



# TOWN OF BELMONT, NH PLANNING BOARD

Monday, January 15, 2007  
Belmont Corner Meeting House  
Belmont, New Hampshire

Present: Chairman P. Harris; Members J. Pike, C. Patten, G. Flack, W. Peterson and R. Caldwell Ex-Officio; Alternate C. Long.  
Absent: Member J. Marden; Alternate C. Shibles  
Staff: C. Daigle and R. Ball.

The chairman opened the meeting at 7p.m. and appointed C. Long as a voting member. He thanked everyone for attending the work session and indicated that the Board had received input from Counsel regarding the form of the final zoning amendments to be posted and that more discussion was warranted prior to posting.

## **Open Space Residential Development:**

The Board reviewed the changes as approved at the last meeting. In addition, they considered amending the first sentence under 6.C.12. with “In further evaluating how the proposed Open Space meets the Purpose and Objectives of this Ordinance...” to clarify that these standards are in addition to those already within the Ordinance.

MOTION: On a motion by J. Pike, seconded by G. Flack, it was voted unanimously to amend the first sentence under 6.C.12. with “In further evaluating how the proposed Open Space meets the Purpose and Objectives of this Ordinance...”.  
(7-0)

## **Campgrounds:**

The Board reviewed the changes as approved at the last meeting. They also reviewed their proposal to prohibit campgrounds in all zones. They agreed that the use of “prohibit” was correct for any zone in which the use(s) would not be allowed. They also discussed whether establishing a sunset date for the proposal to prohibit the uses would achieve the desired result of seeing where State and case law might lead.

The Board discussed the issues of concern related to Campgrounds and RV Resort Campgrounds. The most significant appear to revolve around:

- Can the Town adequately enforce the short-term, transient, 3-week occupancy limit on Campground sites?
- Service-related costs to the Town if RV Resort Campgrounds with long-term seasonal use of campsites results in occupants being accorded “residency” through either State or case law that supersedes the Planning Board’s condition that these sites cannot be used to claim residency.

- Service-related costs, environmental impacts and quality-of-life impacts to neighborhood properties/residents of RV Resort Campgrounds with long-term seasonal campsites.
- The impacts of an RV Resort Campground are similar to those of a manufactured home park.

The Board reviewed the design and operational standards that were previously adopted as part of both the Site Plan and Subdivision Regulations. They determined that adequate dimensional standards were already included as part of those regulations and that only the Purpose, Use and Definition sections needed to be proposed for the Zoning Ordinance. The existing standards were adopted with an eye to protect the Town, property owners and the environment. They should ensure quality development.

The members felt that Mr. Mooney was right in that the Board did not do a good job in educating the voters on their previously proposed Growth Management Ordinance. It's important to let voters know about the need for specific amendments. It's also important to focus amendments on specific issues. If the dimensional standards for campgrounds are already in place, and enforceable, from within the Site Plan and Subdivision Regulations, it is not necessary to repeat those standards in the Zoning Ordinance. Having them in the Regulations, instead of the Ordinance, also allows the Board flexibility in addressing specific applications that come before them.

W. Peterson noted that Campgrounds are currently allowed in the Commercial and Rural Zones and the current Regulations require a minimum lot size of 20 acres. P. Harris stated he felt the impact could be too much in the Rural zone, depending on the particular site. W. Peterson stated he felt that campgrounds had progressed with most enforcing quiet hours at night and setting other rules that would lessen impacts on abutters. P. Harris noted his concern in this instance was for people who are already here, are residents and have the enjoyment of their homes to protect. W. Peterson noted that the Campground Regulations already require setbacks which in some instances exceed those of the underlying zone. P. Harris noted that another use allowed in the Rural Zone is Home Occupation and that use cannot have any external evidence of the use to impact abutters. He feels campgrounds are better situated in the Commercial Zone. R. Caldwell noted that campers, though would usually rather be in a more rural setting. Many campgrounds, even those with hundreds of sites, are located down small country roads and have seemingly no adverse impact on abutters. It depends on the specific site. He used Gunstock Recreational Area campsites as an example of a appropriate site. The Board did feel that the Town would be able to enforce the "not to exceed 3 week occupancy" limit placed on campsites in Campgrounds. With a 3-week limit it is not likely that owners will want to store their units, but in that instance Campgrounds are permitted to have a designated storage area off the individual campsites. C. Patten suggested allowing Campgrounds in the Commercial Zone, but requiring a Special Exception in the Rural Zone so abutters have an opportunity to provide evidence on the impact.

**MOTION:** On a motion by C. Patten, seconded by R. Caldwell it was voted unanimously to propose an amendment to permit Campgrounds in Commercial zone, to permit Campgrounds by Special Exception in the Rural Zone and to prohibit Campgrounds in all other zones. (7-0)

The Board then took up the discussion of RV Resort Campgrounds. They acknowledged that an RV Resort filled with permanently placed, 4-season occupied RVs shares many characteristics with a manufactured home park, and therefore would not have a significantly different impact in a zone where manufactured home parks are also allowed. Several of the minimum standards

adopted to date required of RV Resorts are also similar to manufactured home parks. Discussion revolved around allowing them in similar zones.

**MOTION:** On a motion by W. Peterson, seconded by C. Patten it was voted unanimously to allow RV Resort Campgrounds in the Rural and Residential Multi-Family zones, and to prohibit them in all other zones. (7-0)

**MOTION:** On a motion by J. Pike, seconded by G. Flack it was voted unanimously to delete from the original posting the dimensional section under Campgrounds and the RV Resort Campground section at the end (leaving in the leading purpose paragraphs, the definitions and Uses). The deleted sections are already regulated under the Site Plan and Subdivision Regulations. Also to insert reference to those Site Plan and Subdivision Regulations. (7-0)

### **Setbacks:**

The Board reviewed the changes as approved at the last meeting. No additional changes were proposed.

### **Petition Aquifer Amendment:**

The Board is required to notice not only a topical description of proposed amendments, but also the full text that will be incorporated into the Zoning Ordinance. The proposed amendment does not include sufficient information to extract any supportable interpretation for the purposes of noticing or administration. Upon recommendation of Counsel the Board will notice the full text of the petition as both the topical description and full text.

C. Daigle noted that Pierce Rigrod of NH DES called to say they had received a request to attend the public hearing and provide information on protecting groundwater supply. Mr. Rigrod wanted to know if the Board felt that such a presentation would be useful as part of the public hearing. They would also be willing to present it at some other time. The presentation would be similar to one already given to the Board. The Board felt that even though they had already heard the presentation it was an opportunity to educate the public about the matter. There was some concern about adding to the length of the meeting as it was a regular meeting night in addition to being the zoning public hearing. To facilitate the extra time the Board offered to begin the meeting at 6:30 and ask DES to keep the presentation to 30 minutes.

The Board discussed the actions taken by the Town to protect water quality. The Town has participated in two Tri-town projects (with Tilton and Northfield) through Source Water Protection grants from NH DES. The final BMP handbook will be complete in February. Minimum application and design standards for all lots on the aquifer are in place and being applied under the Site Plan Review Regulations.

The Board members discussed the impact of 676:12 which requires that permits be withheld after the posting of a proposed amendment when the amendment, if adopted, would justify the refusal of such permit. Because the proposed aquifer amendment does not include language guiding its application it is not possible to know what permits would be legally permitted or refused if the amendment passes. The alternatives are to deny all permits on the basis that the amendment might prohibit their approval, disregard the amendment because it doesn't include any prohibited uses and approve all permits, or table/deny without prejudice permits within the proposed

zone/district until the Town Meeting vote. In fairness to both the petitioner and property owners/applicants the Board determined that permits would be tabled or denied without prejudice for proposals within the aquifer district and/or zone until Town Meeting vote. They also discussed the issue of both preexisting lots and vested lots under 674:39 for those uses, lots and structures that would be afforded some protection from the posting/adoption of all of the proposed/petitioned zoning amendments.

**Public Hearing Discussion:**

The members discussed the upcoming public hearing. It is an opportunity for the public to comment or ask questions on the proposed amendments and for the Board, or in the case of the Petition the Petitioners, to explain the proposals. After the public hearing the Board will need to determine which items will be forwarded to the voters, the final form and content of ballot questions, and whether to continue use of the statement, "The Planning Board Supports and Recommends....".

**Handbook:**

The Board received copies of the new Handbook, "Now that You're on Board".

**Adjournment:**

MOTION: On a motion by G. Flack, seconded by C. Long it was voted unanimously to adjourn at 8:35p.m. (7-0)

Respectfully submitted:

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Candace L. Daigle, Town Planner