



Zoning Board of Adjustment & Planning Board Meeting

Monday November 5, 2012 at 5:30 p.m.

Sugar River Valley Technical Center,
John Goodrich Community Room, 111 South Street

Minutes

Approved 12.3.12

I. Roll Call

Zoning Board of Adjustment:

Present: Mike Hurd, Tom Rock, Carolyn Towle, Todd Russel, Jim Hanson

Absent: Pierre Caouette, Dan Worcester (alt)

Planning Board:

Present: Peter Guillette, James Neilsen IV, William Greenrose, Richard Wahrlich, Victor Bergeron, Andy Austin, Bruce Kolenda, Rusty Fowler (alt), James Short (alt), Ken Harlow (alt)

Absent: Ruben Ramirez

City Staff: Tracey Hutton; City Planner; Jane Taylor, City Solicitor; Katrina Spaulding, Business Development Specialist; Kelly LeBlanc, Administrative Assistant

II. New Business

- Discussion of Claremont City Center Project Draft Zoning Documents

Eunice Kim, from the Cecil Group, presented the draft zoning Table of Uses and Claremont City Center Project Master Outline. City Staff, committee members, and public workshop attendees have all been involved in this process.

Currently, there are 11 zoning districts in the City Center. Consolidation is proposed to simplify the process. The committee decided to delineate zones in the City Center as CR-1 (city center residential I), CR-II, etc so that anything in those districts do not affect the rest of the City zoning. Zoning change inside the boundaries is the goal, not outside the perimeter.

The MUM district/B-1 that was located in the City Center is now Mixed Use (MU) as there is a desire to incorporate mixed uses in the downtown. There are three corridor districts designated as Professional Residential (PR). These districts feed into the downtown but keep residential options. Single family to multi-family conversions is acceptable if they are done well and done right. A special use permit will be needed for this type of conversation in the City Center only. Site plan approval is also needed.

An adjustment of densities is needed. For example R-2 has a minimum 5000SF lot size, but 10,000 SF is required for a dwelling unit. The goal is to minimize non-conformities. The City would like to encourage reinvestment, which has been difficult due to non-conformity issues. This proposed zoning change would apply for all of Claremont. If the structure is a non-conforming use an application with the Zoning Board is needed.

If a garage is non-conforming but falling down, people need to be allowed to repair and improve their property.

Currently, the Site Plan review process is easily triggered with the Planning Board. The proposal is a 2 tier plan where smaller changes would lead to an administrative review and larger projects a full Planning Board review.

Ms. Hutton defined Special Exception, Variance, and Special Use. A Special Use permit and Site Plan Review can be done together and will not add to the process. Ms. Taylor stated that residential in the B-1 has often combined site plan and special use permitting. The Planning Board has dealt with this in the past.

Mr. Hurd confirmed that as long as the applicant is staying in the footprint of non-conformity, it is OK, but if a second story was added, they would need to come in. Ms. Taylor stated this is what they are looking at. Chair Guillette asked how this works with a home that is in poor condition. Ms. Hutton stated that if your home is within the setback from the road, you can rebuild in the same footprint so long as you are not making the lot more non-conforming. Ms. Kim informed the boards that reconstruction after tragedy would have to start within one year. Ms. Taylor reiterated that the Claremont ordinance is far stricter than many Zoning Ordinances. Chair Guillette stressed that the City of Claremont is trying to make improvements easier. Mayor Neilsen, IV confirmed that the interior configuration is not the concern, just the footprint. The process of building 'up' is currently under legal review.

Mr. Greenrose asked how safety issues come into place. Ms. Hutton stated if buildings, for example, are under 10 feet apart, fire rated walls are required. Proper precautions are required. This is Building and Fire Code regulated. Second means of egress complexities are being reviewed.

Mr. Bernie Folta, Ward III, asked if there was any new information that the CCCP members were unaware of. He would like to ask about Home Occupations, rules for parking trade vehicles at a residence and how zoning outside of the City Center will be impacted.

Mr. Putnam, CCCP Chair, encouraged the boards for their input. He would like to know if adding an expansion to an already non-conforming structure would be allowed if it fit into the neighborhood.

Mr. Bergeron stated they will look at other zoning districts outside the City Center if this project continues.

Chair Hurd asked about the process; which board goes first with applications and how do we know it fits into the neighborhood. Ms. Hutton stated that if you have existing. Ms. Taylor is researching the possibility of an expansion of a non conforming use and corresponding ZBA requirements. Ms. Kim stated they are looking at both non conforming structures and uses.

Mr. Short confirmed that new businesses must comply with new standards.

Mr. Wahrlich asked if a tradesman is permitted to make an office in a garage. Ms. Hutton stated a home office does not have people coming to the house; a home occupation has services, supplies and/or people coming and going to the house. Standards are currently being developed.

Mr. Folta stated there is still the question of the trades' person being able to park their trade vehicle. He also was curious if the boards got the revised table of uses. Ms. Kim confirmed that yes, they got the revised table.

Ms. Taylor stated there are always cases of judgment.

Mr. Putnam stated the boards' comments correspond to what citizens want their neighborhoods to look like. Definitions must be flexible but not impacting the whole of a neighborhood.

Mr. Folta stated that this has to do with process and uniform access to boards. He asked how much of the action has gone from more control to less control and reverse. Ms. Hutton stated that right now every non residential use, change of use, or special use had to go to the Planning Board.

Mr. Greenrose stated streetscape is a popular issue with the CCCP steering committee. The vision is key. The idea is to make things easier, but not everything can be regulated so how do aesthetics (sidewalks, parking, etc) play into this. The Cecil Group is working on a solution. Ms. Kim stated they are providing the City architectural guidelines that can be used as a reference that could be adopted at some point. Ms. Hutton stated everything comes from the Master Plan at some juncture. Ms. Taylor stated traffic control sections can be codified in certain sections of the code, apart from zoning.

Mr. Wahrlich asked about architectural design in relation to the area. Ms. Hutton stated there will be voluntary architectural guidelines; the City will look for incentives to prompt these architectural guidelines to improve the streetscape.

Ms. Hutton stated the Zoning Ordinance represents long term vision and may not necessarily be seen in our timeframe on the board.

Mr. Short asked about taxation. Ms. Hutton stated that how a building is zoned does not necessarily reflect its taxation.

Mr. Fowler asked about residential allowance. Ms. Hutton stated that Mixed Use is the only zone that single family residential would not be allowed at this point.

Mr. Kolenda asked how this will impact the Historic District. Ms. Hutton stated that there is no plan to change the Historic District at this point.

Ms. Hutton stated that Ms. Kim and Mr. Cecil will take the comments from this meeting and update the documents. The results will be brought to the CCCP meeting later in the month. This will then be brought to the City Council. The grant period ends at the end of December but it may take additional time for staff and council. The PB addressed the proposal and then recommends to the council.

Chair Guillette thanked the Cecil Group and both boards for coming together.

III. Adjournment

Motion: to adjourn

Made By: Mr. Greenrose

Second: Mr. Kolenda

Vote: Unanimous

Meeting adjourned at 6:50PM
Respectfully Submitted by Kelly LeBlanc