

PLANNING BOARD

Monday, November 27, 2006
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman P. Harris; J. Pike, G. Flack, W. Peterson, C. Patten and J. Marden.
Members Absent: R. Caldwell
Alternates Present: C. Long.
Alternates Absent: C. Shibles.
Staff: C. Daigle, R. Ball and E. Murphy.

The chairman opened the meeting at 7 p.m. and appointed C. Long as a voting member for tonight's meeting.

PUBLIC HEARING – NEW CINGULAR WIRELESS PCS, LLC: Continuation of a request for site plan approval to construct a personal wireless service facility including a 180' monopole tower. Property is located on 15 Dutile Road, Tax Lot 217-116 in the "C" Zone. PB # 2306.

P. Harris explained that the Board received a letter from the applicant requesting to withdraw the application without prejudice due to a restructuring of priorities in the current network development.

MOTION: J. Marden moved to accept the withdrawal and close the file.

The motion was seconded by W. Peterson and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BLUE SKY ENTERPRISES:

Request for subdivision approval to subdivide one lot into four. Property is located on Hurricane Road, Tax Lot 231-014 in the "R" Zone. PB #2706.

Mr. Ron Johnson presented the application.

Mr. Johnson explained that the 114.07 acre parcel is on the westerly side of Hurricane Road in the rural zone. There is 1196' of frontage on Hurricane Road and an existing driveway going out to a gravel pit. The former owners did a five lot subdivision and recently did a boundary line adjustment. The wetlands have been delineated. The proposal is for a four lot subdivision on Hurricane Road. Test pits have been done. Lot one has 180.01' of frontage, parallel sides, and is 3 acres, lot two has 180.01' of frontage, parallel sides and is 3.01 acres, lot three has 180.01' of frontage and is 3.02 acres with parallel sides, lot four has 180.02' of frontage, parallel sides and is 3.02 acres. They are keeping the rear lines straight and the side lines parallel. The lots will exceed

the 4:1 ratio. All the driveways will exceed the sight distance requirement. There is a note on the plan extinguishing any excavation on the new lots. The old pit approval expired but there is still a road buffer. They are retaining rights for the existing driveway which will serve one of the new lots. They have received State subdivision approval. They are requesting a waiver for a Stormwater Management Plan and report because they are not moving a lot of earth. The second waiver is for the 4:1 ratio because they are keeping the lot lines parallel and the lots are 3 acres.

BOARD'S ACTION –BLUE SKY:

MOTION: W. Peterson moved to grant the following waiver:

Submission of a Stormwater Management Plan and Report.

The motion was seconded by J. Pike and carried. (7-0)

MOTION: W. Peterson moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by January 31, 2007, subject to extension or waiver.

The motion was seconded by C. Patten and carried. (7-0)

The chairman opened the Public Hearing.

J. Marden wanted to know about the reclamation plan for the open pits. Mr. Johnson stated that they are working on it. J. Marden wanted to know if there are any pits behind the proposed lots. Mr. Johnson stated that there are none directly behind the proposed lots.

J. Pike had concerns about not meeting the 4:1 ratio. Mr. Johnson stated that the lots will have parallel side lines and they will meet the three acre requirement for the rural zone. C. Daigle stated that one reason for the 4:1 ratio was not to create zig zag lots which make it difficult for people to know where their lot lines are. These lot configurations have parallel sides that are not hard to determine. She doesn't see any detriments to the future owners. These lots may be unique because they are creating useable lots. P. Harris wanted to know why they can't meet the 4:1 ratio with the 114 acres. They can redesign the lots with greater frontage. J. Pike stated they could move the frontage 7' or 8' and still have straight lines and comply without creating slab lots. P. Harris wanted to know what happens with the remaining acres. Mr. Johnson stated that he has been told they will eventually be grass pastures. C. Daigle stated that staff has met with the owners and they know the pit permit was not transferable. They will put together a site specific plan, come to the Board for a permit and work the pit to some extent and then reclaim them. J. Pike wanted to clarify that there is no more pit action by this permit. Mr. Johnson stated that they would have to come back to Board if the pit is activated. J. Pike wanted to know how they would access the back pit lot after they create the four lots. Mr. Johnson explained that they are not proposing a gravel pit tonight. They will have to come back to relocate the access. J. Marden wanted to know what they are doing with the remaining frontage. Mr. Johnson stated that it they will need a 15' buffer to

the wetland. They will have to build a town road if they subdivide the back lot.

Mr. Johnson stated that with the 180' frontage and the 3 acres it almost meets the 4:1 ratio. They will have the 50' setback on each side for the houses. W. Peterson stated the 180' frontage requirement times four doesn't meet the requirement it should be 185' frontage. J. Pike stated that they could shorten up the lots to meet the requirement. W. Peterson stated it is close to the 4:1 ratio. P. Harris stated they have to be fair to all applicants that may come in the future. They have to work with what is in the regulations. C. Daigle stated that there is 100' from last lot line and wetlands along the road and there is quite a grade. To operate the pit the haul road will have to be away from the wetlands. G. Flack stated that they have to take into consideration the embankment to the last lot.

MOTION: J. Pike moved to grant the following waiver:

1. 4:1 lot length to width ratio.

The motion was seconded by C. Patten and carried (5-2). J. Marden and P. Harris opposed.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: W. Peterson moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (2 mylars, 6 paper copies):
 - a. All pins to be set and so certified on final plan.
 - b. Tax Map/lot #s (sub lot #s same as development lot #s)
2. Payment of decision recording fee.
3. NH DES SD approval.
4. Compliance hearing shall be held by Board as necessary.
5. Status of reclamation.

General conditions to be complied with subsequent to plan being signed and decision recorded:

6. No changes shall be made to the approved plans unless application is made in writing to the Town.
7. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by J. Pike and carried. (6-1) J. Marden opposed.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – ARMAND & BEVERLY FORTIER:

Request for site plan approval to construct a 896sf addition for office space. Property is located on 174 Daniel Webster Highway, Tax Lot 101-010 & 101-011 in the "C" Zone. PB # 2606.

Mr. Ron Johnson and Mr. Jeff Fortier presented the application.

P. Harris read the lot history:

1. The undeveloped lot used for parking is preexisting nonconforming (size & lot coverage) with a conforming use (commercial parking).
2. The developed lot with the business building is preexisting nonconforming (lot coverage) with a preexisting nonconforming structure (2 front & 1 side setbacks), and a conforming use (commercial building).
3. The existing use is grandfathered and does not have Site Plan approval.
4. In September the ZBA granted a special exception to construct a mezzanine area inside the building (the Planning Board voted this was a minor adjustment and it did not require Site Plan approval).
5. In September the ZBA also granted 2 variances (from the front setbacks along both Daniel Webster Highway and Old State Road) to construct the office addition.
6. As part of the NH DOT road project scheduled to begin in April of 2007, the existing wide open driveway access to the property from Daniel Webster Highway is going to be restricted by the placement of two or more raised curbs with narrower driveway cuts.

Mr. Johnson explained that the lot is on the northwest side of Daniel Webster Highway in the commercial zone. Northeast Tire is comprised of two separate tax lots with an office and service bays. Lot two has no structures, is gravel and used for parking. They are here tonight because of the upgrades to Rte 3 that will change the access to the lot. The traffic island will restrict the entrance. The office will have to be relocated and the gravel area paved. There will be one additional handicap parking space and a handicap ramp. Part of the State's project will be to regrade the lot in April 2007. A new drainage system is proposed.

W. Peterson and J. Pike stated that they do business with Northeast Tire and will step down from the Board if anyone thinks there is a conflict of interest. The Board, the applicant and the public did not see a conflict of interest.

Mr. Johnson stated that they are fully developed lots and DOT will be addressing the drainage issues. There is no change in lot coverage or added drainage run off. It will be advantageous to have the building in place during the reconstruction. He explained that they went to the Zoning Board of Adjustment for a variance for the addition and there is a note on the plan that the two new proposed active service bays are subject to Zoning Board approval.

J. Marden wanted to know if R. Balls comments on drainage have been addressed. Mr. Johnson stated that the drainage will be going into another system. All drainage will be going into the new catch basins. When the new system is installed the drainage will go into that system. J. Pike wanted to know if the applicant would be here tonight if the State hadn't changed the drainage on Rte 3. Mr. Fortier stated that they are in compliance and he wouldn't be making these changes. C. Daigle stated that the driveway was not in compliance with the

original driveway permit. Mr. Fortier stated that they want to bring it into compliance. J. Pike stated that this would fix the drainage problems. C. Daigle stated that the town is grateful for business owner's working with DOT to bring their lots into conformance. It will be a safety benefit for the town.

