



Planning Board Meeting
Monday, March 12, 2012
Council Chambers, City Hall at 7:00 pm

Minutes
Approved 4.9.2012

I. Roll Call

Present: Peter Guillette, Richard Wahrlich, Bruce Kolenda, Stephen Cutts, James Neilsen, IV, Ruben Ramirez, Kenneth Harlow (alt), Russell Fowler (alt)

Absent: William Greenrose, Andrew Austin (alt)

City Staff: Tracey Hutton, City Planner; Kelly LeBlanc, Administrative Assistant

Kenneth Harlow will sit in for William Greenrose

II. Review of Minutes February 27, 2011 and March 3, 2011

Motion: To approve minutes from February 27, 2012 & March 3, 2012

Made By: Mr. Kolenda **Second:** Mr. Cutts **Vote:** Unanimous

III. Old Business

- **(PB2012-0005) Danielle Weisner, Claremont, NH.** Site Plan under Appendix C Article II of the City Code to establish a trash disposal business (no trash on site). Property Location: **165 Sugar River Drive**, Tax Map 159, Lot 1, Zoning District RR.

Motion: to continue this hearing to the next regularly scheduled meeting of the Planning Board (March 26, 2012) after the site visit on March 17, 2012.

Made By: Mr. Kolenda **Second:** Mr. Ramirez **Vote:** Unanimous

IV. New Business

- **(PB2012-0006) Jean and Albert Minckler, Claremont, NH-** Site Plan under Appendix C Article II of the City Code for the establishment of automobile sales business. Property Location: **50 West Pleasant Street**, Tax Map 131, Lot 219, Zoning District PR.

The applicant seeks site plan approval under Appendix C Article II of the City Code for the establishment of automobile sales business. This use requires a variance from the Zoning Board of Adjustment in a PR District. This variance will be before the Board March 19, 2012.

The applicant proposes the project be completed in two phases. Phase I includes the establishment of the site, installation of security lighting, and the display areas. Phase II would include the ground work construction of the office and detailing bays.

The wash bays would be detailing bays only for the purpose of cleaning vehicles to be sold on premises. There would be a maximum of 30 cars on display at any time.

Traffic will be one way on this site. This is a monitored site per DES and there is still ground water monitoring that needs to take place.

Motion: accept this plan as complete

Made By: Mr. Kolenda **Second:** Mr. Wahrlich **Vote:** Unanimous

Philip (Joe) Osgood has a purchase and sales agreement for the property from Jane and the deceased Mr. Albert Minckler and would like to open an automobile sales business. The responsibility of the ground water is still under Cumberland Farms. The idea is to operate an automobile sales lot initially. A building will be put up at a later date for detailing the cars. The cars will be sold on this lot (West Pleasant Street), repaired on Summer Street, but will not be repaired on the West Pleasant Street lot. Phase II will be the building located on the site plan (office space, utilities, 2 bays for detailing cars, furnace, etc).

Mr. Kolenda asked about lighting. Mr. Osgood has contacted the electric company. The power company rents lights that are mounted on their poles for phase I of the project. Down-lighting will be used. Phase II will include lighting off of the building for the back lot.

Mr. Ramirez inquired about signage. Mr. Osgood stated that there will not be a sign, initially. When signage is proposed it will meet City requirements.

Mr. Cutts asked about water and sewer. Mr. Osgood stated that there is water and sewer from when Cumberland Farms occupied the site.

Mr. Fowler asked about the trees on the site plan. Mr. Osgood stated they already exist on the site.

Ms. Hutton stated according to DES one well needs to be monitored but the site is approved for development.

The angle of a vehicle can be an asset for display and sales purposes. Mr. Osgood will put the vehicles 5 feet back with a landscaped island.

Mr. Harlow asked about the entrance location in regards to safety. Ms. Hutton stated that that this was determined to be the safest but the Planning Board can switch the in and out. Mr. Cutts agrees with Mr. Harlow that the entrance and exit should be switched. Mr. Nielsen stated if cars are stopped at the triangle there could be congestion turning into the lot. Mr. Ramirez asked if there will be entrance/exit signage. Mr. Osgood stated that there will be entrance/exit signage and the curb cuts are preexisting from Cumberland Farms.

Open Public Hearing

No abutters present.

Close Public Hearing

Mr. Wahrlich stated that the way the plan is setup might be most beneficial. Mr. Ramirez stated the more ideal situation would be the allowance to turn and change the plans to enter on the southern end. Mr. Kolenda would leave the plan as is because the lane is wide enough. Mr. Fowler would leave the plan as is as there are less cars turning south. Chair Guillette stated that he would like to have it the right hand entrance left as it is on the plan.

Ms. Hutton stated that a site specific condition can be added to stipulate that entrance/exit signs must be maintained.

Motion: accept the site design with the exception of putting the exit on the northern end of the site and entrance on the southern end with the following conditions: Conditions precedent: (1)The applicant shall obtain and receive approval for 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, (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 certificate of occupancy for Phase I 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. Site Specific Conditions: (1) The applicant shall obtain and receive a building permit for Phase II (the office/detailing garage) within five (5) years from the date of approval. If a building permit for Phase II has not been issued before the five-year deadline, the site plan is no longer valid and must be recertified through the Planning Board, (2) 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) The applicant will continue to work with the Department of Environmental Services to monitor the ground water on the site until such time as the Department of Environmental Services deems it no longer necessary, (4) Final stormwater and site grading plans are required prior to commencement of ground work relating to Phase II, (5) Prior to commencement of Phase II plans of the buildings, lighting and signs must be submitted to the Zoning Administrator to check for compliance with the City Code, and (6) Entrance and Exit signs are to be maintained.

Made By: Mr. Cutts

Second: Mr. Ramirez

Roll-Call Vote: Mr. Cutts – yes, Mr. Ramirez – yes, Mr. Harlow – Yes, Chair Guillette - No, Mr. Wahrlich - No, Mr. Kolenda - No, James Neilsen, IV - No

Motion: Accept site plan as presented with Conditions Precedent, Conditions Subsequent and Site Specific Conditions as referenced in the previous motion.

Made By: Mr. Kolenda

Second: Mr. Wahrlich

Roll-Call Vote: Mr. Cutts – no, Mr. Ramirez – no, Mr. Harlow – no, Chair Guillette - yes, Mr. Wahrlich - yes, Mr. Kolenda - yes, James Neilsen, IV - yes

Mr. Osgood thanked the Planning Board and City Staff for their time and efforts.

V. Reports from Boards and Commissions

Mr. Cutts, Conservation Commission representative, informed the Planning Board that they had a special meeting to review a section of Rail Trail behind the community center. Some substandard land fill was discovered. As a solution to purchasing new fill, the berm on the southern side of the Rail Trail will be re-landscaped and that fill used for the community center land. Vegetation will be used in place of the berm.

VI. Other

Nomination of Chair Guillette for the UVLSRPC Board.

Motion: to recommend Chair Guillette’s application to serve on the UVLSRPC go to Council for approval.

Made By: Mr. Kolenda

Second: Mr. Harlow

Vote: Unanimous (Chair Guillette

Abstained)

Saturday morning – site visit at 10:00am.

Mr. Fowler inquired about the Birney's market exit and asked about the timeline for the extension of the island. He recommended that there is no CO until the island is complete. Mr. Fowler also asked if a change of use is needed should a different restaurant lease the space.

Ms. Hutton confirmed there can be no CO until the island is complete. Birney's Market is requesting a TCO with a temporary island barrier but this temporary solution has not been approved yet. There will be some type of barrier in place before the CO is issued. The plan for the restaurant is approved for X number of seats. It is the use that matters and not the individual restaurant.

VII. Correspondence

VIII. Adjournment

Motion: to adjourn

Made By: Mr. Cutts

Second: Mr. Neilsen

Vote: Unanimous

Meeting adjourned at 7:49PM

Respectfully Submitted by, Kelly LeBlanc