

PLANNING BOARD

Monday, March 26, 2007
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 7:00 p.m. and appointed C. Long as a voting member for tonight's meeting. P. Harris on behalf of the Board wanted to pay tribute to J. Marden a Planning Board member who passed away March 18th. J. Marden was an asset to the Planning Board as well as the Town. He will be missed. All present observed a moment of silence.

PLAN SUBMISSION MEETING – WINNISQUAM BEACH CAMPGROUND UNIT OWNERS ASSOCIATION: Continuation of a request for subdivision amendment approval to allow the campground to remain open eleven months a year. Property is located on Grey Rock Road, Tax Lot 117-015 in the "RS" Zone. PB #3706.

P. Harris explained that the applicant has asked that the application be Tabled until they receive the necessary Zoning Board of Adjustment approvals.

BOARD'S ACTION – WINNISQUAM BEACH CAMPGROUND UNIT OWNERS ASSOCIATION:

MOTION: R. Caldwell moved at the applicant's request to Table the application to no time certain to allow the applicant the time to receive the necessary Zoning Board of Adjustment approvals.

The motion was seconded by G. Flack and carried. (6-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – DROUIN BUILDERS, INC.:
Request for subdivision approval to subdivide one lot into four. Property is located on 241 Union Road, Tax Lot 110-004 in the "R & RS" Zones. PB # 0407.

Mr. Ron Johnson presented the application.

Mr. Johnson explained that the property is on the east side of Union Road. The existing lot is

16.78 acres with most of the lot in the "RS" zone and a small area in the "R" zone. Lot one is 1.65 acres with over 150' of frontage. Lot two is 2.17 acres with over 150' of frontage. Lot three is 1.71 acres with over 150' of frontage. The remaining 11.25 acres is mostly fields with a single family residence and out buildings. The wetlands consist of an exiting pond and a small wet area on the south side of the property. Lot one's driveway has a sight distance of 300'. Lots two and three have a shared driveway with a sight distance of 300'. The remaining lot has minimal sight distance but the driveway has been there for many years. The three proposed lots meet the sight distance requirements. Mr. Drouin has offered the Town and easement to allow them to clear the trees along the road for better sight distance. Mr. Drouin and the Public Works Director, Bob Bennett, have been meeting and are working on an agreement concerning the work that needs to be done in the easement.

Mr. Johnson addressed the staff report. He stated that the driveway for lot one is in the center of the lot and there should be no excessive runoff from the site. He stated that he has applied to DES for subdivision approval for lots one, two and three. The remaining lot does not require DES approval. The lots do meet the 4:1 ratio. The final plan will note the "R/RS" zone lines. The current land use area will be depicted and all pins will be set.

BOARD'S ACTION – DROUIN BUILDERS, INC:

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
and
act on the application. Action on this proposal shall occur by May 30, 2007 subject to extension or waiver.

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

The chairman opened the public hearing.

P. Harris wanted to know if calculations on the runoff from lot one could be done. R. Ball stated that they usually don't do it because there is no new road. P. Harris stated that the Conservation Commission suggested that it be done when the lot is developed to monitor the runoff. R. Ball stated that he doesn't see any runoff problems that would be different from any other single family subdivision. C. Daigle stated that there is no evidence that this lot is more sensitive to flooding than other lots. The runoff can be reviewed during the building permit process. Mr. Johnson stated that Mr. Drouin and R. Bennett have looked at the site and have discussed putting culverts in. Mr. Johnson stated the other option could be to put water bars in.

Mr. Scott Heisman, an abutter, wanted to know where his property was in location to the proposal. R. Ball used the plan to show Mr. Heisman his property.

Mr. Johnson stated that they are working with PSNH to determine how close to the poles they

can clear to improve the sight distance for the driveway. He reiterated the fact that the driveway has been there long time and that Mr. Drouin is giving the Town an easement to improve the sight distance.

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

MOTION: C. Patten 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. Applicant to provide plan for approval and complete banking line relocation on corner and regrading of existing driveway
2. Copy of proposal to PSNH/copy of their comments to Board.
3. Submission of final plans (2 mylars, 6 paper copies):
 - a. Note zoning split in note and show zoning R/RS line
 - b. Plan and application to include total (pre SD) lot size
 - c. Application to include area in CLU
 - d. One copy of plan showing NICU areas with graphic, square footage calculation
 - e. All pins to be set and so certified on final plan.
4. Add additional mid-point pins on side lines for future building setback verification.
5. Payment of decision recording fee.
6. Security - Prior to work in ROW for banking and regrading Driveway - closure in case of abandonment.
7. Selectmen's permit to work in ROW for banking.
8. NH DES SD Approval.
9. Easement deed to Town for banking area. Transfers of easement to the Town requires submission of a Release or a Partial Release, as applicable, from all Mortgage holders in a form acceptable to the Town.
10. Compliance hearing shall be held by Board as necessary.

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

11. 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:

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

The motion was seconded by G. Flack and carried. (6-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – DUNN FAMILY TRUST: Request for boundary line adjustment approval to transfer .03 acres from tax lot 114-020 to 114-019. Property is located on 40 & 43 Breck Shore Road, in the “RS” Zone. PB # 0207.

Attorney Phil Brouillard and Mr. & Mrs. Clayton Dunn presented the application.

Atty. Brouillard explained that the proposal is to transfer .03 acres from the Dunn to Enos. This will release a 17.5’ ROW the Enos have over the Dunn’s property for access to the water. Mr. Enos does not need the ROW because they already have a waterfront lot.

BOARD'S ACTION – DUNN FAMILY TRUST:

MOTION: C. Long 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 May 30, 2007 subject to extension or waiver.

The motion was seconded by G. Flack and carried. (6-0)

The chairman opened the public hearing.

Atty. Brouillard stated that the required quit claim deed and boundary line plan will be recorded at the same time.

W. Peterson wanted to know if the ROW has anything to do with access. Atty. Brouillard stated that it does not because Enos has water front property and they don’t need access to the water through the Dunn’s property.

Atty. Giere, representing Enos arrived but did not have any information to add to the presentation.

The chairman asked if anyone in the audience had any 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. Final plans will not be recorded until transferring deed has been approved by the Town and is also signed and ready for recording. Mortgage subordination approval required for Enos.
2. Submission of final plans:
 - a. All pins to be set and so certified on final plan.
 - b. Breck Shore Road is a private way and it's placement on the plan is not intended to be a dedication for public use.
3. Payment of decision recording fee.
4. Submit copy of existing deeds.
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 C. Patten and carried. (6-0)

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by C. Patten, seconded by R. Caldwell, it was voted to approve the minutes of the March 12, 2007, meeting as submitted. (6-0)

ELECTIONS: CHAIRMAN, VICE-CHAIRMAN AND TERM APPOINTMENTS:

MOTION: C. Patten nominated P. Harris as the chairman.

The motion was seconded by R. Caldwell and carried. (5-0-1) P. Harris abstained.

MOTION: C. Patten nominated W. Peterson as vice-chairman.

The motion was seconded by R. Caldwell and carried. (5-0-1) W. Peterson abstained.

MOTION: W. Peterson moved to appoint C. Long to fill Jon Pike's 2009 unexpired term until the March 2008 elections.

The motion was seconded by R. Caldwell and carried. (5-0-1) C. Long abstained.

The Board received three letters of interest to fill the vacant positions on the Planning Board. Mr. Kenneth Clough and Mr. Russ Davis Jr. are interested in the full membership vacancy. Mr. Bill Rollins is interested in the alternate position.

It was the consensus of the Board to have Mr. Davis and Mr. Clough come to the April 9th a future meeting to meet the Board.

STAFF REPORT:

ZONING AMENDMENTS:

The Board signed the certified copy of the zoning amendments that were adopted this year.

BELKNAP MALL TAX LOT 201-009:

C. Daigle explained that staff has received a building permit for a restaurant in the new building at the mall. Site plan approval was for retail use only. Restaurant use was not included in the approval. It was the consensus of the Board to have the applicant apply for an amendment to the site plan. They can use the same site plan as there will be no changes to the size of the building or the parking. Abutters will have to be noticed.

REGIONAL IMPACT:

C. Daigle handed the Board a copy of an application for an assisted living project in Northfield. The Board received copies because of the possible regional impact the project will have on Belmont. Staff has reviewed the material and do not see any impact on Belmont as the project is on the Franklin side of Northfield. The Board agreed that the project should not impact Belmont.

BROOKSIDE PIZZA:

C. Daigle explained that R. Ball and G. Boisvert inspected the future site of the Sports Bar/Pub located in Brookside Plaza. The applicant will be moving the dumpster to the corner by Rte 140 near the trees. It will be on a solid surface and fenced in. They also agreed to put in the walkway to the lower lot.

JENKINS GARDEN CENTER TAX LOT 224-040:

C. Daigle informed the Board that she has talked to Mr. Haddock concerning Jenkins Garden Center. He explained to her that because the building cannot be ready for the spring season he will not be able to get financial backing at this time. He wanted to know if he could move his equipment to site and operate from that site. C. Daigle explained that it would be considered a contractor's yard and he would have to come back to the Board to amend his site plan approval. If it was not part of the original approval he cannot phase in part of the operation.

TOWN BROCHURE:

The Board received copies of the 1998 & 2001 town brochure. C. Daigle explained that it is time to update the brochures. She asked the Board to review the draft brochure and to forward their input to her for the new version.

MICHAEL TOWNSEND TAX LOT 222-027:

The Board signed the release form for Mr. Michael Townsend to convert his in-law apartment into an accessory apartment.

INDEPENDENT FILM:

C. Daigle stated that an independent film maker has contacted her concerning a film they are making on housing and the migration of young adults and families out of New Hampshire. He is impressed with the Board's philosophy on needing to balance growth with preservation and service cost. The filmmaker is interested in filming the Board.

PLANNING PROJECTS:

The Board discussed some of the planning projects that they would like to address. They will continue to work with Mr. Russ Thibeault on the housing study and continue working on the Housing Chapter of the Master Plan when that the housing study is completed. They are working on rewriting the Earth Excavation Regulations. They also want to talk to the Conservation Commission about finishing a Natural Resource Chapter for the Master Plan.

ADJOURNMENT:

MOTION: On a motion by R. Caldwell, seconded by C. Patten, it was voted unanimously to adjourn at 8: 13 p.m. (6-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant