

PLANNING BOARD

Monday, January 30, 2006
Belmont Corner Meeting House
Belmont, New Hampshire

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

The vice-chairman opened the meeting at 7 p.m.

PUBLIC HEARING – PROPOSED ZONING AMENDMENTS

The vice- chairman opened the meeting to the public to discuss the two proposed zoning amendments:

The proposed amendment to Article 5, Table 1 is to add an Accessory Apartment use line, Permit in Residential Multi-family, Rural and Village zones: Not Permitted in Commercial and Industrial Zones. Permitted by Special Exception in Residential Single-Family Zone.

J. Marden stated that originally the Board had discussed allowing accessory apartments in all zones and he just wanted to know why they are proposing allowing them in the residential single family zone by special exception. W. Peterson explained that at the last meeting they discussed the size of the lots in the residential single family zone and the impact an apartment would have on abutters. J. Marden stated that the lot sizes in the village zone are smaller. W. Peterson agreed but stated that the village zone is design for higher density and in the residential single family zone the housing tends to be more expensive. C. Daigle stated that requiring a special exception would allow abutters the opportunity to voice their concerns about allowing an apartment in a zone that only allows single family homes.

The second proposed amendment is to Article 14, definitions for Frontage is to replace the last sentence with :“ Said frontage shall provide vehicular access to the portion of the lot developed, or to be developed with the primary use. An approved private street shall mean a private street, including the full width of the street right –of-way, shown on a subdivision plan approved by the Belmont Planning Board.”

MOTION: J. Marden moved to accept the proposed amendments as written.

The motion was seconded by W. Peterson and carried. (4-0)

J. Pike read the proposed ballot questions.

MOTION: C. Patten moved to accept the ballot questions as proposed.

The motion was seconded by J. Marden and carried. (4-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BLUE SKY ENTERPRISES: Request for Boundary Line Adjustment approval to transfer .69 acres from tax lot 227-004 to tax lot 227-003 and to transfer .43 acres from tax lot 227-003 to tax lot 227-004. Property is located on Middle Route and Rogers Road, in the “R” Zone. PB # 4505

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BLUE SKY ENTERPRISES: Request for Subdivision approval to subdivide one lot into three. Property is located on Middle Route and Rogers Road, Tax Lot 227-004 in the “R” Zone. PB # 4705

Ms. Karen Feltham presented the application and did a joint presentation for the boundary line adjustment and the subdivision.

Ms. Feltham explained that in regards to the boundary line adjustment they are requesting a waiver for delineation of remaining wetlands on lot 227/3 because it is a minor exchange of land. The adjustment is less than an acre. The 50+acres including the wetlands still has adequate room to build a house on even after the boundary line adjustment. They delineated the wetlands on lot 227-004 and the 50’ that can be used for access.

BOARD'S ACTION – BLUE SKY ENTERPRISES:

MOTION: J. Marden moved to grant the following waiver for the boundary line of adjustment:

1. Delineation of remaining wetlands on lot 227/3.

The motion was seconded by W. Peterson and carried. (4-0)

Ms. Feltham explained that they did a level two analysis and the bulk of the property is type one soil. In addition they did six test pits and they based the minimum lot size on the worst type soil.

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

1. Additional soils info because the wetlands have been delineated on 3 smaller lots.
2. Delineation of remaining wetlands on lot 227/3 on the condition that when/if an application to develop lot 227-003 is submitted sufficient information will be necessary to determine that the lot meets the frontage requirement (access to the portion of the lot to be developed will be over the 50’ frontage on Middle Rte.).

The motion was seconded by C. Patten and carried. (4-0)

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 April 5, 2006, subject to extension or waiver.

The motion was seconded by J. Marden and carried. (4-0)

J. Pike opened the public hearing.

Ms. Feltham explained that this is a minor subdivision. It will subdivide one lot into three. Lot one will be 4.02 acres with 253.39' of frontage, lot two is 3.19 acres with 189.9' of frontage and lot three is 3.09 acres with 201.81' of frontage. The subdivision has been approved by the State. The wetland crossing permit is pending and has to do with the corner lot. The lot can support a house on the front of the lot or a buyer could put it on the back lot with the permit. She has talked with the Public Works Director about drainage and there is an existing drainage swale on property and they have agreed to give the Town a drainage easement on the front of the lot on Middle Route.

Ms Feltham explained that a title search has been done and submitted a copy to the Board. She explained that if there is any problem with the title, it would come back on her. She wanted to know why the wetland permit was needed for the subdivision because a new owner can decide to put a house in a different location. C. Daigle stated that they could put a note on the plan that if the lot is developed beyond the wetlands they would be required to have a wetland permit. J. Pike stated that if a building is located on the rear portion of the lot a wetland crossing permit would be required. C. Daigle stated any development northeast of the wetlands needs a wetland permit.

An abutter wanted to know what a drainage easement is. Ms. Feltham explained that it gives the Town the right to go on the property to keep the drains clean and open. W. Peterson stated that the back lot has access off a class 6 road. C. Daigle stated that to get a building permit you have to have access on a class 5 road not a class 6 road.

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

MOTION: W. Peterson moved that the applications for Subdivision and Boundary Line Adjustment be granted Final, conditional approval as they appear 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. Final plans to be signed by Gilmanton.
2. Drainage easements to Town require mortgage subordination document from lienholder.
3. Note on plan requiring a NH DES Wetlands permit to access rear of lot 227/4 for building..
4. Submit 6 paper and 2 mylar copies of approved plans w/recording fee.
 - a. Monuments to be set and certified on plan.
5. Payment of decision recording fee.
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. When/if an application to develop lot 227/3 is submitted sufficient information will be necessary to determine that the lot meets frontage requirement (access to the portion of the lot to be developed will be over the 50' frontage on Middle Rte)
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.

The motion was seconded by C. Patten and carried. (4-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BLUE SKY ENTERPRISES: Request for Boundary Line Adjustment approval to transfer 4.22 acres from tax lot 205-006 to tax lot 205-025. Property is Located on Bishop Road and 169 Mile Hill Road, Tax Lot in the “RS & R” Zones. PB # 4805

Ms. Karen Feltham presented the application.

Ms. Feltham explained the larger lot will be 13.12 acres after the boundary line adjustment and the other lot is will be 6.78 acres. She is asking for a waiver for soils because there is a brook on the property that makes that area not useful. The property line is going to be at the base of the very steep slopes. Having to do topography and soils would not be beneficial because there is already a house on the property. The width is 10' short of meeting the 4:1 ratio but it would not affect the housing on Bishop Road. Mr. Koning's lot will become less nonconforming.

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

BOARD'S ACTION – BLUE SKY ENTERPRISES:

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

1. Topography, soils, significant features as this is a backland boundary line adjustment.

The motion was seconded by J. Marden and carried. (4-0)

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 4/5/06 subject to extension or waiver.

The motion was seconded by C. Patten and carried. (4-0)

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

- 1. 4:1 lot depth width ratio as this is a backland boundary line adjustment and due to physical characteristics of the lot.

The motion was seconded by J. Marden and carried. (4-0)

J. Pike wanted Ms. Feltham to be aware of the Town Administrator’s comments that the land is in current use and there will be a penalty when the land is transferred. Ms. Feltham stated that she is aware of the current use penalty.

The vice-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. Final plans will not be recorded until transferring deed has been approved by the Town and is also signed and ready for recording.
- 2. Submission of final plans:
 - a. All pins to be set and so certified on final plan.
- 3. Payment of decision recording fee.
- 4. Compliance hearing shall be held by Board as necessary.

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

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

The motion was seconded by C. Patten and carried. (4-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – SCOTT ROEDER: Request for Subdivision approval to subdivide one lot into two. Property is located on 66 Bean Hill Road, Tax Lot 218-004 in the “RS” Zone. PB # 4205

Mr. Bryan Bailey presented the application.

Mr. Bailey explained that the property is the old Hickory Stick Restaurant and the applicant wants to subdivide the 16 acres into two lots. There will be a 5 acre lot around the house and the remainder of the land will go with the roasting facility. He addressed staff’s concerns about the sight distance for the driveways by explaining that as you approach the site from Union Road, Bean Hill Road has a steep grade and a sharp corner. There is ample frontage for the two parcels. There are existing driveways to the property but the sight visibility doesn’t comply. The driveway to the house is a horseshoe driveway and the sight distance is excellent as well as the one to the workshop but the sight distance for the driveway to the roasting facility is tight on the east side. The required sight distance is 350’ but they are existing driveways.

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

BOARD'S ACTION – SCOTT ROEDER:

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

1. Soils map & report.

The motion was seconded by J. Marden and carried. (4-0)

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 4/6/06 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (4-0)

The vice-chairman opened the Public Hearing.

Mr. Bailey explained that the restaurant closed two years ago in December and the roasting kitchen closed before that. He has driven around the area and to the best of his knowledge all the off site signs have been removed. There is an existing woodworking shop and a garage for storage which houses the tractor. He stated that the driveway at the house has a paved apron and the driveway at the roasting shed and the shop is gravel and will have a paved apron. The water source for the house is a well but when a house is established on the other lot it will need its own well. He will put a note on the final plans clarifying that. The pins will be set. The utilities to the roasting kitchen are overhead. The utility pole is on the opposite side of the street. There are also over head utilities serving the house and restaurant.

J. Marden wanted to know about the pins that are set on the existing wood road. Mr. Bryan stated that they thought the existing stone wall was the most appropriate. J. Marden wanted to know if there is an easement to use the wood road. Mr. Bailey stated that he doesn't think so. Mr. Craig Roeder stated that the road doesn't go that far. Mr. Bailey stated that he will talk to applicant about the easement. J. Marden stated that if they decide to build out back it may be best way to go.

C. Daigle stated that there is no way to mitigate the existing driveway. The problem is the curve of the road not vegetation that can be cleared away. She wanted to know if there is any intention to further subdivide the property in the future. Mr. Bailey stated that he is not aware of any future plans. C. Daigle wanted to know if he would be opposed to putting it on the plan. Mr. Craig Roeder stated that he might be interested in buying the lot and he would do a boundary line adjustment if he bought it. C. Daigle stated that is why she is concern for the driveway site distance. Mr. Bailey stated that he will discuss it with the land owner. C. Daigle stated it could be a condition of approval that there be no further subdivision of the property if they waive the site distance. Mr. Craig Roeder asked if they never could subdivide, could there be a barn on the back lot with a ROW into the back field. C. Daigle stated that there would be no frontage. You have to access the back lot over the frontage. That is why they couldn't do the three lot subdivision. Mr. Bailey stated that he will talk to Mr. Roeder and ask him about his plans. He has no objections to having a note on the plan stating there will be no further subdivision of the lots with access from Bean Hill Road. C. Daigle stated that they cannot subdivide any other way.. Mr. Bailey stated that in the future things may change and someone may do a boundary line adjustment that would allow them to have access to the property. J. Marden asked if someone built a house out back would it be possible to do a boundary line adjustment from another road. What if they demolished the existing buildings and put an access road down to the lot. Mr. Craig Roeder wanted to know how much frontage is needed per lot. C. Daigle stated 150' per lot. Mr. Craig Roeder wanted to know if you can you have dual access to the lot. C. Daigle stated that they could have dual access but it has to be a Class 5 road. Mr. Bailey stated that he is not opposed to having the note on the plan stating that there be no further subdivision of this lot with the frontage being on Bean Hill Road.

The vice-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. Plan:
 - a. Show CLU area on one copy of plan. CLU penalty will be assessed upon transfer.
 - b. Show driveway sight distances.
 - c. All proposed driveways accessing onto paved road to have paved aprons.

- d. Better define “existing shop” in small building.
 - e. Show all wells/shared water sources.
 - f. ID graphic:
 - 1. behind home/adjacent to wetland.
 - 2. along road/at end of stonewall/on proposed lot 04/01.
 - 3. graphic on both sides of road near wellhouse. Lot 218-004-001 to have its own water source.
 - g. Bean Hill Rd on plan to be recorded.
 - h. ID utilities to commercial roasting kitchen.
 - i. No further subdivision of lot 218-004-001 having access from Bean Hill Road.
 - j. If shared use of wood road is proposed easement shall be provided.
- 2. Payment of decision recording fee.
 - 3. Copy of septic approval for commercial roasting kitchen.
 - 4. Compliance hearing shall be held by Board as necessary.

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

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

The motion was seconded by J. Pike and carried. (4-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BELMONT LANDING LLC: Request for Condominium Conversion approval to convert 12 retail units into condominiums. Property is located on Daniel Webster Highway, Tax Lots 101-022 & 101-023 in the “C” Zone. PB #4605

Mr. Jeff Meritt and Mr. Chris Strickler presented the application.

Mr. Merritt explained that Belmont Landing owns two lots along the Daniel Webster Highway, lot 101-22 and lot 101-023 in the commercial zone. In August of 2004 the Planning Board approved their site plan. Construction is ongoing and substantially complete. Mr. Strickler is in the process of getting tenants and some of them want to purchase a unit instead of renting one. Mr. Merritt explained the layout of the building stating that the first floor will have eight units and the second floor will have four units. The majority of the property will remain common area for parking, sidewalk etc. The corridors, vestibules and elevators will be limited common areas. The only area in common in the building will be the mechanical and sprinkler rooms.

BOARD'S ACTION – BELMONT LANDING LLC:

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

- 1. Soils.
- 2. Topography.
- 3. Utilities and Fire Protection Plans.

4. Stormwater Management Plan & Report.
5. Quality Assurance Plan.

The motion was seconded by C. Patten and carried. (4-0)

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 4/5/06 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (4-0)

The vice-chairman opened the public hearing.

Ms. Linda Pepin, an abutter, stated that she wants it to remain the same as the original approval. She wants it to remain rental units not have it with separate unit owners. J. Pike wants to know what the difference is. Ms. Pepin stated that they have been having a lot of problems because the driveway changed. The driveway is steep and goes straight down and the bottom is not plowed. R. Ball stated her driveway is now paved. Ms. Pepin agreed but no one is taking care of the parking lot and you can't stop at the bottom. Mr. Strickler stated that his abutter had a pipe put in last year and the water has been redirected. He has talked to him and they are working on replacing the pipe to rectify the problem. R. Ball stated that he will go out and look at the situation. It can be done as part of the conditions of the 2004 approval.

J. Pike wanted to know if the lot coverage has been reduced. Mr. Merritt stated nothing has changed. J. Pike wanted to know about the lighting fixtures. Mr. Merritt stated that they will follow the conditions of the previous approval. Whatever needs to be done will be done.

W. Peterson wanted to know if Mr. Strickler received the note from the Water Department stating that each unit needs individual water meters. Mr. Strickler stated he is okay with that and will do it.

C. Dagile stated that they will check into the problems Ms. Pepin is having with the driveway. Mr. Strickler stated that he agreed to plow the driveway when the project was complete and they are still in the construction stage. C. Daigle stated that the problem is having a shared driveway and who maintains it. Mr. Strickler stated that there will be tying into the pipe when they do the upgrade to Rte 3.

The vice-chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing. Ms. Pepin stated that she has no problems with the applicant selling the units instead of renting them.

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:
 - a. Final plans based on as-built conditions.
 - b. All applicable plan seals/signatures.
 - c. Abutters Registry book/page info.
 - d. Survey standards.
 - e. Required plan statements – “meets all...”, “subject to revocation...”.
 - f. Update “proposed” as in “Prop. Access/Utility Easement for the Benefit of...”
 - g. show water line extension/easement.
 - h. Meet the minimum condominium registration requirements
 - i. This plan will merge lots 101/22 & 23.
2. Payment of decision recording fee.
3. Submit copy of State Registration, Recorded Covenants.
4. Obtain Water permits for individual units/meters.
5. Occupancy requires completion of previous site plan conditions.
6. Review of final docs.
7. Draft Declaration:
 - a. 2a. – Description of building is not for this building.
 - b. 2b(i) – All floors are not concrete
 - c. 2f and 2f(i)– Use is to be limited to office space?
 - d. 2f(iii) – Some limited common areas are shared by more than two unit owners.
 - e. 2f(vi) – Belmont code is IBC 2000.
 - f. 2f(vii) – All external signage requires Town permit.
 - g. 2f(viii) – all change of use or tenant requires Town permit.
8. Plans & Appendix A – Description of Land – both should include water easement.
9. Compliance hearing shall be held by Board as necessary.

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

10. No changes shall be made to the approved plans unless application is made in writing to the Town.
11. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
12. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by J. Marden and carried. (4-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – 223 D.W. HIGHWAY, LLC: Request for Site Plan approval to reconstruct a retail and restaurant building on the existing foundation and redesign the parking area. Property is located at 223 Daniel Webster Highway, Tax Lot 101-028 in the “C” Zone. PB # 0206

BOARD'S ACTION – 223 D.W. HIGHWAY, LLC:

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

1. Soils Map & Report.
2. Sight Distance.
3. Public Utility Availability Report.

The motion was seconded by C. Patten and carried. (4-0)

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 April 5, 2006, subject to extension or waiver.

The motion was seconded by J. Marden and carried. (4-0)

Mr. James Spaulding presented the application. Mr. Mark Yang and Mr. Peter Cwieka were also present.

Mr. Spaulding stated that the lot coverage has been marginally reduced because they reconfigured the parking lot. He will provide staff with those calculations. They will have typical lighting fixtures and will provide staff with catalog cuts of the lights. He will correct the plan to show the handicap ramp location as being where the handicap parking is.

J. Pike stated that they will need two standard size dumpsters and one will have to be sealed. Mr. Spaulding stated that a pad will be provided. J. Marden wanted to know if there will be screening around the dumpsters. Mr. Spaulding stated that it will be chain link fence with slates in it.

Mr. Spaulding stated that he has met with NH DOT and they have conceptually approved the driveway but they want him to increase the size of the entrance.

Mr. Spaulding stated that the owners are working on changing the name of the plaza because there is another plaza in the area with the same name. They are considering Central Plaza.

W. Peterson wanted the applicant aware of the Fire Chief recommendations. Mr. Spaulding stated that he has talked with the chief and they have no problems with the requirements.

The vice-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. In the Quality Assurance Plan, Site & Utility Inspections by Town Staff are required in addition to Building Inspections.
2. Proposal to meet Fire Department's requirement for water (cistern size and/or municipal water).
3. Submission of building plans, approved by Building Inspector & Fire Department prior to plan signing. Shall comply with all applicable building, fire, health, and life safety codes.
4. Submission of final plans:
 - a. All pins to be set and so certified on final plan.
 - b. There is already a Lakes Region Plaza in close proximity in Gilford – change project name.
 - c. Correct Site Plan Sheet:
 1. Minimum lot size w/o municipal water is 1ac.
 2. Minimum frontage w/o municipal water is 150'.
 - d. Site plan shows "D" sign (Van Accessible Handicapped) at SW corner of rear parking lot but not adjacent to handicapped parking space?
 - e. Add all abutters to site plan.
 - f. ID any external fuel sources, mechanical equipment, etc.
 - g. Adjust site sign to meet setback.
 - h. Lighting typical.
 - i. Increase dumpster area.
5. Payment of decision recording fee.
6. Permits from NH DOT, Belmont Sewer and Belmont Water (if applicable).
7. Establish escrow account for review, inspections and closure in case of abandonment.
8. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
9. Compliance hearing shall be held by Board as necessary.

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

10. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
11. 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.
12. As-built plans required prior to occupancy/use.

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

13. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
14. All exterior lighting shall be shielded from abutters and traffic.
15. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be

removed within 30 days.

- 16. No changes shall be made to the approved plans unless application is made in writing to the Town.
- 17. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
- 18. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by C. Patten and carried. (4-0)

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by W. Peterson, seconded by C. Patten, it was voted to approve the minutes of the January 9, 2006, meeting as submitted. (2-0-2) J. Pike and J. Marden abstained.

STAFF REPORT:

A. BUDGET:

C. Daigle informed the Board that \$5,800 has been returned to the general fund.

B. BALLOT QUESTIONS:

MOTION: J. Pike moved to place the ballot questions on the ballot as written:

The Planning Board SUPPORTS AND RECOMMENDS the following Amendments:

Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the town Zoning Ordinance as follow?

Allow one accessory apartment to be created within single family dwellings in the Residential Multi-Family, Rural and Village Zones. Also allow in the residential Single-Family Zone with a Special Exception from the Zoning Board. An accessory apartment must have at least 300 square feet of space, but is limited to no more than 25% of the total size of the combined single family dwelling unit and apartment. The apartment may have no more than 2 bedrooms and either the single family unit or the accessory apartment must be occupied by the owner of the property. Minimum standards for parking, sewage, building construction, fire and life safety are also required. This use shall replace the "in-law" apartment use currently in the Ordinance.

___ YES

___NO

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the town Zoning Ordinance as follows?

Clarify the existing definition of "Frontage" whereby vehicular access to the developed portion of the lot shall be located along said frontage. The purpose of this requirement is to provide lots with safe available access for emergency vehicles.

___ YES ___NO

The motion was seconded by C. Patten and carried. (4-0)

PUBLIC HEARING – PUBLIC SERVICE OF NEW HAMPSHIRE: Proposal to trim and remove trees and brush adjacent to and beneath its power lines running along a designated "Scenic Road" known as Jamestown Road. PB # 0306

BOARD'S ACTION – PUBLIC SERVICE OF NEW HAMPSHIRE:

MOTION: W. Peterson moved to table the application to February 13, 2006 as the applicant is not present.

The motion was seconded by J. Marden and carried. (4-0)

Mr. David Crane from Public Service of New Hampshire entered the meeting.

MOTION: J. Marden moved to take the application off the table.

The motion was seconded by J. Pike and carried. (4-0)

Mr. David Crane presented the application.

Mr. Crane explained that PSNH wants to do some tree trimming on Jamestown Road. Those lines feed the substation. It has been six years since they have been trimmed and usually they do it every five years. This is mostly routine work involving cutting brush and trimming trees.

W. Peterson wanted to know how long it would take to complete the work. Mr. Crane stated that it usually takes a couple of months but it could be a little longer since there a some seasonal residents on the road and it could take longer to get their permission to do the work. W. Peterson wanted to know if they would be done by December 31st. Mr. Crane stated they would be.

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

MOTION: C. Patten moved that PSNH be granted a permit to trim and/or remove trees along the entire length of Jamestown Road in Belmont under the terms of RSA 231:158 (see attached) on the

following conditions:

1. Permit shall remain in effect until December 31, 2006.
2. Work shall progress as represented during the public hearing and in the written submitted documents.

The motion was seconded by W. Peterson and carried. (4-0)

ADJOURNMENT:

MOTION: On a motion by C. Patten, seconded by J. Marden, it was voted unanimously to adjourn at 8:50 p.m. (4-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant