



**Planning Board Meeting**  
Tuesday, May 29, 2012  
Council Chambers, City Hall at 7:00 pm

**Minutes**  
**Approved 6.11.2012**

**I. Roll Call**

**Present:** James Short, Ken Harlow, Rusty Fowler (alt), Peter Guillette, Andy Austin, Ruben Ramirez, Richard Wahrlich, Stephen Cutts, William Greenrose

**Absent:** Victor Bergeron (alt), Bruce Kolenda, James Neilsen IV

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

Kenneth Harlow will sit in for

Mr. Fowler will sit in for Bill Greenrose

Mr. Short will sit in for Mr. Kolenda

Mr. Greenrose joined the meeting at 7:10PM.

**II. Review of Minutes May 14, 2012**

**Motion:** to approve minutes from May 14, 2012

**Made By:** Mr. Austin

**Second:** Mr. Ramirez

**Vote:** Unanimous

**III. New Business**

- **(PB2012-0010) LPG Plains Services LP, Arlington, TX.** Site Plan Amendment under Appendix C Article II of the City Code to allow for an 8 foot by 9 foot addition to the existing building on the property. Property Location: **364 River Road**, Tax Map 175, Lot 4, Zoning District I-2.

Mr. Wahrlich recused himself.

The applicant proposes an eight foot by nine foot addition to the existing building on site. The existing building is 20 feet by 30 feet at a propane distribution plant. There is already a site plan on file so an amendment was chosen.

Brian Desmarais, agent, stated an 8x9 foot addition to the gable end of the building will be added for office space.

Mr. Short asked how many offices will be added. Mr. Desmarais stated the 8x9 room will be the driver's office when they need to do paperwork.

Mr. Ramirez asked if any propane will be in the office space. Mr. Desmarais stated there will be no propane. A baseboard heater will be added, but that is all.

**Open Public Hearing**

No Abutters present

**Close Public Hearing**

**Motion:** accept plan as complete

**Made by:** Mr. Fowler    **Second:** Mr. Cutts

**Vote:** Unanimous

**Motion:** approve the site plan amendment with the following conditions: (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, (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 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 (5) Two (2) mylars in a form suitable for recording at the Sullivan county Registry of Deeds must be provided.

**Made By:** Mr. Fowler  
Wahrlich)

**Second:** Mr. Cutts

**Vote:** Unanimous (Recusal: Mr.

- **(PB2012-0011) A and M Auto Parts Inc., Sebring, FL.** Site Plan Amendment under Appendix C Article II of the City Code to allow for a change of use from retail to professional offices. Property Location: **52 West Pleasant Street**, Tax Map 143, Lot 48, Zoning District PR.

Mr. Ramirez has recused himself as applicant.

Mr. Greenrose has joined the meeting at 7:10pm.

**Motion:** accept plan as complete

**Made by:** Mr. Short

**Second:** Mr. Harlow

**Vote:** Unanimous

The applicant proposes to change the use from a non-conforming retail use to a conforming professional office use. This is a tight lot with little existing vegetation. The proposed parking maximizes the area on the lot. Thirty eight parking spaces are required based on the size of the building and the standard in the Zoning Ordinance. Only 32 are provided for in this proposal.

Ruben Ramirez, applicant, was present to discuss his application. He is working with the building owner to apply for a variance for 6 parking spaces. Chair Guillette asked what the projected parking requirements are estimated to be. Mr. Ramirez stated the flow of traffic would mean anywhere from 15 to 30 spaces are needed. Approximately 15-20 spaces on a daily basis will be used with 30 spaces needed once quarterly. If extra spaces are needed an arrangement has been made with the neighbor next door (Joe Osgood) to lease needed spaces. Two ADA accessible spaces will be available.

Mr. Greenrose asked about the curb requirements. Ms. Hutton stated there is an approved site plan from the 1986 that has parking on Charles Street. The board is reminded that approval will be for any professional office, not just the current tenant.

Mr. Fowler stated the Charles St. Parking is not paved. Mr. Ramirez intends on paving the Charles Street spaces. Mr. Austin asked about the traffic flow during the day. Mr. Ramirez stated the traffic will remain parked for the entirety of the day. Mr. Harlow asked about the size of the ADA spaces. Mr. Ramirez stated that they will accommodate requirements. The intersection between West Peasant Street and Mulberry Street will be widened. Handicap spaces will not be located on Charles Street.

Mr. Wahrlich asked about snow storage and dumpsters. Mr. Ramirez stated that opposite the stone bound corner there is a lot which could accommodate snow (Mr. Osgood's lot). Chair Guillette stated that if there is a heavy winter, snow would need to be trucked out. Mr. Ramirez confirmed that the

contract will state that snow will go to the Osgood lot and if there is an excess of snow, it would be trucked off.

Mr. Fowler asked if most of the vehicles will be stationary. Mr. Ramirez confirmed that 75% should be stationary.

Mr. Short asked about the shifts of the incoming company. Mr. Ramirez said there would be one working shift (8:00a-5:00p).

Mr. Cutts stated it is essential to have the snow agreement and parking solidified.

Mr. Short asked about the amount of offices. Mr. Ramirez stated there will be 36 offices. Mr. Short asked how 30 spaces work with 36 offices. Mr. Ramirez stated some of these will be conference rooms.

### **Open Public Hearing**

Matthew Makela, abutter and owner of Asetex Auto, presented his thoughts on the application. Mr. Makela stated that parking is an issue as the lot is sloped towards the building or towards the street. He has been responsible for this lot as his employees used this parking for 17 years. Drainage work would need to be completed. The parking spaces are very tight and Mr. Makela is uncertain if the spots on paper truly fit with the site. There is drainage underneath the catwalk area; it dams up and travels through the store. Mr. Makela has plowed the lot for Albert Minkler and it doesn't take large amounts of snow for significant accumulation. Only 10 spaces on this lot had previously been used so going to 30 parking spaces will be a significant change.

Mr. Makela assured the applicant that he is not against the business plan, but worries about what will occur after the fact.

Chair Guillette asked about putting an opaque vegetative screen on the East side of the lot. Mr. Makela stated that this is his son's house. The trees that were once present have been removed. The drainage is the point of contention, not the business. There has never been the kind of traffic that is now proposed.

Mr. Greenrose inquired about the flooding witnessed by Mr. Makela. Mr. Makela stated heavy rains caused the flooding. The street tapers to the right and there isn't enough barricades to keep the water on the street. The lowest point on the plan is the designated ADA accessible.

Mr. Wahrlich asked if there is any conflict in traffic with the Asetex business. Mr. Makela stated his only concern is people not paying attention while backing out, but this isn't business related.

Mr. Joseph Osgood, neighbor at 50 West Pleasant Street, would like to clarify a few items. He stated that he was watching the meeting on television and came down to City Hall to report that the applicant's testimony was not all accurate. Mr. Osgood stated that he told the applicant (Mr. Ramirez) that he would not jeopardize 6 parking spaces and at no time was it confirmed that he would lease spaces. Mr. Osgood stated that there was no conversation about snow removal or snow storage and he is not sure that he would want snow piled where there was an exit. Mr. Osgood stated there will not be a written agreement with the applicant until he is certain that it will not interrupt the site plan he just acquired.

### **Close Public Hearing**

Mr. Fowler asked about the slope of the parking lot. Mr. Ramirez stated they intended to do a drain in the rear.

Mr. Wahrlich stated that some of his concerns would be water that is diverted off the lot onto someone else's property. This is a very advantageous project as the parking surface is sloped and there is a question about placement of excess snow.

Mr. Cutts stated a contingent plan will be needed for extra snow. An alternate plan might be necessary for the 6 additional spaces needed.

Mr. Greenrose asked about Primary Planning Consideration 7: Adequate storm water and sanitary waste disposal facilities. He would like to know if having City services mean concerns regarding potential runoff are solved or could paving possibly cause new issues? Chair Guillette inquired about the parking lot paving and where the water would be directed. If the lot is designed correctly, there would be less of a drainage issue. When the construction company comes in to do site work, they should have a plan. Mr. Ramirez stated that the paving plan is not going to happen for a few months after the start as they want to see the drainage issues before they start work. Chair Guillette asked how soon they plan on paving. Ms. Hutton stated paving is required for a Certificate of Occupancy.

Mr. Austin asked if a trench on Charles Street would assist the situation and keep water out of the parking lot. Chair Guillette inquired about a parking plan and drainage. Ms. Hutton stated that if drainage is a concern, storm water calculations would be advised. The board could also make a condition that would state storm water must meet the approval of Planning & Development and Public Works Departments.

Ms. Hutton proposed the condition that the applicant should provide an offsite snow removal contract for parcel 143-48 if at any such time said contract is not valid, this approval and any subsequent Certificate of Occupancy shall also be invalidated.

Mr. Fowler stated he believes the plan needs more work. While Mr. Fowler is not voting he perceived the board to be undecided. Mr. Austin stated that if the board included the suggested changes, they could approve the application. Mr. Short inquired about Site Specific Condition Number 2 (The applicant shall provide for an opaque vegetative screen on the on the east side of the parking lot abutting lot 143-49, n/f Matthew Makela). Chair Guillette stated if condition 2 is not met, the applicant cannot occupy the building. Mr. Greenrose stated that this is an aggressive parking arrangement for the lot so the proposed site specific conditions are essential.

The board reiterated their appreciation that business being brought back to Claremont, but it needs to be done in the correct way.

Mr. Wahrlich stated this application could be better handled if there was more research, more conversation between the abutter and that there was more of a unified front from the board. Currently there are many ways to meet the conditions which might not pacify everyone involved.

Mr. Ramirez stated he has agreed to meet with the Department of Public Works.

**Motion: approve the plan based on the 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, (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 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, (5) 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 provide for an opaque vegetative screen on the on the east side of the parking lot abutting lot 143-49, n/f Matthew Makela and (2) The applicant shall provide a long term lease for 6 parking spaces within ¼ mile of 143-48. If at any time said lease is not valid this approval and any subsequent Certificate of Occupancy shall also be invalidated. (3) The applicant shall provide off site snow removal contract for lot 143-48. If at any time said contract is not valid this approval and any

subsequent Certificate of Occupancy shall also be invalidated, and (4) the applicant must prepare a stormwater management plan for review and approval of the Planning and Development Department and the Department of Public Works.

**Made By:** Mr. Austin                      **Second:** Mr. Greenrose                      **Vote:** James Short - Yes, Peter Guillette - Yes, Andy Austin - Yes, Richard Wahrlich - No, Stephen Cutts - Yes, William Greenrose - Yes

#### **Reports from Boards and Commissions**

Mr. Cutts stated that the Conservation Commission is meeting on Saturday to participate in a Rail Trail cleanup at 10am.

#### **IV. Correspondence**

Town Of Washington Public Notice – Application for site plan approval for personal wireless telecommunications facility. The City of Claremont is an abutter. If anyone is interested they can call 603 495 3661 or email [selectmen@washingtonnh.org](mailto:selectmen@washingtonnh.org) for additional information.

#### **V. Adjournment**

#### **VI. Motion:** to adjourn

**Made By:** Mr. Greenrose

**Second:** Mr. Ramirez

**Vote:** Unanimous

**Meeting adjourned at 8:04 PM**

**Respectfully Submitted By, Kelly LeBlanc**