

## PLANNING BOARD

Monday, September 25, 2006  
Belmont Corner Meeting House  
Belmont, New Hampshire

Members Present: Chairman P. Harris; J. Pike, G. Flack, W. Peterson and J. Marden (6:37).  
Members Absent: R. Caldwell and C. Patten.  
Alternates Present: C. Long.  
Alternates Absent: C. Shibles.  
Staff: C. Daigle, R. Ball and E. Murphy.

The chairman opened the meeting at 6:33 p.m. and appointed C. Long as a voting member for tonight.

### **Public Hearing:**Capital Improvement Program Schedule amendments for 2007-2012

P. Harris explained that the Capital Improvement Program (CIP) committee has had three meetings and an open forum. They have made changes and that is what is being presented tonight.

C. Daigle explained that one of the differences between the 2007 CIP and the 2006 is that 2007 is less than what was proposed in 2006. The new police station anticipated fee is \$50,000, the heritage resource is \$25,000 and the \$38,000 for the building expansion for library has been reduced because the bond did not occur. The accrued benefit liability is \$25,000. The dump truck replacement has been eliminated reducing it \$60,000. The \$250,000 towards purchasing the ladder/pumper truck will come from the Comstar fund. Public Works Director, R. Bennett, stated that they are forgoing replacing the one ton to next year. C. Daigle stated that the Ford F-550 is still in for 2007.

J. Pike wanted to know if the work on the roads in Pleasant Valley is on hold. Mr. Bennett stated that they qualified for a grant for rural development. C. Daigle explained that because of the grant they are not sure of the what the Town's portion will be and that is why the figure is to be determined.

P. Harris stated that the CIP process is working to help save money in the proper places. J. Pike stated that he has concerns that the Comstar money has to run out. They keep using it to purchase equipment and eventually the funds have to deplete. C. Daigle explained that they are looking at a bond for the ladder truck and there are sufficient funds for it. Each year they have to reevaluate the capital requests and determine what is needed and if funds are available. G. Flack wanted to know what the average funds are. J. Pike stated that it bothers him that amendments from the Fire Department are made at Town meeting. They state that the money comes out of the Comstar fund and doesn't cost the tax payers anything. The tax payers are the ones who originally funded the ambulances which means it does cost the taxpayers. C. Daigle stated

that the Comstar account generates around \$200,000 from Belmont and Winnisquam combined. J. Pike reiterated that it is costing the taxpayers even if funds from the Comstar account are used. Ms. Linda Frawley stated that it is her understanding that the Comstar funds have to be used for health oriented services. J. Pike stated at Town Meeting the Fire Department made an amendment to purchase an all terrain vehicle from the Comstar fund to be used for the trails. The trails are being cut off by people closing the trails that run through their properties and the Fire Department won't be able to get access to the trails for much longer. Every year amendments are made at Town Meeting even when the budget committee didn't recommend it. He feels that the Fire Department over does it. C. Daigle explained that the Comstar funds are restricted for fire and ambulance apparatus and equipment. J. Pike stated that other departments' expenses have to come out of the general fund. P. Harris stated that through the CIP process departments have a better tool to plan their budgets and because of that some of the amendments may not occur at Town Meeting. C. Daigle explained that the Comstar fund has been dedicated to major purchases and lesser purchases like gear come out of the general fund. The budget has to be approved at Town Meeting. Voters vote to spend money out of Comstar.

**MOTION:** J. Pike moved to accept the CIP and forward it to the Budget Committee.

The motion was seconded by W. Peterson and carried. (6-0)

**OTHER BUSINESS:**

**BOARD'S ACTION-MINUTES:**

**MOTION:** On a motion by W. Peterson, seconded by J. Pike, it was voted to approve the minutes of the September 11, 2006, meeting as submitted. (5-0-1) G. Flack abstained.

**SCHOOL BOARD MEETING:**

C. Daigle reminded the Board of the School Board Meeting Thursday 6:00 at the Middle School. She handed out an update on growth in the community for them to review prior to the meeting. If any member would like to add information before the meeting they should contact the Land Use office and they will provide the information. The Board also received a copy of the letter from the School Board chairman to the Planning Board chairman.

**AMILY TAX LOT 229-024:**

The chairman signed additional copies of the Amily subdivision plans.

**BRIARCREST ESTATES TAX LOTS 204-023, 211-018 & 211-019:**

The chairman signed the boundary line adjustment plan for Briarcrest Estates.

**BELMONT LANDING TAX LOTS 101-022 & 101-023:**

The chairman signed the condominium conversion site plan for the Belmont Landing.

**AMENDMENTS:**

The Board signed the certification forms for the amendments to the site plan and subdivision regulations. P. Harris explained that recently the Planning Board made changes to the site plan and subdivision ordinance concerning campgrounds. The ordinances defined what campgrounds are. He explained that in the past campgrounds have sites that have converted to permanent residences and these changes are designed to prevent that from happening on sites that are designed just as campsites.

**VICTOR VIRGIN TAX LOT 234-005:**

The chairman signed the Notice of Decision for Victor Virgin.

**LAKES REGION PLANNING COMMISSION (LRPC):**

C. Daigle reminded the Board that any comments to the Best Management Aquifer Manual need to be submitted by October 13<sup>th</sup>. LRPC will be attending the December worksession to go over the manual.

7:00

**PLAN SUBMISSION MEETING - NEW CINGULAR WIRELESS PCS, LLC:** Request for site plan approval to construct a personal wireless service facility including a 180' monopole tower. Property is located on 15 Dutile Road, Tax Lot 217-116 in the "C" Zone. PB # 2306.

Mr. Brian Grossman presented the application.

Mr. Grossman explained that Cingular has a gap in coverage in or near Rte 106. They are proposing a 180' monopole in the commercial district. This is a monopole instead of a lattice tower and will have twelve antennas surrounded by an 8' stockade fence. The maximum height of the tower and antennas will be 180'. The antennas do not extend higher than the tower. They need a special exception from the Zoning Board and also will be asking to reduce the fall zone from 120' to 99'. They will be having a joint public hearing with the Planning and Zoning Boards to give the public an opportunity to comment on the application. Mr. Grossman wanted to know if they are required to have the balloon test before or after the joint meeting. J. Pike wanted to know if abutters are abutters to the property or just the tower. C. Daigle stated that abutters are abutters to the property. Cingular is also required to do regional noticing to all the towns that can see the tower within 20 miles.

**BOARD'S ACTION – NEW CINGULAR WIRELESS PCS, LLC:**

**MOTION:** J. Pike 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 November 29<sup>th</sup> subject to extension or waiver.

The motion was seconded by J. Marden and carried. (6-0)

Ms. Linda Frawley stated that she thought that as part of the Master Plan towers would try to be

located on town property to bring in public revenue. Mr. Grossman wanted to know if they had to have the balloon test done before the joint public hearing. J. Pike stated that he would like it before the meeting. Mr. Grossman wanted to know if the Board preferred a day of the week to do the test. G. Flack stated the last one was done on a Saturday to give more people an opportunity to view it. J. Marden stated that a crane gives a better view.

It was the consensus of the Board for Cingular to schedule a balloon test for October 14<sup>th</sup> with an inclement weather date of October 21<sup>st</sup> from 8am to 4pm.

**PLAN SUBMISSION MEETING AND PUBLIC HEARING – MALVINA CHERRETTE AND LEDGER V. PARENT:** Request for a boundary line Adjustment approval to transfer 2.94 acres from tax lot 125-039 to tax lot 126-026. Property is located at 52 &60 Concord Street, in the “V” Zone. PB #2506.

Mr. Fred Wheeler presented the application.

Mr. Wheeler explained that this is the same proposal as the one the Board approved two years ago. The approval was not acted on and became nul and void after one year. The proposal is to transfer 2.94 acres from the house lot to the larger lot. Tax lot 126-026 is 9.73acres and is in current use because it abuts the house lot. The boundary line adjustment will allow the larger lot to remain in current use if the other lot is sold.

J. Pike wanted to know if there are any drainage issues on the property. Mr. Wheeler stated that there are drainage issues on Concord Street. The town needs a drainage easement from the applicants and the applicants need the town to grant them deeded access to pit. J. Marden stated that it was voted on at Town Meeting. Mr. Wheeler stated that it was not signed yet. C. Daigle stated that the easements are ready but not signed and the deed not transferred.

**BOARD'S ACTION – MALVINA CHERRETTE AND LEDGER V. PARENT**

**MOTION:** G. Flack moved to grant the following waivers:

- a. Quality Assurance Program, Soils & Topography.
- b. Additional off-site detail.

The motion was seconded by W. Peterson and carried. (6-0)

**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 act on the application. Action on this proposal shall occur by 11/29/06 subject to

extension or waiver.

The motion was seconded by J. Pike and carried. (6-0)

The chairman opened the public hearing.

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

**MOTION:** J. Pike 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.

1. Final plan cannot be recorded until transferring deed has been approved by the Town and is also signed and ready for recording.
2. Submission of final plans:
  - a. Correct BCRD cite for 242/005 to 141/403.
3. Payment of decision recording fee.
4. Compliance hearing shall be held by Board as necessary.

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

5. Easements are proposed, not approved, and are subject to all applicable review and acceptance requirements.
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 J. Marden and carried. (6-0)

**PLAN SUBMISSION MEETING AND PUBLIC HEARING – BLUE SKY ENTERPRISES INC.:**

Request for subdivision approval to subdivide one lot into three lots and confirm property line of long standing. Property is located at 74 Lamprey Road, Tax Lot 217-142 in the “RS” Zone. PB # 1906.

Mr. Ron Johnson presented the application.

Mr. Johnson explained that the property is on the eastern side of Lamprey Road in an “RS” zone. There is an existing dwelling, trails and a 150’ PSNH easement on the site. The proposal is to divide the property into three lots. The northern lot will be 3.7 acres with the bulk of the PSNH easement. Lot two will

be 5.01 acres and lot three will be 2.6 acres. The driveways meet all the sight distance requirements. Lot three existing dwelling is partially torn down and will be removed from the site. They have DES subdivision approval for lots one and three. They have submitted a DES permit for a wetland crossing on the center lot. Blue Sky Enterprises has a letter from PSNH for joint use. They will move the well radius out of the PSNH ROW. The trail will remain and it will be up to new owner to decide if it will remain open. The center lot has a driveway that has been in place for forty years and they would like it to remain because it has less impact to the wetlands. There will be underground utilities.

**BOARD'S ACTION – BLUE SKY ENTERPRISES 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 act on the application. Action on this proposal shall occur by November 29, 2006, subject to extension or waiver.

The motion was seconded by J. Pike and carried. (6-0)

The chairman opened the public hearing.

J. Pike wanted to know how they handled the land dispute with Mr. Fielder. Mr. Johnson stated that Blue Sky offered him a quit claim deed. Mr. Fielder stated that he hasn't signed anything because he has some questions about the paper work. He doesn't understand what a general release of mortgage is. R. Ball explained that Blue Sky has a mortgage on that piece of land and the bank is releasing that section so they can proceed with the quit claim deed. Mr. Johnson stated that Blue Sky is giving Mr. Fielder a clear title for the triangular piece of property in question. The Board explained to Mr. Fielder that they are not in a position to give legal advice. He will have to contact a lawyer if he has questions on the quit claim deed or other forms associated with it. J. Pike explained to Mr. Fielder that Blue Sky is relinquishing to him what he said was his. C. Daigle stated that the other alternative is to put the line back to where it was originally shown on the plan and not give Mr. Fielder the triangular piece because he does not own it by deed. Mr. Johnson explained that it was shown on a plan recorded in the 1970's. He stated that Mr. Fielder has been occupying the land for thirty years and they are just cleaning up the paper work. Mr. Fielder wanted to know about the other side of his property where there is a similar problem. Mr. Johnson stated that they are willing to clean up what affects the applicant but not the other side. Mr. Fielder stated that he needs a lawyer to understand the paper work. The land was all surveyed and accepted by the town. J. Pike stated that they have a surveyed plan in front of them tonight and they have to go by what is represented to them. A surveyor is liable for what they put on a plan. C. Daigle stated that the town records are correct and this will verify it. Mr. Fielder stated that this is okay but what about the other property on other side? J. Pike explained that he would have to have the land surveyed to determine what he owns if he thinks there is a discrepancy. C. Daigle explained that the quit claim deed would accurately show what is out on the ground. J. Pike wanted to know what happens if Mr. Fielder does not accept the deed. C. Daigle stated the applicant would have to bring in a new plan.

Mr. Johnson stated that they are looking for a single driveway for the middle lot using the existing one. P. Harris wanted to know if it meets sight distance. C. Daigle stating it is not serving the same lot. It is serving the middle lot now not the end lot. W. Peterson stated that it is a preexisting nonconforming driveway to other lot. Mr. Brian Fitts, 79 Lamprey Road, stated that if the current driveway doesn't work then they can move it. He wants to know how they intend to build on the third lot as it is mostly wetlands. Mr. Johnson stated that the wetlands have been delineated and they will bring in fill for the driveway. There will be three individual lots with three individual driveways. They have State approval for lots one and three. Lot two is larger and they did not need it.

Mr. Elson Moody stated that Mr. Fielder had the property for thirty years and he wanted to know who has been paying the taxes on it. C. Daigle stated Mr. Fielder has not been paying the taxes on it the abutter has. Mr. Moody stated that the Town should have records on the property. C. Daigle stated that they do have records and they are correct.

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

**MOTION:** J. Pike 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. Respond to any PSNH comments
2. Submission of final Plans (2 mylars & 7 paper copies):
  - a. Note building (to be) demolished or remove graphic.
  - b. Add tax map/lot #s (Development lot #1-217/142/001, #2-217/142/002, #3-217/142)
  - c. All pins to be set and so certified on final plan.
  - d. Add wetlands setbacks
  - e. Add adjacent zone line
  - f. Building site on lot 2 to be restricted to rear of lot or well radius to be reserved.
  - g. Certification that new driveways will be constructed to meet WL setbacks.
  - h. Underground utilities shall be installed.
  - i. Some drawing layers having to do with the wetlands crossing on Lot 2 don't show up.
3. Existing driveway in existing setback is granted.
4. Quitclaim deed to Fielders accepted and ready at time of recording.
5. Payment of decision recording fee.
6. NH DES Wetlands permit for Lot 2
7. Compliance hearing shall be held by Board as necessary.

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

8. No changes shall be made to the approved plans unless application is made in writing to the Town.
9. 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 – W.C. HOMES LLC AND**

**DONALD E. CRUMB:** Request for boundary line adjustment approval to transfer .41 ac. from tax lot 237-038 to tax lot 121-018 and 2.43 ac from tax lot 121-018 to tax lot 237-038. Property is located on 26 & 44 Perkins Road, in the “RM” Zone. PB # 1806.

Mr. Ron Johnson presented the application.

Mr. Johnson explained that W.C. Homes owns lot 237-038 which is 6.71 acres with one existing dwelling on it. Mr. Crumb owns lot 121-018 which is 3.56 acres. They want to transfer .41 acres from W. C. Homes to the Mr. Crumb and Mr. Crumb will transfer 2.43 acres to W. C. Homes. The benefit is that Mr. Crumb’s current residence will meet all the setbacks. They are not creating any new lots. The existing deeds will be furnished.

**BOARD'S ACTION – W.C. HOMES LLC AND DONALD E. CRUMB:**

**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 act on the application. Action on this proposal shall occur by 11/29/06 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (6-0)

The chairman opened the public hearing.

J. Marden wanted to know about the existing snowmobile trail, it is not shown on the plan. Mr. Johnson stated that its use is not allowed.

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

**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. Final plans will not be recorded until transferring deeds have been approved by the Town and are also signed and ready for recording.
2. Submit copy of existing deeds.
3. Submission of final plans (2 mylars & 6 paper copies)
4. Payment of decision recording fee.
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. (6-0)

**PLAN SUBMISSION MEETING AND PUBLIC HEARING – SUPERIOR FENCE COMPANY:**

Request for site plan approval for contractor's yard- fencing company. Property is located on 22 South Road, Tax Lot 235-029 in the "T" Zone. PB # 2206.

Mr. Bryan Bailey presented the application. Mr. Sykes was also present.

Mr. Bailey explained the lot is just off of Rte 140 on South Road and was created in 1982. The lot has an existing structure in the northeast corner and wetlands in the northwest corner. When the original subdivision was done there was a bend in South Road which has recently been straightened out and the ROW widened that is why the lot size is different than the original subdivision. The property is occupied and used by Superior Fence Company and is under a cease and desist order. There was a machine shop business on the site but they need a site plan to operate an outside contractor's yard. The existing structure has an exposed roof and the other section of the roof has grass growing on it. Mr. Sykes wishes to utilize the existing building and redo the front façade and improve the site. The center of the property is an old gravel pit. On the opposite side of the street the 400' well radius has been identified. The wetlands have been delineated. The existing driveway has a paved apron and is in the center of the area to be utilized. There will be six head in parking spaces that will face the road. The building will be used for storage of material and office space. There will be no floor drains or truck maintenance done on site. The dumpster will be on a concrete pad. There will be a second area outside for storage of rolls of chain link and stockade fences, pipes, poles, landscaping timber, railroad ties and other material used to lay out fences. There will be no hazardous material on site. Parking is identified by a note on the plan. There will be thirteen parking spaces,

six in the center and seven on the right. There will be no paving so the parking spaces will not be identified. They will have crushed bank run or ledge pack. The parking spaces will become apparent without the need for curb stops and lines. Mr. Bailey stated that Mr. Sykes does not envision a lot of on site business because he does most of his business over the phone then goes to the client's site. The parking spaces are for employees, the fleet of trucks and suppliers bringing material to and from the site. They will grade the site so that drainage goes to the treatment swales. No trees will be removed. There will be no increase in off site runoff. He explained that water service to building is provided from the adjacent lot, there is no well on site. There is a gentlemen's agreement for the water supply but there is ample area for a well on site if need be. There is no deeded easement or written agreement for the water. There will be one light in the center of the lot that is 30' away from the property line so there is no concern for glare. There will be a gate across the site that is latched but not locked. When it becomes necessary to lock the gate they will provide the necessary knock box and will provide the Fire Department with keys. The proposed fencing on the front of the property will be a 6' high ornamental stockade fence. The parking spaces will be 11' x 18' as suggested by staff.

**BOARD'S ACTION – SUPERIOR FENCE COMPANY:**

**MOTION:** W. Peterson moved to grant the following waivers:

- a. Building plans.
- b. Soils.

The motion was seconded by J. Pike and carried. (6-0)

J. Marden wanted to know about the gravel road around the site. Mr. Bailey stated that the whole site is gravel except the finished surface shown on the plan. J. Pike wanted to know how high the stock piles will be. Mr. Bailey stated there will be no racks so they cannot stack piles too high. Mr. Sykes stated that the roles of fence will not be stacked higher than three rows.

**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 act on the application. Action on this proposal shall occur by 11/29/06 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (6-0)

The chairman opened the public hearing.

J. Pike wanted to know if there would be floor drains. Mr. Bailey stated none are proposed. J. Pike stated that he is concerned about the storage area not being lighted because we work in the dark five months out of the year. Mr. Sykes stated that he feels the lights are appropriate for the use but he has no objections if the Board feels it necessary for additional lighting. J. Pike stated that he has concerns for the employees and

also concerns for the abutting neighbors not having lights that are too bright. Mr. Bailey stated that the lights will be enclosed and downcast. Mr. Bailey stated that the hours of operation go to 6pm. J. Pike stated that the second light needs to be added to the plan. He stated that the pole can be placed so that it illuminates the parking area and employees walkway. Mr. Sykes stated that it is a seasonal business and is closed February and March. He did not propose additional lighting because he has had vandals in the past that vandalized the trucks. P. Harris stated that they could use motion sensors. J. Marden wanted to know how they access the Dubois lot behind them. Mr. Bailey explained that the large gravel pit lot has been abandoned. That lot has over 500' of frontage on Rte 140. There is no deeded ROW across the Sykes property. C. Daigle stated that full cut off lights are necessary for any lights on site to prevent glare on South Road. Mr. Bailey stated they will have down cast lighting. The Board wanted to know if oil changes for the vehicles will be done on site. Mr. Sykes stated there will be no oil changes done on site because of the well radius restrictions.

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

**MOTION:** W. Peterson moved to grant the following waivers:

1. Handicapped access.
2. Driveway cross sections.

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

**MOTION:** J. Pike 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. Provide formal easement for off-site water use or provide on site.
2. Certification that lighting complies with Regulations.
3. Submission of final plans w/notes:
  - a. All pins to be set and so certified on final plan.
  - b. Driveway to have paved apron.
  - c. No residential use of building permitted.
  - d. Gate requires Knox box or Knox padlock (not or equal) if locked.
  - e. Meet required minimum parking space size (11x18 on gravel)
  - f. Some abutter deed references missing.
  - g. Level spreader detail.
  - h. No floor drains permitted.
  - i. Fence height & signage.

- j. Second light.
- k. No oil changes to occur on site.
- 4. Provide building layout plan.
- 5. Payment of decision recording fee.
- 6. All potential contaminant info ID'd above to be included in Quality Assurance Program.
- 7. Establish escrow account for all improvements, as-built plans, review, inspections and closure in case of abandonment (as site is already being occupied) – total \$2,000.
- 8. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
- 9. Compliance hearing shall be held by Board as necessary.

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

- 10. Building permit required for building remodel. Submission of building renovation plans, approved by Building Inspector & Fire Department prior to plan signing. Shall comply with all applicable building, fire, health, and life safety codes.
- 11. Construction shall be monitored and certified by a consultant appointed by the Board.
- 12. 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.
- 13. Time-frame to complete proposed improvements shall be six month.
- 14. As-built plans required prior to occupancy/use.

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

- 15. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
- 16. All exterior lighting shall be shielded from abutters and traffic.
- 17. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
- 18. No changes shall be made to the approved plans unless application is made in writing to the Town.
- 19. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
- 20. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by J. Marden and carried. (6-0)

**PLAN SUBMISSION MEETING AND PUBLIC HEARING – SUMMIT REHABILITATION, LLC:** Request for site plan approval to construct a 10,000 square foot physical and occupational therapy office. Property is located on Corporate Drive, Tax Lot 205-005-004 in the “C” Zone. PB # 2006.

Mr. Mark Woglom presented the application. Ms. Lisa Charrette was also present.

Mr. Woglom explained that the proposal is for a 10,000 square foot physical therapy building with fifty-one parking spaces. The lighting will be the same as others in the park. They will have colonial style building with granite curbing and on site well and septic. Drainage will consist of a detention pond on the remaining lot with an upgrade and improvements. There will be an easement for it. This will be an upscale building. They are requesting that they not need a building permit prior to plan signing. They will have the building plan ready in a couple of weeks.

**BOARD'S ACTION – SUMMIT REHABILITATION, LLC:**

**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 act on the application. Action on this proposal shall occur by 11/29/06 subject to extension or waiver.

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

The chairman opened the public hearing.

J. Marden wanted to know if the detention pond was designed to meet the stormwater management regulations. R. Ball stated that it is. J. Marden wanted to know if the building will be sprinkled. C. Daigle stated that the Fire Department stated that the building is not sprinkled and no cistern is needed.

P. Harris stated that the quality of building will be an asset to Belmont. C. Daigle stated that staff recognized the completeness of application and the applicant did an outstanding job.

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

**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. Belmont driveway permit, NH DES well, septic approval.
2. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
3. Submission of final plans (7 paper copies) w/notes:
  - a. FD requirements for fire/life safety.
4. Payment of decision recording fee.

5. Establish escrow account for review, inspections and closure in case of abandonment - \$5,000.
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. Submission of building plans, approved by Building Inspector & Fire Department. Shall comply with all applicable building, fire, health, and life safety codes. Setbacks will be certified as necessary during construction. Meet FD requirements for fire/life safety facilities.
8. Engineering certification of any retaining walls in excess of 4'.
9. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
10. 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.
11. As-built plans required prior to occupancy/use.
12. Detention pond to be designed to comply with the Stormwater Management and Erosion and Sediment Control Handbook.

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 J. Pike and carried. (6-0)

### **OTHER BUSINESS:**

### **PRELIMINARY CONCEPTUAL CONSULTATION MICHAEL LECLAIR.**

Mr. Michael Leclair stated that he is proposing a 50,000 square foot indoor soccer facility on tax lot 205-006 and is looking for input from the Board. J. Marden stated that it is an allowed use in the rural zone. He wanted to know which buildings would be removed. Mr. Leclair stated that the house will be removed, the pole barn will remain and the stable will be removed. The facility would be great for kids because there is no

indoor place for soccer, field hockey or lacrosse. J. Marden wanted to know if it would be used in the spring for baseball. Mr. Leclair stated that it will be a replica of the Bow facility. November - April there would be batting cages and indoor pitching molds. The maximum size of the building will be 60,000 square to accommodate four indoor soccer fields. It will be a prefab steel building. J. Pike stated that they will need a site plan. C. Daigle stated that they will need a surveyor or engineer and a wetland scientist. Issues that they will have to look at include the septic and water. The condition of the road between the site and Laconia Road need to be looked at as well as the traffic. There is an existing traffic signal at the corner of Bishop Road and Laconia Road which is a plus. Mr. Leclair stated that the facility will be opened around 67 hours a week with the hours of operation 4pm to 11pm. There will be approximately forty children playing on four fields with alternating game times. There will be some overlap times when one game is finishing and another one starting. Currently there are eight facilities in New Hampshire. The Bow facility has 374 teams with ten members on each team. There are thirty-four teams from the Lakes Region. R. Ball stated they will need an extensive stormwater management plan because of the site. J. Marden wanted to know if there is any frontage on Rte 106. Mr. Leclair stated there is no frontage on Rte 106. C. Daigle stated that abutters may have concerns about traffic, lights and noise. J. Marden stated that noise is not a problem in the Bow facility because it is a steel insulated building. He wanted to know if there will be a concession stand. Mr. Leclair stated that there will be a concession stand. C. Daigle stated that they may want to look at hooking into the sewer. Mr. Leclair stated that they have a new septic and well and a facility of this kind doesn't require a lot of septic. C. Daigle stated that they should consider it an investment because of the soil types and size of tank. The Board agreed that it would be wise to check into the sewer because it would be a wise investment for the future. P. Harris stated that Mr. Leclair should get the correct information out to the abutters including those in the trailer park because they will be involved in the process. J. Marden stated that it will be an asset for the town. P. Harris stated that it will be a low impact project. C. Daigle stated it is close to a signalized intersection, in a good location and a permitted use. J. Marden wanted to know if the remaining fields will remain agriculture farming. Mr. Leclair stated that they are looking at having an outside little league field in the future.

**ADJOURNMENT:**

**MOTION:** On a motion by W. Peterson, seconded by C. Long, it was voted unanimously to adjourn at 9:41p.m. (6-0)

Respectfully submitted,

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Elaine M Murphy  
Administrative Assistant