BOARD'S ACTION – FORTIER:

MOTION: J. Marden moved to grant the following waivers:

- a. Additional Soils info.
- b. Quality Assurance Program.

The motion was seconded by C. Long and carried. (7-0)

MOTION: J. Marden moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by January 31, 2007, subject to extension or waiver.

The motion was seconded by J. Pike and carried. (7-0)

The chairman opened the public hearing.

P. Harris wanted to know about the floor drains. Mr. Johnson stated that the drains are plugged. The Board wanted to know about the material in the rear of the building along the Old State Road ROW. Mr. Johnson stated the material will be removed from the Old State Road ROW. The Board wanted to know about the manhole on the east side of the lots. Mr. Fortier explained that there are two existing catch basins about 25' off the road that clog up with sand that comes down from Taylor Rental. They have cleared the basin a couple of times and the backup is why there is erosion on the back side. C. Daigle stated that if it impacts Old State Road it is the responsibility of the land owner to contact DOT. Mr. Fortier stated that they have done that. The catch basins are clear now. C. Daigle stated that staff will call DOT to discuss it. Mr. Johnson stated that they would like to have the building in place before the drainage is completed. P. Harris wanted to know if there is a dumpster. Mr. Fortier stated that they have one from Waste Management that is kept in the bays and emptied once a week. J. Marden wanted to know about the landscaping plan. Mr. Johnson stated landscaping is proposed in each of the islands. J. Marden wanted to know about the gravel area along Old Stated Road. Mr. Johnson stated the existing vegetation will remain. C. Daigle wanted to know how they were going to keep the snow storage area from going into Old State Road. Mr. Fortier stated that the biggest drop is a 5' bank. G. Flack stated that there could be a big mountain of snow. Mr. Fortier stated that they will probably have to have it removed once or twice a year since they have lost parking.

W. Peterson had concerns about the catch basins on the lower lot. Mr. Fortier stated that he spoke with the State and the catch basin will be moved closer to the corner and will be regraded. P. Harris wanted to know if the concerns from the fire department had been addressed. Mr. Johnson stated that they have been. R. Ball wanted to know about merging both lots. P. Harris stated that both lots are dependant on each other. J. Marden

stated one lot is for parking. Mr. Fortier stated that he doesn't want to merge them at this time in case he wants to sell the lots separately. J. Marden stated the lot coverage calculation will be the same as it is now. J. Pike stated that the lots can be joined now. C. Daigle stated the note on the plan ties them together because of the uses.

The Board wanted to know about the lighting. Mr. Johnson stated the exterior lights don't operate at night or on weekends. There is enough lighting for the entrance.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: J. Pike moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (8 paper copies):
 - a. All pins to be set and so certified on final plan.
 - b. Handicapped sign
 - c. Revision notes to be added to plan
 - d. All new lights shall be full cut-off.
2. Payment of decision recording fee – check made payable to Belknap County Registry of Deeds for \$16.39.
3. NH DOT (Division 3) revised DW permit.
4. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
5. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

6. Submission of building plans, approved by Building Inspector & Fire Department. Shall comply with all applicable building, fire (see FD recommendation), health, and life safety codes. The addition footprint shall not exceed 28x32 approved by ZBA, including any roof extension, overhang or cover except for the 24" functional eave overhang allowed by the Ordinance.
7. Regardless of who does the parking lot improvements, the applicant is responsible to the Town for the work occurring in accordance with the approved Site Plan and all work must be completed or secured prior to occupancy of the addition.
8. Material in ROW in the rear of building to be removed.
9. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
10. Property owner shall install all required traffic control and fire and life safety facilities and systems

- required by the Board and/or by other applicable Codes and Regulations.
11. As-built plans of all improvements required prior to occupancy/use.

General conditions to be complied with subsequent to plan being signed and decision recorded:

12. All exterior lighting shall be shielded from abutters and traffic.
13. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
14. No changes shall be made to the approved plans unless application is made in writing to the Town.
15. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
16. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by W. Peterson and carried. (7-0)

The Board agreed that the building permit can be issued prior to the drainage being completed. Before a Certificate of Occupancy can be issued the drainage has to be completed or security has to be in place.

PLAN SUBMISSION MEETING AND PUBLIC HEARING –KNOWLES POND: Request for subdivision approval to subdivide one lot into two. Property is located on 93 Seavey Road, Tax Lot 230-053 in the “RS” Zone. PB # 2806.

Mr. Ron Johnson presented the application.

Mr. Johnson explained that the lot is on the south side of Seavey Road in the “RS” zone. It has 345’ of frontage and is 915’ deep. There is an existing single family house under construction on the lot and they want to divide the one lot into two. The new lot will have the required frontage and will be 5.10 acres. The building area will be towards the rear of the lot because it is larger. They need State approval for the front lot. They have filed the wetland permit to cross the lot. They are asking for a waiver request for level 2 soils because the lots are larger than required. Also a waiver to not relocate the driveway to meet the 15’ wetland setback because it is existing and they would do more harm to the environment by moving it. The new lot doesn’t meet the 4:1 ratio by 24’ and they can’t do much else with the lot. J. Marden wanted to know how big the wetland crossing is. Mr. Johnson stated it is roughly between 15’ and 20’. Mr. Johnson stated that they need State subdivision approval for the 2.11 acre lot and there is will a note on the plan about the soils. C. Daigle stated that the actual road pavement is different than an embankment easement. J. Marden wanted to know what the sight distance is for the driveway. Mr. Johnson stated that it exceeds the 300’ requirement in both directions.

BOARD'S ACTION –KNOWLES POND:

MOTION: W. Peterson moved to grant the following waiver:

1. Level 2 soils as wetlands have been delineated, size of lots, smaller lot has approved septic and will also be reviewed by NH DES.

The motion was seconded by C. Patten and carried. (7-0)

MOTION: C. Patten moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/31/07 subject to extension or waiver.

The motion was seconded by W. Peterson and carried. (7-0)

The chairman opened the public hearing

G. Flack stated that the 4:1 ratio is in place because of the wetland. C. Daigle stated it is close and there are wetland that affect how the lot configuration is setup. P. Harris read the requirements for lot size. " A lot length shall not exceed 4 times the average width of the lot. In addition, the actual lot width shall not be reduced to less than the required frontage for a depth (from the closest edge of the road ROW or from the road access side property line) of 100', or for the entire depth of the lot, whichever is less

MOTION: W. Peterson moved to grant the following waivers:

1. The 4:1 lot length:width ratio.
2. Relocating the existing driveway to meet the required 15' wetland setback.

The motion was seconded by C. Patten and carried. (6-1) J. Marden opposed.

J. Pike stated that putting the utilities underground and going through the wetlands would be creating more havoc than having them overhead. R. Ball stated that they would be opening up a trench one time and then covering them up. J. Pike stated that the utilities power poles have to cross the road then cross the wetlands. He suggest they allow overhead utilities. G. Flack stated that you cannot see the overhead utilities through the lot. The ones to the house under construction are underground.

MOTION: J. Pike grant the following waiver:

1. Waive underground utilities for the new lot.

The motion was seconded by W. Peterson and carried. (7-0)

Ms. Barbara Rollins, an abutter, wanted to know about the stream along the southern part of the property that comes across from Bean Hill Road. Mr. Johnson explained that there are two culverts and the drainage will not be affected.

The chairman asked if anyone in the audience had any further questions or comments. There being none, he closed the public hearing.

MOTION: G. Flack moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (6 paper copies & 2 mylars):
 - a. All necessary professional signatures/stamps.
 - b. All pins to be set and so certified on final plan.
2. Easement to town for culverts flow and maintenance and road pavement.
3. Recording fee.
4. Relocate existing well or provide well radius easement on new lot.
5. Obtain wetlands permit for interior wetlands crossing.
6. Obtain NH DES subdivision approval.
7. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

8. No changes shall be made to the approved plans unless application is made in writing to the Town.
9. Approval is subject to expiration, revocation and changes in the Ordinances.

Motion seconded by C. Patten and carried (6-1) J. Marden opposed.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – KENNETH & GAIL BARRETT: Request for boundary line adjustment approval to transfer .336 acres from tax lot 204-019 to tax lot 211-016. Property is located on 71 & 83 Plummer Hill Road, in the “RM” Zone. PB # 2906.

Mr. Fred Wheeler presented the application.

Mr. Wheeler explained that the Barretts own two adjacent parcels on Plummer Hill Road. The larger is lot 204-019 with 1.5 acres with the main house on it. Lot 211-016 is the smaller lot with 0.173 acres and a 1959 manufactured rental unit on it. Both lots have septic and well and has group 4 soils. The proposal will increase the smaller to .508 and the large lot will become 1.167 acres. This will increase the frontage on the smaller lot and attach the back lot to it. They are requesting a waiver for soils because the larger lot supports a four bedroom septic design. The southerly paved driveway will be part of the smaller lot. The existing gravel driveway doesn't have a paved apron.

BOARD'S ACTION – KENNETH & GAIL BARRETT:

MOTION: J. Marden moved to grant the following waiver:

1. Additional soils info.

The motion was seconded by G. Flack and carried. (7-0)

MOTION: J. Marden moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by January 31, 2007 subject to extension or waiver.

The motion was seconded by C. Long and carried. (7-0)

The chairman opened the public hearing.

J. Pike stated that the gravel driveway has been there since 1959. If there are improvements to lot one then the driveway has to be removed. C. Daigle explained that they are permitted two driveways. The Board can require a paved apron to protect the town road. Mr. Wheeler stated that they are not proposing any expansion at this time. The two bedroom mobile home would have to go to the State to improve the septic if they did any changes.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: J. Marden moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (5 paper copies, 2 mylars)
 - a. All pins to be set and so certified on final plan.
 - b. Boundary Line Adjustment certification.
 - c. All driveways accessing onto paved road to have paved aprons.
 - d. Indicate purpose/use of southerly paved drive.
2. Payment of decision recording fee.
3. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

4. No changes shall be made to the approved plans unless application is made in writing to the Town.

5. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by G. Flack and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – VERA KENYON & THOMAS AND KAREN CLAIRMONT: Request for boundary line adjustment approval to transfer 10.28 acres from tax lot 245-012-001 to tax lot 245-012. Property is located on South Road, in the “R” Zone. PB # 3006.

Mr. Frank Yerkes presented the application.

Mr. Yerkes explained that the proposal is to transfer 10.3 acres from Ms. Kenyon to the Clairmonts. The Kenyon’s parcel will be 59.58 acres after the adjustment. The woodlot in Ms. Kenyon’s deed has no frontage. They are asking for a waiver for soils and topo. R. Ball stated that a signature from Northfield is required.

BOARD'S ACTION – VERA KENYON & THOMAS AND KAREN CLAIRMONT:

MOTION: J. Marden moved to grant the following waiver:

- 1. Soils & Topography

The motion was seconded by J. Pike and carried. (7-0)

MOTION: J. Marden moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/31/07 subject to extension or waiver.

The motion was seconded by W. Peterson and carried. (7-0)

The chairman opened the public hearing.

Mr. Yerkes stated the pins are set. Research certifies that it is on the town line so Northfield’s signature block will be added to the Plan. The barn will be identified on the plan.

Mr. Marcoux, an abutter, stated he is in favor of the proposal.

The chairman asked if anyone in the audience had any further questions or comments. There being none, he closed the public hearing.

MOTION: W. Peterson moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (2 mylars & 6 paper copies):
 - a. All pins to be set and so certified on final plan.
 - b. Info on survey standards to be included on plan.
 - c. Surveyor's statements "...meets all Zoning..." and "...subject to revocation".
 - d. Signature block, "For recording purposes only" for Town of Northfield's signature.
 - e. ID on-site building.
2. One paper copy of plan with Not-in-Current Land Use area applied to scale to lot 245/12.
3. Final plans will not be recorded until transferring deed has been approved by the Town and is also signed and ready for recording.
4. Payment of decision recording fee.
5. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

6. No changes shall be made to the approved plans unless application is made in writing to the Town.
7. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by J. Marden and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – ROBERT F. BOLLINGER GENERAL CONSTRUCTION LLC:

Request for subdivision approval to subdivide one lot into four. Property is located on Bean Hill Road, Tax Lot 224-007 in the "RS & R" Zones. PB # 2406.

P. Harris explained the history of the lot. It is a conforming lot. The Board reviewed a previous proposal to create 3 new lots here (in a different configuration) in 2003. The application was not accepted as complete, more information was needed on wetlands, driveway sight distances and stormwater management. The lot has since been developed with one conforming single family residence.

Mr. Jeffrey Greene presented the application.

Mr. Green explained that the proposal is to subdivide one lot into four lots. The proposal is for three five acre lots and the remaining lot with the house on it will be 32.208 acres. The three lots will have the houses near the road and there will be no further subdivision at this time. They are requesting a waiver for delineating the wetlands on the remaining lot. There is high intensity soils information for the remaining 28 acres. They are also asking for a waiver for Stormwater management plan and report because the houses are near the road, two with a shared driveway. P. Harris stated that they meet all wetland setbacks.

J. Pike had concerns about the waiver request for a stormwater management plan. There is an existing paved driveway and the existing road is used for logging. Mr. Greene stated that the last driveway is flat and all of the driveways have under 20% slopes. P. Harris stated that staff has concerns about the two new driveways. C. Daigle stated that the driveway has to be constructed to assure that subsequent owners have safe access. R. Ball stated that he has talked to Mr. Bennett about the existing road and the loggers tracking material from the lot onto the main road. J. Pike is concerned that the ditch line is not designed to carry the runoff. Mr. Bollinger stated that the existing driveway doesn't create any problems. Mr. Greene stated that the Board has to take into consideration that the current problem is logging not normal driveway traffic. G. Flack stated that it would take two or three loads of gravel to solve the problem. Mr. Bollinger stated that they built the house and driveway up the road and there are no problems with that one.

BOARD'S ACTION – ROBERT F. BOLLINGER GENERAL CONSTRUCTION LLC:

MOTION: J. Pike moved to grant the following waivers:

1. Stormwater management plan and report.
2. Additional soils mapping on remaining parcel

The motion was seconded by C. Patten and carried. (7-0)

MOTION: C. Patten moved move that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/31/07 subject to extension or waiver.

The motion was seconded by J. Pike and carried. (7-0)

The chairman opened the public hearing.

Mr. Greene stated that the second well is capped. The driveway sight distances for the existing wood road and driveways meet the requirements. The log landing will be labeled on the plan as well as the house building area. J. Pike had concerns about the ditch improvements along Bean Hill Road. J. Marden wanted to know if the land is in current use. Mr. Greene stated that it is not.

Mr. Al Carista, an abutter, stated he has no problem with the proposal.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: W. Peterson moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Developer to submit plans by licensed engineer, to be approved by Town, designed to address drainage issues. Construction sequence, erosion control measures for drainage improvements to be included in QAP.
2. Submission of final plans (2 mylars & 5 paper copies):
 - a. All pins to be set and so certified on final plan.
 - b. All driveways to have paved aprons.
 - c. Original seals/signatures of professionals.
 - d. List of dates/purposes on revisions.
 - e. Abutters book/page info.
 - f. All pins be set/certified – including southeasterly lot bound.
 - g. Development Lots 2-4 require underground utilities.
 - h. Include approved Map/Lot numbers:
 1. Dev lot #2 – Tax Map/Lot # - 224/007/001
 2. Dev lot #3 – Tax Map/Lot # - 224/007/002
 3. Dev lot #4 – Tax Map/Lot # - 224/007/003
 - i. Existing log landing to be identified on plans.
 - j. Further identify 2nd well on developed lot (covered)
 - k. Show certified sight distance for 2 new driveways.
3. Payment of decision recording fee.
4. Establish escrow account for review, inspections and closure in case of abandonment.
5. Applicant shall sign and follow Inspection Schedule for drainage improvements prepared by Planning staff.
6. Developer to construct drainage control measures including ditchline improvements along Bean Hill Road and first sections of 2 proposed driveways according to required plans as approved by the Town.
7. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

8. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.

General conditions to be complied with subsequent to plan being signed and decision recorded:

9. No changes shall be made to the approved plans unless application is made in writing to the Town.
10. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by C. Patten and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – THOMAS TAYLOR: Request for subdivision

approval to subdivide one lot into two. Property is located on 47 Hackett Road, Tax Lot 238-001 in the “R” Zone. PB # 3106.

Mr. Dean Clark presented the application.

Mr. Clark explained that this is a two lot subdivision on a Class 5 gravel road. The 7.26 acre lot has an existing house. The setbacks and soils will be corrected on the plan. They have received a driveway permit. The building setback for the wetlands is 35’. Utilities will be underground. They have received DES approval. They have included the current deed in the packet. They are asking for a waiver for offsite topo because they are just putting one house on the lot.

BOARD'S ACTION – THOMAS TAYLOR:

MOTION: C. Long moved move that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/31/07 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (7-0)

The chairman opened the public hearing.

MOTION: C. Long moved to grant the following waiver:

- 1. Showing off-site topo

The motion was seconded by J. Marden and carried. (7-0)

J. Marden wanted the applicant to be aware that they are subdividing next to working farm and there are odors that are associated with a working farm.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: J. Marden moved to accept that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded.

No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (2 mylar & 6 paper):
 - a. All pins to be set and so certified on final plan.
 - b. Professional seals/signatures.
 - c. Abutter's title reference.
 - d. Front setback is 50', not 25'.
 - e. Side setback is 50', not 10'.
 - f. Rear setback is 50', not 10'.
 - g. Wetland setback is 35', not 50', except pond setback is 50'.
 - h. Sight distance for proposed driveway.
 - i. Utilities on new lot shall be installed underground.
 - j. ID/amend use of _____ graphic.
2. Payment of decision recording fee.
3. NH DES Subdivision approval.
4. Current deed.
5. Correct narrative – 3 ac zone, not a 1 ac zone.
6. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

7. No changes shall be made to the approved plans unless application is made in writing to the Town.
8. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by J. Pike and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – JANIS POWELL: Request for subdivision approval to subdivide one lot into two. Property is located on 263 Durrell Mountain Road, Tax Lot 212-050 in the "R" Zone. PB # 3206.

Mr. Fred Wheeler and Ms. Janis Powell presented the application.

Mr. Wheeler explained that it is a 12 acre lot located between Durrell Mountain Road and the Gilford town line. The applicant also has property in Gilford. The property is oddly shaped. It has 280' of frontage on Durrell Mountain Road and frontage on Hoadley Road Extension. There is house, garage, well and septic on the existing property and the Powells want to put a new house on the back lot. They have an approved septic design for the new lot. It is in the rural zone which requires a minimum of three acres and 180' of frontage. They need 180' of frontage on Durrell Mountain Road which they have. Then it narrows down 100' back to 50' and parallels Hoadley Road. The proposed new lot is 9.5 acres. NRCS type two soils are on the property. The reason for the 4:1 ratio is so the front part of the lot has enough room to build a house and meet the setbacks. There is a statement on the plan that there are no wetlands or ledge on the site. He is asking for a waiver for the wetland stamp. They can take the statement off the plan if need be. The Board discussed the fact that they know the

property and it has good soils. Mr. Wheeler stated that a note can be put on the plan that no further subdivision is allowed.

J. Pike wanted to know how they will access the lot. Mr. Wheeler stated that they will use a new driveway off Durrell Mountain Road. J. Pike stated that he would like the plan to reflect that there will be no further subdivision and no driveway access from Hoadley Road Extension. Ms. Powell stated that they need the utility easement access off of Hoadley Road Extension. PSNH would like to see overhead utilities because it is the shortest route using the utility easement area. It would be overhead from existing utilities at the house which would be a 900' run vs 1200' underground. C. Daigle stated that they have received numerous complaints about vehicles going up and down Hoadley Road Extension. Ms. Powell agreed stating that she is one that makes some of those calls and has talked about putting up gates and bars. The Board discussed the drainage issues. The drainage has been redirected off the property and down the road. Catch basins have been put in. Problems are being created in the Town road ROW.

BOARD'S ACTION – JANIS POWELL:

MOTION: J. Marden moved to grant the following waiver:

- a. Soils info.

The motion was seconded by G. Flack and carried. (5-2) P. Harris and J. Pike opposed

MOTION: J. Marden moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/31/07 subject to extension or waiver.

The motion was seconded by C. Long and carried. (7-0)

The chairman opened the public hearing.

J. Pike wanted to clarify that they will take the finger of land and access easement away. The ROW will be for utilities only.

Ms. Heather Roberts, an abutter, wanted to make sure the water runoff doesn't affect her property. C. Daigle wanted to know if Ms. Robert owns the property where the water has been redirected onto Hoadley Road Extension. Mr. Wheeler explained that the Roberts dug a ditch around the barn and have been contacted by Mr. Bennett to address the issue. C. Daigle stated that it needs to be reconfigured to the way it has historically been. Ms. Powell explained that prior to the Roberts owning the property the water was going through the house.

Mr. Wheeler stated that most of the runoff goes through the culvert and then is redirected to the swale. The loggers put the culvert in.

P. Harris stated that the Master Plan talks about premature and scattered development. There is no other method to reconfigure the lot to bring it into compliance. G. Flack stated that they could eliminate work in the ROW. P. Harris stated that this lot will have better accesses and road than other lots. They are creating a better situation for the second lot and not setting a precedent. Mr. Wheeler stated that there is no other way to subdivide without going for a variance for reduced frontage or reduced size. Mr. Wheeler explained that they came before the Board for an informal discussion in 2003 and asked those questions and have moved ahead with the subdivision based on that discussion.

MOTION: J. Marden moved to grant the following waivers:

1. Additional off-site detail – staff supports due to minor subdivision.
2. Steep slopes – staff supports due to minor subdivision and no apparent impact on roads.
3. General lot configuration – further information necessary.

The motion was seconded by J. Pike and carried. (7-0)

W. Peterson stated that they can remove the finger part of the lot. Mr. Wheeler agreed that it can be done. C. Daigle stated that then they have to access the paved portion of Durrell Mountain Road which would take away from premature scattered development. The lot is strangely configured. Mr. Wheeler stated it is because if they didn't do it this way they would not be able to build the front of the lot.

MOTION: J. Pike moved to grant the following waiver:

4:1 lot depth to width ratio.

The motion was seconded by W. Peterson and carried. (4-3) C. Long, P. Harris and J. Marden opposed.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: J. Pike moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Driveway to access Durrell Mountain Road. No access from Hoadley Rd.
2. Submission of final plans:
 - a. All pins to be set and so certified on final plan.
 - b. New lot shall have underground utilities from Durrell Mountain Road and overhead

- from Hoadley Road.
- c. Box for Gilford to sign plans.
- d. Wetland stamp.
- e. Show additional pins behind existing house.
- f. Confirm "N48-17-36W" frontage call along Durrell Mtn Rd (was N43-17-36W on previous plan).
- g. Access easement and 20' strip to be eliminated.
- 3. Payment of decision recording fee.
- 4. NH DES SD approval.
- 5. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

- 6. Will need driveway permit in conjunction with building permit.
- 7. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.

General conditions to be complied with subsequent to plan being signed and decision recorded:

- 8. No changes shall be made to the approved plans unless application is made in writing to the Town.
- 9. No further subdivision of both lots.
- 10. Approval is subject to expiration, revocation and changes in the Ordinances

The motion was seconded by W. Peterson and carried (6-1) J. Marden opposed.

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by C. Patten seconded by W. Peterson, it was voted to approve the minutes of the November 13, 2006, meeting as submitted. (7-0)

STAFF REPORT:

AL GILBERT TAX LOT 210-027:

C. Daigle explained that she has received a building permit from Mr. Albert Gilbert to construct a 30' x 40' lean-to to cover the oil barrels stored at his junkyard. She wanted to know if he needs a site plan. The Board discussed the fact that it is just a roof with no sides and as long as the location is identified on the permit he will not need a site plan

UPCOMING MEETINGS:

December 11th worksession will include a presentation from Lakes Region Planning Commission on the Aquifer

Guide Book.

The February 12th worksession will include Mr. Russ Thibeault's initial housing study report.

ADJOURNMENT:

MOTION: On a motion by J. Pike, seconded by C. Patten, it was voted unanimously to adjourn at 10:30 p.m.
(7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant