

PLANNING BOARD

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

Members Present: Chairman P. Harris; W. Peterson, C. Patten, C. Long and R. Caldwell (7:50).
Members Absent: G. Flack
Alternates Present: W. Rollins and R. Davis.
Staff: C. Daigle 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:

C. Daigle stated that on page six the fifth paragraph it should be "Mr. Duggan stated he would not have a dumpster" instead of Mr. Rogers. She also stated that Ms. Cilley contacted staff and wanted page five paragraph two changed. Ms. Cilley stated that she had said that "They are prepared to drop the size to 12' x 12' if necessary." C. Daigle explained to the Board that she has checked her notes of the meeting and Ms. Cilley said 10' x 10'. W. Peterson stated that he remembers Ms. Cilley saying 10' x 10' but it is a moot point because they are not trying to pin her down to a smaller size. P. Harris stated that the notes were reviewed and they state a 12' x 12' building. The Board should go with the notes. It was the consensus of the Board to go with the written notes.

MOTION: On a motion by C. Patten, seconded by W. Peterson, it was voted to approve the minutes of the September 24, 2007, meeting with the following change: on page six the fifth paragraph it should be "Mr. Duggan stated he would not have a dumpster". (6-0)

STAFF REPORT:

CAPITAL IMPROVEMENT PROGRAM (CIP):

The Board signed the CIP certification.

WJK REALTY CORP TAX LOT 224-038:

The chairman signed the site plan for WJK Realty on Farrarville Road.

JOHN FAIRHURST TAX LOT 215-027:

The chairman signed the site plan for John Fairhurst on Hoadley Road.

WILLIAM & BARBARA DUGGAN TAX LOT 231-010-001:

The chairman signed the site plan for William and Barbara Duggan on Hurricane Road.

HANDOUTS:

The Board received the following handouts:

Court Update- Cases of Municipal Significance

Legal Questions and Answers – Ex Parte communications and Land Use Boards

The Housing and Conservation Planning Program

Land Use Law Update 2007

Copies of the Adopted CIP

Minutes of the joint School Board meeting

WJK REALTY CORP TAX LOT 224-038:

C. Daigle explained that Mr. Hutchinson's site plan requires him to have his vehicle display area 15' off the front property line. He wants to shift the pavement out to the property line without increasing the total square footage of pavement so he can display vehicles closer to the property line. C. Daigle stated that there may be some concerns that the pavement may interfere with stormwater management. Mr. Hutchinson's engineer states that shifting the pavement forward 15' would not effect the stormwater management. P. Harris stated that the worst case scenario would be if in the future the State widened the road they would have to move the display area back. C. Daigle stated that the Town has no setback from property for parking. C. Patten wanted to know if the pavement will house all the vehicles on site. C. Daigle stated all the allowed vehicles have to be housed on the pavement. C. Patten wanted to know if the parking area is going to be built up. C. Daigle stated that it will be built up. W. Peterson wanted to know if the plans have to be redone. C. Daigle stated that it will be a minor change and will be documented in the Registry with the Notice of Decision. W. Peterson stated that they could have come in with this proposal when originally approved so the Board can approve this as a minor change.

MOTION: C. Patten moved that shifting the pavement 15' is a minor change. The motion was seconded by C. Long and carried. (6-0)

ZONING AMENDMENTS:

C. Daigle stated that some of the possible zoning amendments the Board has discussed throughout the year were electronic signage and total square footage of signs. The aquifer, impact fees, growth management are some issues as well as lots that are located in more than one district.

P. Harris stated that the joint meeting with the School Board showed them listening to the town's needs when considering the school's needs. Their position is that they would like to see some kind of growth control. P. Harris stated that when the Board put growth control on the ballot the last time the public did not have enough information and were not educated enough to make an informed decision. When the Board considered impact fees the public did not have a full understanding of the total concept. The Board

discussed the fact that all the studies that they have had done by Mr. Russ Thibeault and Mr. Bruce

Mayberry indicate that they would not have reached the trigger number needed for growth management to take affect in the last two years. The Board agreed that communication is a key to educate the public on amendments. A first step towards impact fees would be to adopt the underlying ordinance, which gives the Planning Board the ability to adopt the fees when necessary. The Board would use the underlying ordinance to determine the amount to charge for capital expenditure. W. Peterson stated that he is not a supporter of impact fees because it is not a huge revenue source. Capital expenses can go before the voters when needed.

The Board discussed growth management and how it would be triggered if the number of building permits reached the trigger number. C. Daigle explained that the trigger number only works for a particular year and has to be recalculated yearly. The number is determined by comparing the percentage of growth in surrounding communities.

R. Caldwell entered the meeting at (7:50).

The Board discussed an aquifer ordinance. The ordinance would have contain what uses would be allowed and which would be prohibited. It would also have to include who would do the enforcement.

It was the consensus of the Board to consider only one major amendment this year to avoid confusion on the part of the voters. The Board directed staff to draft an aquifer ordinance.

BOARD OF SELECTMEN- BROWN PROPERTY TAX LOT 122-008:

The Board of Selectmen, chairman R. Cormier, selectmen R. Caldwell and J. Pike and Town Administrator J. Beaudin were present to discuss the acquisition of the Brown property on Main Street.

BOS Chairman R. Cormier stated that the Town has an opportunity to purchase the former bank property at 154 Main Street and would like to move forward with a purchase and sales. Purchasing the property would give the town around 10 acres of land in the downtown area around the library and mill. The plan would be to demo the building which is not large enough for a Police Department or Town Offices and has maintenance issues and turn that space into green space and for future expansion of the bandstand park and the library. In the future they may revitalize the down town and any new building would have similar architecture to the mill. The green space would open up the downtown to the river. The vision is for the future and there are no new municipal buildings proposed in 2008. R. Caldwell reiterated that no new buildings are proposed. Chairman Cormier stated that this is a vision for the future and any new buildings would have to go before public hearings. Part of the future plan might include closing off Mill Street creating green space to the river. Parking would be to the left and in the middle of the entire area. This would create a town center and downtown area. Chairman Cormier stated that he envisions perhaps moving and enlarging the bandstand using the natural slope for seating and having concerts in the park.

The purchase price is \$300,000 and they have \$250,000 in the Capital Reserve budget that has been put aside to purchase land and buildings. The BOS needs a recommendation from the Planning Board and Conservation Commission to proceed. Once they have a recommendation from the Planning Board and

Conservation Commission the Board of Selectmen then holds two public hearings. There has to be ten days between the public hearings. C. Patten stated that in the past the School Board went ahead and purchase land to build a school before going to the voters and it did not fare well. He thinks the taxpayers should be informed before a purchase and sales agreement is signed. Town Administer Beaudin stated that there will be a great deal of public notice but that the owner wants to sell before the winter and has had other offers so they need to move ahead. It was discussed at the Board of Selectmen's meeting tonight and they received positive input from the public. Chairman Cormier stated that the town has been putting money aside for land and buildings. If a new building is voted down they will still have a nice park for everyone to enjoy. W. Peterson wanted to know what the assessment is for the property. Town Administrator Beaudin stated it is \$298,000 and the current owner had an appraisal done and it was between \$311,000 and \$340,000. If at the public hearing the response is negative then they will pull the project. Selectmen Pike stated that the Conservation Commission has funds to purchase conservation land and along the river front would be a good area to conserve. Chairman Cormier referred to the Community Charrette held several years ago that supported efforts to revitalize and preserve the Main Street area and other recommendations to the Town along the same lines since that time. The additional \$50,000 would come from unexpended fund balance.

MOTION: R. Davis made a motion to support the Brown property acquisition at 154 Main Street. The motion was seconded by W. Rollins and carried (5-1-1) C. Patten opposed and R. Caldwell abstained.

ADJOURNMENT:

MOTION: On a motion by C. Patten, seconded by W. Rollins, it was voted unanimously to adjourn at 8:16 p.m. (7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant