

## PLANNING BOARD

Monday, June 11, 2007  
Belmont Corner Meeting House  
Belmont, New Hampshire

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

The chairman opened the meeting at 7 p.m. and appointed W. Rollins and R. Davis as voting members for tonight's meeting.

### **BOARD'S ACTION-MINUTES:**

**MOTION:** On a motion by W. Peterson, seconded by C. Long, it was voted to approve the minutes of the May 14, 2007, meeting as submitted. (5-0-1) C. Patten abstained.

**MOTION:** On a motion by C. Long, seconded by R. Davis, it was voted to approve the minutes of the May 21, 2007, meeting as submitted. (4-0-2) W. Peterson and C. Patten abstained

### **STAFF REPORT:**

#### **CARL LURVEY TAX LOT 226-047:**

C. Daigle explained that Mr. Carl Lurvey who operates a tree cutting business from 613 Province Road has applied for a building permit to construct a 10' x16' addition to an existing shed. She is asking input from the Board if this is an incidental addition to the building or does the addition require a modified site plan. P. Harris wanted to know if it is a grandfathered use. C. Daigle stated that the home was constructed in 1986. The business was established when she started here in 1991. Mr. Lurvey made one prior addition to a shed in 1997. The Planning Board allowed that addition as incidental to the building. C. Patten stated that it is a small addition and doesn't need a site plan. W. Peterson stated that there have been complaints about buildings being erected on the property that have people living in them. C. Patten stated that he heard that an employee lives there. C. Daigle reviewed the building permits and stated that the house was built in 1986. There was an addition to a shed in 1989 and an addition to a shed in 1997. She explained that during some of that time if a building project didn't cost a certain amount of money you didn't need a permit. She stated that she has asked the Code Enforcement Official and Field Inspector to do an inventory of what is on the property. P. Harris wanted to know what size the property is. C. Daigle stated that it is 2.8 acres with 100' of frontage. It is not a conforming lot but close to it. Mr.

& Mrs. Lurvey entered the meeting at this time. Mr. Lurvey agreed that the property was 2.8 acres. W. Peterson wanted to know where the addition is. Mr. Lurvey stated that it on the shed in the back where they store the tractors. Mrs. Lurvey stated that the building is to the right of the driveway. C. Patten wanted to know if it meets setbacks. C. Daigle stated that it does. C. Patten stated that it is incidental to the building.

**MOTION:** R. Davis moved that it is incidental to the primary building and does not need site plan approval. The applicant can work with staff on the permitting process.

The motion was seconded by C. Long and carried. (6-0).

**FLOYD YOUSSEF TAX LOT 102-015:**

C. Daigle stated that Mr. Youssef has constructed two unpermitted structures and debris has accumulated on his 230 Daniel Webster Highway property. The property houses Lakes Region Dock Company and a computer company. The additions are 24'x13' and 24'x 25', a culvert has been installed and debris has collected on the site. The stream that went through the property now goes on to the property through a culvert and then off the property. C. Daigle explained that she wrote Mr. Youssef a letter stating that he needs a site plan. Mr. Youssef's lawyer will be asking for a waiver from site plan requirements. Abutters will be notified. P. Harris wanted to know how big the lot is. C. Daigle stated that it is just over an acre. There are three uses on the property, 2 commercial and one residential unit.

**NATURAL RESOURCE INVENTORY:**

C. Daigle explained that the Natural Resource Inventory that the Conservation Commission had done is completed and is available to any Board member that would like a copy. W. Rollins, C. Long, R. Davis and C. Patten stated that they would like a copy. C. Daigle stated that this inventory will help the Conservation Commission to identify the special characteristics of land and the important cooccurrence that is happening on the site. The Town has been successful in acquiring open space over the last few years.

**LAKES REGION PLANNING COMMISSION:**

The Board of Selectmen has appointed C. Long as a Commissioner to Lakes Region Planning Commission.

**CAPITAL IMPROVEMENT PLAN(CIP):**

C. Daigle stated this year's CIP process is beginning. The CIP committee will meet several times over the next few months to make changes and update the six year schedule. When the CIP is updated and projects prioritized it then goes to the Planning Board who holds a public hearing. It then goes to the Board of Selectmen and then to the Budget Committee who determines the budget to go to the voters..

The CIP acknowledges the Master Plan and how funding complements that document. Mr. Russ Thibeault, Applied Economic Research, stated Belmont's CIP is the best around and would receive an award if there were any given out.

C. Daigle stated that the first mailing will go out to members that were on the CIP last year asking them

if they would like to be on this year's committee. P. Harris stated he is willing to be on the CIP this year. The Town Administrator will then send a letter to all department heads requesting that they have their entire CIP request back to her by a certain date. Once she receives the requests packets will be put together and a CIP meeting will be scheduled. The CIP encourages and solicits input from the public. The document is informational and user-friendly and used throughout the year. P. Harris stated it is used as a budgeting tool to prevent all large requests from happening in the same year. They get to budget the funds over several years so that taxes are not unduly impacted when a large budget item is needed.

**MCX DEVELOPMENT IN LACONIA:**

C. Daigle explained that MCX Development has received subdivision approval from Laconia. A condition of approval was to review the traffic from the northerly exit of Old Prescott Hill Road. The developer looked at the intersection and proposed that there be no left hand turns in or out of Old Prescott Hill Road. The traffic will be shifted southerly using part of Old Prescott Hill Road that is in Belmont. The developer will be working with Belmont to identify the impact the subdivision will have on Belmont's roads. He is also working with Laconia and the State to determine the best traffic pattern.

**KEVIN GILBERT TAX LOT 212-037:**

Mr. Kevin Gilbert stated that he had talked to G. Boisvert this afternoon and he stated that he should come to the Planning Board to clarify how long he has been in business.

Mr. Gilbert stated that he lives at 169 Durrell Mountain Road since 1988. He has been self employed since 1984. He has a porch that is falling off and he wants to repair it but the project has been shut down because he has a business out of his house. There are no records showing he can or cannot work out of his house. There are several businesses operating on his road. He explained that he doesn't have a building permit but has dug the hole and poured the concrete. G. Boisvert issued him a cease and desists today. Mr. Gilbert explained that he received a letter from Town Hall saying he couldn't get a permit until he received a certificate of occupancy for his garage and that is when G. Boisvert told him that he was not allowed to operate a business out of his garage. P. Harris stated that he doesn't understand what Mr. Gilbert wants the Planning Board to do. W. Peterson explained that enforcement issues are handled through the Board of Selectmen. Mr. Gilbert stated that members of the Board are aware of how many years he has been in business. He currently is in the granite business but has done landscaping, excavation and in the winter sold fire wood. No employees come to the site. C. Daigle explained that as part of the permitting process applicants are required to get certificates of occupancy for previous permits. When Mr. Gilbert applied for his permit it was noted that his garage did not have a certificate of occupancy. Mr. Gilbert made arrangements for the Building Official to do the inspection on the garage and that is when the Building Official noticed the business being run out of the garage. The garage permit was issued for a residential garage only so the certificate of occupancy could not be issued. Mr. Gilbert stated that Mr. Boisvert stated that he had to prove that he has been in business since 1988. C. Daigle stated that zoning has been in existence since 1986 so he would have to have had the business on the site prior to 1986 and Mr. Gilbert stated that he purchased the property in 1988. Enforcement is done on what they know and what they can prove. If Mr. Gilbert would like the business to remain on site he will have to get site plan approval.

**ELECTRONIC SIGNS:**

C. Long explained that the Board has previously discussed regulating electronic signs and she would like the Board to be proactive with regulating electronic signs. The Board agreed and it was the consensus of the Board to work on electronic sign regulations during the summer worksessions. They discussed regulating the speed of how fast a message can change because it can become a safety issue if it changes to fast. C. Daigle stated that she will look at other towns' regulations and bring them to the Board to compare.

**ADJOURNMENT:**

**MOTION:** On a motion by C. Patten, seconded by C. Long, it was voted unanimously to adjourn at 7:54p.m. (6-0)

Respectfully submitted,

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Elaine M Murphy  
Administrative Assistant