.

Made by: Mr. Short

Second: Mr. Wahrlich

Vote: Unanimous

Mr McCrory stated that he plans have been reviewed by city staff, and the Board has had a conceptual discussion of the project with the applicant at their meeting on March 10th. The project involves substantial re-working of the site. The plan calls for a single point of access to Washington Street. The plan calls for 35 parking spaces and a 40-seat restaurant. The applicant anticipates substantial drive-through traffic. There is an existing a sewer line that diagonally bisects the project site. The plan calls for re-locating the line along the Moody Avenue right-of-way to a manhole on Washington Street. An NHDES sewer discharge permit will be required.

Pat Buccellato of Pathways Consulting provided further details of the project. He stated that the only change in the plan since the conceptual discussion is the addition of an ATM machine to the site. Traffic circulation on the site will be one-way only. The entire property will be curbed. The access to Moody Avenue will be eliminated. Some of the asphalt in the Moody Avenue right-of-way will be replaced with landscaping. Additional landscaping on the site will include low-growth shrubs and perennial flowers. Lighting fixture will be LED and full cut-off design to eliminate light spill onto adjacent properties. Outdoor seating will be provided.

Mr. Neilsen voiced concerns about traffic backing up from drive-through customers waiting to make a left turn onto Washington Street. Mr. Buccellato acknowledged that this may occur.

Chairman Guillette opened the public hearing. Mr. McCrory read the abutters roll call (for both lots). Nicholas Koloski, abutter and Council member, thanked the applicant for eliminating the access onto Moody Avenue, as this has been a trouble spot for some time. There were no other comments. Chairman Guillette closed the hearing.

There were no additional questions or comments from the Board.

Motion: To accept the site plan with the following 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. Bergeron **Second:** Mr. Wahrlich **Vote:** Unanimous.

- **PL2014-00006 RE Hinkley Co Inc:** 10 Lane Ridge Rd – Site plan amendment for 30,000 gal propane storage tank. Tax Map: 164, Lot: 6. Zone B-2.

Mr. McCrory stated that the applicant is proposing to add a 30,000- gallon propane storage tank to their facilities at 10 Land Ridge Road. The project has already been approved for a Special Exception for a fuel storage facility. City staff has deemed the application complete.

Motion: To accept the application as complete.

Made by: Mr. Neilsen. **Second:** Mr. Short. **Vote:** Unanimous.

Applicant Wayne McCutcheon distributed plans to the Board, which Mr. McCrory explained showed a second 30,000-gallon storage tank. There was discussion as to whether or not the Planning Board could act on a plan that was different from that which had been warned for this hearing.

Scott Hinkley, owner of R.E. Hinkley, stated that he did not plan to build the second tank right away. He said he anticipated 10 tractor trailer movements in the first year (with the first proposed tank), with an additional 20 truck movements (annually) on and off the property with installation of the second tank.

Chairman Guillette opened the public hearing. Mr. McCrory read the abutters roll call. None of the abutters were present and there were no public comments. Chairman Guillette closed the hearing.

Motion: To accept the plan as presented with the following:

Conditions Precedent

1. The applicant shall obtain all necessary permits as determined by the Local, State, and Federal governments.

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. 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.
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 plans submitted for review and all conditions of approval.

3. The applicant shall incorporate post-construction survey information of the site grading and fuel storage facility into the final Site Plan Amendment to be recorded at the Sullivan County Registry of Deeds.
4. This approved Site Plan Amendment is for one 30,000 gallon propane storage tank. Subsequent expansion of fuel storage capacity shall be subject to review by the Planning Board to review increased site operations and traffic.
5. 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.
6. 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. Short **Second:** Mr. Wahrlich **Vote:** Unanimous

- **Business Corridor Project status**

Mr. McCrory and David Putnam gave a presentation regarding on the history and current status of the Business Corridor Project, a grant-funded project that was to examine rezoning, regulatory changes, and improvements to the city's regulations relating to the B-2 zones or "business corridors". Based on the results of the public session in August and subsequent discussions, the committee is considering proposing direct, regulatory changes and site design guidelines. There will be a public forum on June 3rd to review the project and the committee's proposals. Notice of the forum would be sent to residents within the B-2 zones, unless the Board thought additional mailings would be appropriate.

Mr. Neilsen encouraged full public participation in the zoning review process, not just those within the B-2 zones. Mailings to a sampling of the general population would be preferable.

V. Reports from Boards and Commissions

There were no reports from Boards and Commissions.

VI. Other

Chairman Guillette reminded everyone about the upcoming annual spring planning and zoning conference.

VII. Correspondence

There was no correspondence.

VIII. Adjournment

Mr. McCrory extended to Chairman Guillette the thanks and appreciation of the Planning and Development Department for the many years of dedicated service that Chairman Guillette has given the city in his long tenure as a member of the Planning Board. Chairman Guillette was with a round of applause by all present.

Motion: To adjourn the meeting

Made By: Mr. Bergeron

Second By: Mr. Neilsen

Vote: Unanimous in favor

The meeting adjourned at 8:38 PM.

Respectfully Submitted by:
deForest Bearse