



# TOWN OF BELMONT, NH

## PLANNING BOARD

Monday, October 22, 2007  
Belmont Corner Meeting House  
Belmont, New Hampshire

Present: Chairman P. Harris; V. Chairman Peterson; Members C. Patten, G. Flack, C. Long, and R. Caldwell Ex-Officio; Alternate R. Davis.  
Absent: Alternate W. Rollins.  
Staff: C. Daigle and R. Ball.

The chairman opened the meeting at 7p.m., welcomed those in attendance and appointed Alternate R. Davis as a voting member.

**PLAN SUBMISSION MEETING and PUBLIC HEARING – Sunset Rock LLC:** Request to extend Site Plan approval for one year (7/24/08) to install bituminous asphalt plant. Property is located at 396 Depot Street, Tax Lot 235-039 in the “I” Zone. PB # 2607.

### Plan Submission:

Mr. George Hall was present for this application. The members reviewed the application documents submitted.

**MOTION:** On a motion by W. Peterson, seconded by C. Patten, it was voted 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 12/26/07 subject to extension or waiver. (7-0)

### Public Hearing:

The chairman opened the public hearing. Mr. Hall, Real Estate Manager for Brox Industries, reported that they have been working on site but have not completed the entire list of first year improvements approved as part of the original site plan. They have completed the reconstruction of the entrance which is gated and the detention pond and monitoring wells have been installed. They will begin water sampling tomorrow to determine groundwater direction and base line sampling. Once they have the results, they may need additional wells to be down gradient of the operation. The existing soil samples, taken every five feet during the monitoring well installation were clean of any contamination.

Susan Condodemetraky asked about the extension process. P. Harris responded that the applicant received final conditional approval in 2006, but has not met all conditions or met the requirement for active and substantial development of the improvements. They must obtain an extension or be reapproved to proceed. Mrs. Condodemetraky asked about waivers. C. Daigle

explained that the Board can waive requirements of the Site Plan Regulations, but not the Zoning Ordinance.

The chairman asked if any changes had occurred in the Ordinance since the original approval that would impact the Board's consideration of the requested extension. C. Daigle replied that there had been none.

Mrs. Condodemetraky stated that Brox has a permit in another community to dump pollutants into an estuary of Merrimack River. She asked what they were going to dump in Belmont. The chairman noted that Brox must meet all local and state requirements in order to operate the proposed use. Mrs. Condodemetraky stated the original application should have been more broadly advertised. The chairman noted that the application was noticed and before the Board over a several month period prior to its initial approval.

Mr. Hall noted that Brox does operate a Dracut facility which includes a quarry and two asphalt plants. They have both a US EPA and Mass DEP permit to discharge commingled wash and storm water to the Merrimack watershed. This is wash water from the quarrying operation and has nothing to do with the asphalt plants. There is no quarrying operation on this lot and will not be any wash water to discharge.

Mrs. Condodemetraky noted the Dracut facility was also permitted to discharge grease. Mr. George Condodemetraky asked if the asphalt plant will be permanent or portable, new or used. Mr. Hall said asphalt plants take a great deal of time to permit and so are likely to stay in one place for an extended period. However, they usually are then moved to a different site, as happened when the previous plant was removed from this site. But they haven't decided what plant will be placed here, whether it will be a new or used plant or have wheels or not. In either of the latter cases it will be erected on concrete piers.

Mr. Condodemetraky asked who was responsible to monitor the particulate emissions. The chairman noted that the State of NH issues the air emissions permit and is responsible for monitoring compliance. Mr. Condodemetraky said that people should be concerned about all the particulates that are going to be released.

There were no abutters present. There being no further comment or question the chairman closed the public hearing.

### **BOARD'S ACTION - Sunset Rock LLC:**

- MOTION: G. Flack moved that the application for extension 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:
1. All conditions of the original approval remain in effect.
  2. Compliance hearing shall be held by Board as necessary.
  3. Extension is to 7/24/08.
  4. No changes shall be made to the approved plans unless application is made in writing to the Town.
  5. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
  6. 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 – Mark Mooney:** Request for site plan approval for wholesale & retail firewood processing and storage with related 7.440sf storage building and two kilns. Relocate RV & boat storage area. Property is located on 33 Province Road, Tax Lot 204-028 in the “C” Zone. PB # 2107.

Plan Submission:

Mr. Ronald Johnson was present for this application. He explained the reason for the waivers was that the area of the lot to be used was level, with no wetlands, had existing stormwater management ponds and existing developed previously reviewed and approved.

MOTION: On a motion by W. Peterson, seconded by G. Flack, it was voted to grant the following waivers based on the reasons stated above:

- a. Stormwater Management plan and report.
- b. Wetlands delineation.
- c. Additional topography.

(7-0)

The Board reviewed the submitted application documents.

MOTION: On a motion by C. Patten, seconded by C. Long, it was voted to accept the application 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 12/26/07 subject to extension or waiver. (7-0)

Public Hearing:

The chairman opened the public hearing. Mr. Johnson explained the 22.5 acre site was on the east side of Province Road in the “C” zone, being the location of the former Province Sand and Gravel. The approved uses include truck repair of the owner’s vehicles and storage of boats and RVs associated with the Briarcrest development (which will be relocated on site). The proposal is for a wood storage shelter, processing of fire wood and wholesale and retail sale of firewood. The storage structure is a Calhoun structure similar to Mr. Mooney’s barn on South Road. Two exterior kilns and an outside wood-fired furnace will be included. A NH DOT driveway upgrade will be submitted. It requires the installation of a paved apron. There are no contaminants included in this proposal. They will begin installation this fall or winter.

C. Long asked about the hours of operation. Mr. Johnson noted it will be from 7am to 5pm. There would be no noise except for the loading and unloading of wood. R. Caldwell asked about the type of furnace and amount of smoke generated as some of them produce a lot of smoke. Mr. Johnson said he was not sure. C. Daigle noted that any nuisance created by smoke or noise would be a violation of the site plan approval and Mr. Johnson agreed. W. Peterson asked about on-site fuel storage. Mr. Johnson agreed the vehicle fuel tank would have suitable containment and be roofed and protected from vehicle traffic. He believed the existing tank was on a concrete slab in a concrete tank.

There being no further comment or question the chairman closed the public hearing.

**BOARD'S ACTION - Mark Mooney:**

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. 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.
2. Submission of final plans (6 paper prints)
3. Applicant shall sign and follow inspection schedule provided by staff.
4. Update NH DOT driveway permit for new uses & install any improvements (paved apron).
5. Payment of decision recording fee.
6. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
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.
9. 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.
10. Fuel tank shall be placed within a containment structure, be roofed and protected from traffic.

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

11. All other previous conditions for site approvals remain in effect.
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.
17. No nuisance shall be created by smoke or noise emissions.

The motion was seconded by R. Davis and carried. (7-0)

**PLAN SUBMISSION MEETING and PUBLIC HEARING – NEM Inc.:** Request for site plan approval for vehicle display and sales. Property is located on 17 Laconia Road, Tax Lot 205-056 in the "C" Zone. PB # 2307.

**Plan Submission:**

Mr. David McGreevy and Mr. Neil McGreevy were present for this application. Mr. David McGreevy explained that they are requesting waivers because there are no changes being made for any

of the uses that have been there for 15-20 years and no physical changes to the lot. The lot is fully developed and was previously reviewed. They just had Mr. Wheeler delineate 40-50 spaces that could be comfortably placed on site for vehicle display.

MOTION: On a motion by W. Peterson, seconded by C. Long, it was voted to grant the following waivers based on the reasons stated above:

- a. Wetland/Soils Information.
- b. Fire Protection Plan.
- c. Stormwater Management Plan.
- d. Landscaping Plan.
- e. Quality Assurance Program.
- f. New Boundary Survey.

(7-0)

The Board reviewed the application documents submitted.

MOTION: On a motion by R. Davis, seconded by C. Patten, it was voted 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 12/26/07 subject to extension or waiver. (7-0)

#### Public Hearing:

The chairman opened the public hearing. Mr. David McGreevy explained they merely want to add sale of vehicles on the car wash lot. The use previously existed on the lot and they didn't know car sales had been dropped from the site by the previous owner, Mr. Gauthier. The use will be only to display and sell vehicles. There will be no repairs, inspections or body work. There is an existing dumpster in the Southeasterly corner of the lot.

Mr. David McGreevy noted there are no floor drains and he is not sure why there is a drywell in front of the bays. They are also hooked to municipal sewer. The carwash is also hooked to sewer. There is no request, proposal or intention to display or sell vehicles from the body shop lot across Laconia Road. The Fire Department will inspect the propane installation which needs to be compliant.

There being no further comment or question the chairman closed the public hearing.

The Board noted that additional offsite detail was not necessary as there are no known conflicts and abutters to the north, south and west are also auto related businesses.

MOTION: On a motion by W. Peterson, seconded by G. Flack the following waiver was granted:

1. Additional offsite detail.

(7-0)

#### **BOARD'S ACTION - NEM Inc.:**

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. Any floor drains/collection to be appropriately registered with NH DES.
2. Submit NH DOT Driveway upgrade to add use.
3. Submission of final plans:
  - a. Notes:
    1. No parking or display of vehicles off pavement or within State/Town Road ROWs.
    2. Handicapped parking space to be marked (pavement & signage).
    3. No additional exterior lighting without Board review.
    4. No vehicle repairs or body work permitted.
    5. Propane tanks to comply with applicable fire codes and be protected from traffic.
    6. Screened dumpster to be provided unless trash is handled/disposed of in another approved method.
4. Payment of decision recording fee.
5. Payment of additional \$10 noticing fee (Wheeler notice).
6. Compliance hearing shall be held by Board as necessary.

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

7. Property owner shall install all required fire and life safety facilities and systems in existing building required by the Board and/or by other applicable Codes and Regulations.

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

8. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
  9. All exterior lighting shall be shielded from abutters and traffic.
  10. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
  11. No changes shall be made to the approved plans unless application is made in writing to the Town.
  12. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
  13. 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 – Albert Donahue:** Request for subdivision approval to subdivide one lot into two. Property is located on 342 Bean Hill Road, Tax Lot 224-02 in the “R & RS” Zones. PB # 2407.

**Plan Submission:**

Mr. Dean Clark was present for this application. The Board reviewed the application documents submitted.

**MOTION:** On a motion by G. Flack, seconded by C. Long, it was voted 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 12/26/07 subject to extension or waiver. (7-0)

Public Hearing:

The chairman opened the public hearing. Mr. Clark explained the request for waivers for offsite detail and all wetlands and topo on the remaining lot because of its large size. The driveway does meet required sight distance being well over 300' in each direction. Mr. Donohue noted the Town constructed the current driveways when they constructed the new section of road.

Mr. Clark noted they have received NH DES Subdivision approval and it is based on the correct lot size (which will be reflected on the final plans). They will also correct the wetland setback to 35'.

There were no abutters present. There being no further comment or question the chairman closed the public hearing.

**MOTION:** On a motion by C. Long, seconded by R. Davis it was voted to grant the following waivers based on remaining lot size:

1. Additional data on remaining lot (224/2) including topo and offsite detail.  
(7-0)

**MOTION:** C. Long 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. All proposed driveways accessing onto paved road to have paved aprons.
  - c. Include dimensions of the area not-in-current-use as well as an offset dimension (distance from house on both sides, etc.).
  - d. Correct spelling of owner's name (Donohue).
  - e. Correct wetlands/water setback.
  - f. Correct lot/buildable area size.
  - g. Show proposed driveway (or attach statement) with driveway meeting on-site wetland setback and required minimum sight distances.
2. Payment of decision recording fee.
3. Submit copy of most current deed.
4. NH DES Subdivision approval.
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 G. Flack and carried. (7-0)

**PLAN SUBMISSION MEETING and PUBLIC HEARING –Michael & Debbie Southworth DBA Laconia Magnetics:** Request for Site Plan approval to construct a 2,660sf addition for storage to an existing commercial building. Property is located on 12 Apple Road, Tax Lot 204-007 in the “C” Zone. PB # 2707.

Plan Submission:

Mr. Ronald Johnson was present for this application. He explained the basis for the requested waivers. The lot is developed with all improvements in place. The proposal is for a cold storage addition. The lot is a 2.1 acre lot developed with a 10,000sf building. Existing coverage is 26%. The expansion will result in a 29% coverage where 75% is permitted. They will screen the existing dumpsters.

MOTION: On a motion by W. Peterson, seconded by G. Flack, it was voted to grant the following waivers:

- a. Soils based on developed condition of property.
- b. Quality Assurance Program based on use – cold storage – and not on aquifer.
- c. Stormwater Management Report & Plan based on developed condition of property.

(7-0)

The Board reviewed the application documents submitted.

MOTION: On a motion by G. Flack, seconded by C. Long, it was voted 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 12/26/07 subject to extension or waiver. (7-0)

Public Hearing:

The chairman opened the public hearing. Mr. Johnson explained the basis for the waiver being the level site to be used and the developed nature of the existing lot.

No abutters were present.

MOTION: On a motion by W. Peterson, seconded by R. Davis it was voted to grant the following waiver:

1. Additional topography based on size of the proposal and condition of site.

(7-0)

There being no further comment or question the chairman closed the public hearing.

**BOARD’S ACTION – Michael & Debbie Southworth DBA Laconia Magnetics:**

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 building plans, approved by Building Inspector & Fire Department prior to plan signing. Shall comply with all applicable building, fire, health, and life safety codes.
2. Submission of final plans (6 paper copies).
3. Payment of decision recording fee.
4. Compliance hearing shall be held by Board as necessary.

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

5. Dumpsters to be on solid surface and screened.
6. 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.

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

7. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
8. All exterior lighting shall be shielded from abutters and traffic.
9. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
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 C. Patten and carried. (7-0)

**PUBLIC HEARING – Colosseum Indoor Sports:** Request for site plan approval to construct a multi-unit indoor recreational facility with associated parking. Property is located at 70 Bishop Road, Tax Lot 205-047 in the “RS & C” Zones. PB # 0607.

The chairman opened the public hearing. Mr. Bryan Bailey, Mr. Craig Bailey and Mr. Mike LeClair were present for this application.

Mr. Bailey handed out additional copies of the plans submitted to the Planning Office by the closing date for this meeting. He explained this is an 18 acre farm with existing single family dwelling, three barns and fields.

The proposal is for a 320' x 220' steel indoor year-round sports facility (batting cages, changing areas, office, playing fields) with appurtenant parking. There is vehicle access around the entire building with two access points to Bishop Road. The Regulations require 88 parking spaces and they are providing 129 spaces.

Mr. Bailey reviewed the remaining issues from the staff report.

- Lighting will be toned down after hours
- They have provided some conceptual plans in the plan set

- They have met with NH DOT regarding traffic and drainage. DOT has determined that this project will not adversely impact drainage or traffic. Written confirmation will be submitted.
- In regards to noise Mr. Leclair stated that the only noise will be children laughing between their vehicles and the building. The building itself is adequately insulated to retain all noise created inside.
- Hours of operation are in the QAP. Hours of construction will not exceed 7am to 5pm Monday through Friday and 8am to 5pm on Saturday; no Sunday construction.
- In regards to the abutters concern regarding water and wetlands, they have a NH DES Dredge & Fill permit to fill 2,490sf of wetlands onsite.
- They will still need NH DES wetlands permits to install the sewer line once that is nailed down.

Mr. Bailey explained that the major outstanding issue is getting the permits to install the sewer line which must connect to a privately owned line (McGreevy) and discharge into the Laconia Municipal Sewer System. This will take the combined approvals and action of the City of Laconia, McGreevy, Al & Val Realty, the Belmont Sewer Commission, the PUC and the Town of Belmont. They have designed the system to meet the requirements of the Belmont Sewer Commission by avoiding the need for a pump station.

The McGreevy line was installed in 1999, but the City does not want to extend the line unless it becomes a municipal line. The line extends from the Laconia line through A&R Motors, up the east side of Rte 106 and then under 106 to the west side at the property line between the old junkyard and McGreevy's vacant lot. It goes south, up the hill and terminates at Lakes Jeep Eagle (Al & Val Realty).

Mr. Bailey explained that the stormwater management program is currently being reviewed by Mr. Lang, the Town's independent reviewing engineer and the design will result in no degradation to existing wetlands. However, Mr. Bryan Bailey and Mr. Craig Bailey also expressed their frustration with the independent review process. They felt that Mr. Lang's review comments were unreasonable. C. Daigle explained that as a result of Mr. Bailey's comments staff had checked with NH DES regarding their review of the same stormwater plan for the required Alteration of Terrain permit. NH DES has the same concerns as Mr. Lang and has additionally identified other areas of concern. The Board explained the purpose of the third party review to protect the abutters, the environment, the Town, future patrons and the public in general. The Board contracts with the Belknap County Conservation Service for Mr. Lang's services from the Natural Resource Conservation Service. Having an engineer independent from the private sector is very important to avoid the conflicts that previously arose. The Board is satisfied that the level of review provided by Mr. Lang is appropriate and necessary.

Ms. Cynthia Cote expressed her concern that this development would result in degradation to the quality or quantity of her well water. Mr. Bryan Bailey explained that they are not required to obtain State well approval for this use and have not undertaken any hydrologic study. However, he conceded that if their actions are proven to damage Ms. Cote's well they would be responsible to correct that damage. The Board suggested that if Ms. Cote has a significant concern she establish benchmark information regarding her well at this time (production, quality, etc.) to provide evidence in the instance that she does suffer some loss.

Mr. Nelson Murray of HOPI Corporation explained that he has very sensitive wetlands on his junkyard lot and is under the direction of NH DES to protect and monitor the quality of that area. He is worried that 120 cars may effect the water quality on his lot. He has a SWPPP that he must abide by. Mr. Craig Bailey explained that their runoff will go through a detention pond for cleaning and control and will not impact Mr. Murray's property.

There were no other abutters present. A letter submitted by Wendee Rich regarding light trespass was addressed by Mr. Bailey's earlier comments.

There being no further comment or question the chairman closed the public hearing.

**BOARD'S ACTION - Colosseum Indoor Sports:**

MOTION: On a motion by W. Peterson, seconded by C. Long, it was voted to grant the following waiver as the plan is adequately legible:

1. 30 scale plan instead of 20 scale plan.

(7-0)

P. Harris noted that he felt this proposal was going to result in a change in the character of the neighborhood especially with the extension of sewer into this area.

Mr. Bailey pointed out that the sewer was the main issue outstanding and that they will need the support of the Town to proceed. C. Daigle noted that the Town is currently at a standstill waiting for a copy of the easement language from McGreevy to Leclair. Mr. Leclair stated he understood that, but that McGreevy's attorney has been tied up with the sale of their property. Mr. McGreevy has promised to get the language to Mr. Leclair as soon as possible.

C. Daigle suggested that Mr. Bailey attend a meeting with Mr. Lang to address the remaining outstanding items in his review of the stormwater management plan. Mr. Bailey agreed.

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. Permits:
  - a. Sewer or Septic w/all related permits, easements, etc.
  - b. DES Site Specific, off Site wetlands, well (or evidence that it is not required).
2. Trip Generation Report if required by DOT, comply with any NH DOT requirements at Bishop & Laconia Road or in relation to drainage.
3. Submission of final plans (7 paper copy sets):
  - a. Sheet 2. Lot is conforming. Structures are nonconforming (front & wetland setbacks).
  - b. Letter of adequate service (PSNH).
  - c. Underground utilities.
  - d. Any retaining wall in excess of 4' requires engineer's stamp.
  - e. No parking/access to commercial portion of lot from remainder of lot.
  - f. Reducing lighting during closed hours.
  - g. Signage - handicapped pole mounted.
  - h. Board signature blocks.
  - i. Changes based on independent engineering review requirements.
4. Payment of decision recording fee.

5. Security (See Project Security Process form):
  - a. Prior to any site work - escrow for construction inspections and closure in case of abandonment. Applicant shall submit engineer's estimate of closure costs. Construction inspector shall submit estimate of inspection costs.
  - b. Prior to plan signing/recording – escrow for all incomplete improvements (as-built plans, etc.). Applicant shall submit engineer's estimate.  
Amount to be set by staff. Security to be in a form approved by the Town. Retainage of 10% until complete and 2% for one year post-completion.
6. Owe \$30 additional notification fee for 3 missed abutters.
7. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
8. Compliance hearing shall be held by Board as necessary.

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

9. Submission of building plans, approved by Building Inspector & Fire Department prior to plan signing. Shall comply with all applicable building, fire (sprinkler & alarm), health, and life safety codes. Contact info for alarm system to be provided to PD.
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, fire and life safety and health code facilities and systems required by the Board and/or by other applicable Codes and Regulations.
12. As-built plans for structures, utilities, roads, drainage and other site improvements 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. Long and carried. (7-0)

### **OTHER BUSINESS:**

1. **Design Review Plan Discussion – Linda, Dale and Nancy Moulton:** Discussion of a Subdivision Plan for a 18 lot subdivision with open space. Property is located on 371 Gilmanton Road, Tax Lot 240-011 in the “R” Zone. PB # 2507.

Chris Gilbert was present for this discussion. He explained this is an 80 acre lot being divided into 18 open space lots with open space. They are proposing a 2,500' loop road. Some frontage may need to come from upgrading a portion of Sawtooth Road. They are proposing 1,800sf-2,200sf homes ranging from \$175K to \$200K. Utilities will be all underground. There is a lot of wildlife on the site. P. Harris explained the Board will probably be looking for a sidewalk or sidewalk panel. Mr. Gilbert noted that there will be on-site wells and septic. Some well radius

easements will be necessary. They want the road to become a town road. Grades comply with the Regulations. The lot is primarily wooded areas and fields. They are trying to maintain the wooded areas. C. Daigle provided Mr. Gilbert with a copy of a generic list of items initially used by staff for the review of an open space developments. She explained that the proposal which has a "remaining" lot does not appear to meet the Zoning requirement that lots not exceed 150% of the zoning lot size. There is also very little discernable information as to lot lines, etc. The application will need to justify how the open space was laid out for its value prior to locating the road and lots.

2. Minutes:

MOTION: On a motion by C. Patten, seconded by W. Peterson, it was voted unanimously to approve the minutes of October 15, 2007 as written. (6-0-1 R. Davis abstained)

3. Other:

C. Daigle reminded the members that the next meeting is 4 weeks away due to an extra Monday in October and the Veterans' Day Holiday.


C. Daigle reported that staff has reviewed a total of 420 applications to date (building, sign, electrical, plumbing, driveway, change of use/occupancy and home occupation). A total of 412 were reviewed in 2006.

C. Daigle reported that Blue Sky may be coming back to amend the conditions of their pit permit as they have made some decisions and changes as to how they want to proceed with the mining.

Adjournment:

MOTION: On a motion by C. Patten, seconded by C. Long, it was voted unanimously to adjourn at 9:47p.m. (7-0)

Respectfully submitted:



---

Candace L. Daigle, Town Planner