



**Planning Board Meeting**  
Monday, January 9, 2012  
Council Chambers, City Hall at 7:00 pm

**Minutes**  
**Approved February 13, 2012**

**I. Roll Call**

**Present:** Peter Guillette, Bruce Kolenda, Stephen Cutts, James Neilsen, IV, Kenneth Harlow (alt), Russell Fowler (alt)

**Absent:** Richard Wahrlich, William Greenrose, Ruben Ramirez (alt), Andrew Austin (alt)

**City Staff:** Tracey Thibault, City Planner; Kelly LeBlanc, Administrative Assistant

Alternates Russell Fowler and Kenneth Harlow will sit in for William Greenrose and Richard Wahrlich.

**II. Election of Offices**

**Motion:** Nomination of Peter Guillette as Planning Board Chair

**Made By:** Mr. Fowler

**Second:** Mr. Kolenda

**Vote:** Unanimous

**Motion:** Nomination of Bruce Kolenda as Planning Board Vice Chair

**Made By:** Chair Guillette

**Second:** Mr. Harlow

**Vote:** Unanimous

**III. Review of Minutes December 12, 2011**

Moved to the next meeting of the Planning Board

Chair Guillette welcomed the new members of the Planning Board.

**IV. Old Business**

- **(PB2011-0013) Erwin M. and Roselyn B. Caplan, Claremont, NH.** Site Plan waiver request under Appendix C Article VII of the City Code to convert a Retail Bakery and Residential structure to Retail Bakery and Professional Offices, request includes changes to conditions previously placed on property signage. **Property Location: 42 Summer Street.** Map: 132, Lot: 8, Zoning District: B-2.

The Applicant plans to occupy approximately 2,694 square feet of space on the first and second floor of the building located on the above referenced parcel with a professional real estate office. An additional 660 square feet on the first floor will be utilized as a previously waived retail cake shop.

The original condition placed on the applicant was to limit signage to the sign that the cake shop had existing at their other location. The Caplans' would like to have an additional sign and the board will have to determine if this is appropriate and the size of the sign that will be allowed.

Roselyn Caplan, applicant, was present to discuss the application. The move was a sudden event because West Central Behavioral Services came to Century 21 looking for a large office. Century 21 in turn moved to 42 Summer Street where the cake shop occupies the back area of the building. The proposed two-sided sign is not lit and is approximately 3' x 5'.

Chair Guillette confirmed there will be no additional site work and confirmed parking is adequate.

The board had no points of discussion regarding the Site Plan waiver.

Chair Guillette asked if the sign met code requirements. Ms. Thibault stated that the sign does not meet set back requirements. The sign post has already been placed and the post itself meets the setback, but not the hanging sign. The physical sign needs to meet a 5 foot setback. It currently would have a 0 foot setback. It will not meet the standard and therefore a Variance is needed.

Mr. Cutts asked if the sign was permitted. Ms. Thibault confirmed that it was not permitted.

Mr. Fowler confirmed that the bakery sign and the Century 21 sign were different sign locations.

Mr. Nielsen asked if the proposed sign met the square footage allowed in the zone. Ms. Thibault stated it does meet size requirements.

Mr. Fowler confirmed that it will not impede the sidewalk.

### **Open Public Hearing**

Steven Picano, abutter, stated he sees nothing inappropriate about the sign as it is currently displayed.

### **Close Public Hearing**

**Motion:** to grant the Site Plan waiver with the condition that the additional signage, as proposed, must be granted a variance from the setback from the Zoning board of Adjustment.

**Made By:** Mr. Fowler

**Second:** Mr. Kolenda

**Vote:** Unanimous

Ms. Thibault clarified that state law was changed in 2011 so that you can no longer require an applicant to receive their Zoning Board of Adjustment approvals prior to Planning Board approvals. The applicant can choose which board they want to go to first.

## **V. New Business**

- **(PB2012-0001) 210 Washington Street LLC, Claremont, NH.** Site Plan Amendment to construct an 864 square foot metal car port. **Property Location: 210 Washington Street.** Map: 121, Lot: 45, Zoning District: B-2.

Mr. Fowler recused himself from this application due to a conflict of interest.

Ms. Thibault stated that the owner proposes the addition of an 864 square foot steel building to the existing site. This is just over 29 percent of the size of the main structure so a waiver application could not be used making this a full Site Plan Amendment. A building permit will be needed if approved. This area of the site was previous undedicated space and primarily used for maneuvering of vehicles and equipment.

Mr. Cutts inquired about the anchoring of the structure. Ms. Thibault stated this is a building inspection concern. Mr. Cutts asked how this building will impact the visibility of traffic. Ms. Thibault stated it does not impact the drivers pulling in and off the street. It may affect visibility in internal circulation. Mr. Harlow stated the building is already constructed.

Mark Limoges, owner of 210 Washington Street, LLC/applicant, stated they bought a metal carport to cover a bucket loader and car hauler. Mr. Limoges stated their surveyor and builder of the structure informed the owners that a permit was not needed for construction. Chair Guillette asked about the two doors. Mr. Limoges stated that the doors are attached to the building therefore the structure can be moved. Chair Guillette confirmed it is portable.

### **Open Public Hearing**

Rusty Fowler, citizen who lives in the neighborhood behind the building, would like to know where snow will be stored now that the building is on site and if there is not enough space for storage, are they required to haul it away. Mr. Fowler urges Mr. Limoges and the neighbors to come to an agreement regarding the storage of cars on the site. Vehicles are parked within a 5 ft right of way on Moody Ave. Vehicles are parked right next to the road so when other vehicles exit they cannot look left to see who is coming up Moody Ave. Mr. Fowler went to the State to find out the line of sight. At 30mph a car coming west on Washington St. requires a 326 foot line of sight (at 40mph, a car requires 470 feet). In the interest of safety, Mr. Fowler asks the applicant to park low level vehicles in front of his building to improve visibility.

### **Close Public Hearing**

Mr. Kolenda asked Ms. Thibault if Mr. Fowler's concerns could be addressed. Ms. Thibault stated that if the board feels internal circulation or snow storage is affected, it can be discussed.

Mr. Kolenda stated the sewer line under the building was a concern but since the building is movable and private sewer is the applicant's responsibility, this concern has been dealt with.

Mr. Limoges would like to confirm that he is in site plan compliance with parking. Ms. Thibault stated that in the past week the site has not been in compliance. Chair Guillette stated that parking should be a separate discussion between the City and applicant. Chair Guillette stated that he recalled that there was a red line to delineate the area where the vehicles must be parked behind. A larger vehicle would block the view but a smaller vehicle does not have any visibility issues.

Mr. Neilsen asked if there are notes on the site plan to designate conditions that needed to be adhered to. Ms. Thibault stated there are no specific conditions about the type of vehicle parked out front, although they have to be on the property. The red line has been restriped, by a surveyor.

Mr. Harlow asked about snow removal. Mr. Limoges stated that it used to go to the back corner of the lot, but with the bucket loader they can move the snow out.

Chair Guillette confirmed that there used to be vehicles where the building was placed.

Mr. Fowler stated when the site plan was approved visibility was not a problem. It became a problem when additional cars came in and the display style changed.

Chair Guillette reiterated that the parking area is a discussion between the applicant and the City. This proposal qualifies as a site plan amendment and is in compliance with the master plan. It does not alter the character of the land and will not create any new lots. The proposal does alter the existing features of the area. The lot will comply with the minimum lot dimensions.

**Motion:** to approve the Site Plan amendment with the standard conditions: (1) The applicant shall obtain and receive all permits and approvals necessary as determined by the Local, State, and Federal governments, and 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 plans submitted for review and all conditions of approval, (3) Site Plans are valid for two (2) years from the date of approval. If a building permit has not been issued before the two-year deadline, the site plan is no longer valid and must be recertified through the Planning Board and (4) Two (2) mylars in a form suitable for recording at the Sullivan county Registry of Deeds must be provided.

**Made By:** Mr. Kolenda

**Second:** Mr. Cutts

**Vote:** Unanimous

- **(PB2012-0002) Lee and Janet Chamberlain, Claremont, NH.** The applicants are proposing a Lot Line Adjustment (Minor Subdivision) between their two jointly owned parcels. Location: **36 Webster Avenue** Tax Map 81, Lot 39 and 40, Zoning District R-1 and AR.

Mr. Fowler rejoined the Planning Board.

The applicant proposes a lot line adjustment to annex approximately 20,800 square feet to their abutting parcel (Map 81, Lot 40). This submission is a Final Plat.

The lot line would move so that there would be a house and garage on one lot, and a garage on the second lot. Each structure would be on municipal water and private septic with separate lines.

Patrick Dombrowski, was present and representing the Chamberlain's in the lot line adjustment. The structure with the garage and one bedroom apartment will stand alone. Mr. Dombrowski does not feel comfortable discussing the water line issue because he is not 100% informed on the situation.

### **Open Public Hearing**

No Abutters Present

### **Close Public Hearing**

Mr. Kolenda inquired about the water line. Ms. Thibault stated the garage. It does not currently have a one bedroom apartment in it. At some point in time the water line that went to the house was tapped to access the garage.

Ms. Thibault stated that the public works director is asking that in place of condition #2, should the planning board approve the application, it should state that the water department will install a meter this week so that they can move forward due to winter weather conditions. However, the new water line, +/- 200 feet long, needs to extend to Webster Ave. This will be installed no later than June 1, 2012. This would be required prior to the issue of a Temporary Certificate of Occupancy.

Chair Guillette asked Ms. Thibault to speak to the utility easement. Ms. Thibault stated there is currently a utility line that goes from the main house to Webster Ave (once Map 81, Lot 40). In order to make things clean, if at some point the Chamberlains transfer either lot to an owner other than themselves, they will need to authorize a utility easement as depicted on the plan. This will assure that all owners have rights to their utilities.

Ms. Thibault stated it was unknown to the City of Claremont that the second line existed as it is unmetered. The DPW director requested that the garage have its own line that taps into the line on Webster Ave and not the main house line. This is a health, safety and welfare issue.

Mr. Fowler asked if the applicant knows what is going on here tonight.

Mr. Cutts confirmed that there was a line installed that is getting free water. Mr. Fowler confirmed that lot 39 already has a meter and that will stay. Chair Guillette stated that the meter will go on the tapped in line and then will be removed when the new line is installed before June 1, 2012.

Mr. Neilsen confirmed that the city is taking corrective action.

**Motion:** to approve the lot line adjustment to the annex be approved with the proposed conditions: (1) The applicant shall submit two copies of the approved Minor Subdivision to the Planning and Development Office in accordance with the *Subdivision Regulations* and suitable for recording at the Sullivan County Registry of Deeds, (2) Applicant must install water line to the satisfaction of the Public Works Department prior to the occupancy of the primary structure located on Map 81 Lot 40 by no later

than June 1, 2012 or the water will be shut off. The meter leading from Map 81 Lot 39 must be removed at that time, and (3) Applicant must execute a Utility Easement, as depicted on the plan, prior to the conveyance of Map 81 Lot 40 to an owner other than the applicants.

**Made By:** Mr. Neilsen

**Second:** Mr. Fowler

**Vote:** Unanimous

- **(PB2012-0003) Christine A. St. Aubin 2005 Revocable Trust, Claremont, NH.** The applicant is proposing a Minor Subdivision to create a new parcel. Location: **50 East Green Mountain Road** Tax Map 123, Lot 1, Zoning District AR and RR2.

Ms. Thibault stated this minor lot line adjustment annexes 11.50 acres from the main lot. There will be approximately 210 feet of road frontage. The application meets Zoning Requirements.

Patrick Dombrowski, surveyor, was present on behalf of the applicant to discuss the minor subdivision. Mr. Dombrowski reported that the frontage is actually over 600 Feet.

### **Open Public Hearing**

No Abutters Present

### **Close Public Hearing**

**Motion:** accept minor subdivision with proposed conditions: (1) The applicant shall submit two copies of the approved Minor Subdivision to the Planning and Development Office in accordance with the *Subdivision Regulations* and suitable for recording at the Sullivan County Registry of Deeds.

**Made By:** Mr. Kolenda

**Second:** Mr. Fowler

**Vote:** Unanimous

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

## **VII. Other**

Mr. Steven Cutts volunteered to sit on the Historic District Commission on behalf of the Planning Board.

Chair Guillette will continue as the Conservation Commission representative. Mr. Fowler will sit in for Chair Guillette if he is unable to attend the Conservation Commission meeting.

The Planning Board will not meet on Monday, January 23, 2012.

Chair Guillette informed the PB about OEP Conferences held in the Spring and Fall which are great training tools to new and seasoned members alike.

Mr. Fowler reiterated the importance of site visits. Ms. Thibault reminded the board not to travel as a quorum and not to discuss an application between fellow board members.

## **VIII. Adjournment**

**Motion:** To Adjourn

**Made By:** Mr. Fowler

**Second:** Mr. Kolenda

**Vote:** Unanimous

Adjourned at 8:35PM

Respectfully Submitted, Kelly LeBlanc