

PLANNING BOARD

Monday, September 12, 2011
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman Peter Harris; Ward Peterson, Claude Patten, Jon Pike and Douglas Sanborn.
Members Absent: Parker Caldrain and Christine Long.
Staff: Candace Daigle, Rick Ball and Elaine Murphy.

The chairman opened the meeting at 7 p.m.

BOARD'S ACTION-MINUTES:

MOTION: On a motion by W. Peterson, seconded by C. Patten, it was voted to approve the minutes of the August 22, 2011, meeting as submitted. (5-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING –304 DANIEL WEBSTER HIGHWAY, LLC:

Mr. Jon Rokeh and Mr. Paul Osborne presented the application.

Mr. Rokeh explained that Mr. Osborne owns the Agway stores in Concord and Hooksett. He handed out pictures of the Concord store and explained that they are proposing the same type of building. There is an approved commercial site plan for four buildings and parking with 72,745 sf of impervious surface. The development has onsite water wells and municipal sewer. This proposal will utilize the existing drainage, lighting and utilities for the proposed buildings. The proposed buildings will be approximately 14,100 sf with 69 parking spaces, 15 more spaces than required. The impervious surface will be reduced by 1,500 sf. There is a secondary storage building for indoor storage. Originally they discussed having open storage but with the trail system going along the back of the building they decided on a closed storage facility. The existing building will be a country store.

C. Patten wanted to know what they plan on selling. Mr. Osborne stated some of the items they sell are lawn and garden supplies, animal feed and grain, outdoor living items, electrical fencing and other similar products. The country store will sell NH made products such as pottery, jams, jellies and other cottage industry items. They will sell Christmas trees and have a farm stand for NH vegetables.

Mr. Rokeh stated that there are two existing entrances to the site and they are not proposing any

changes to them. They do have to get an updated driveway permit for the change of use. The truck traffic will be directed to the loading dock area. They will have the required handicap parking spaces and are reducing the impervious surface on the site. They are working with the Fire Department on the location of the propane filling area. There was a cistern on the original approval but the proposed building will be smaller so they are working with the Fire Department to eliminate that requirement. They have preliminary approval from the Fire Department to eliminate it.

Mr. Rokeh stated that the link in the trail system is coming together because of this project.

BOARD'S ACTION – 304 DANIEL WEBSTER HIGHWAY, LLC:

MOTION: D. Sanborn 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 in a timely manner to complete review and act on the application. The Board shall act on this proposal by 9/16/11 subject to extension or waiver.

The motion was seconded by C. Patten and carried. (5-0)

The chairman opened the public hearing.

C. Patten wanted to know where the dumpster will be located. Mr. Rokeh stated that it will be behind the building on the existing concrete pad. C. Patten wanted to know how big the propane tank will be. Mr. Osborne stated it will be 1,000 gallons. C. Patten stated that they will need to have bollards around it.

D. Sanborn wanted to know if there would be any bulk storage on site. Mr. Osborne stated not at this time. D. Sanborn wanted to know if they decided on having bulk storage would they have to come back to the Board to amend the approval. C. Daigle stated it depends on what it is. The Board could approve the use subject to where the storage will be located. Mr. Glenn Worsman, an abutter, stated that he feels the abutters should be notified if they plan on having bulk storage because it could interfere with their property. He wanted to know if the trail system is the one that is already there. Mr. Rokeh stated that it is. Mr. Worsman stated that he is not opposed to this project.

P. Harris wanted to know if the Agway franchise requires certain building aesthetics. Mr. Osborne stated that they do not but the site has to be a neat and clean facility.

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

MOTION: D. Sanborn 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 (6 paper copies, 1 reduced paper copy). Submit one copy of final plan for review prior to submitting additional copies. Add/ identify/include note on plan:
 - a. Add abutting RS zone line.
 - b. Confirm that all exterior lighting is shown on plan.
 - c. Add signature block for Board's approval.
 - d. Add uses for existing building (Retail & Commercial Kitchen) and proposed rear building (Storage accessory to on-site use).
 - e. Identify landscaping and outside product display areas.
 - f. Locate screened dumpster on impervious surface.
 - g. Any additional utilities to be underground.
 - h. Locate LP storage/filling station with bollards.
 - i. Correct tax/map number (Map102) on sheets where "Owner of Record" is identified.
 - j. 15' trail easement is for BRATT trail.
 - k. Fire lanes shall be appropriately marked to restrict parking in those areas.
 - l. Add anticipated business hours.
 - m. Add building heating fuel source.
2. Payment of decision recording fee.
3. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
4. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded (shall comply with full standards of the town's Project Security/Construction Process):

5. Obtain all required inspections listed on project inspection schedule.
6. Landscaping species to conform to requirements of Regulations.
7. 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. Engineer's certification for any retaining walls in excess of 4' in height. 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.
8. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
9. Occupancy/use of improvements requires submission of 2 paper original record (as-built) site plans including structures, utilities, roads, drainage and other site improvements. Plans shall be reproducible in black/white, e.g. through the use of differentiating graphics (pre/post contours dashed/solid), identifying notes, etc.

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

10. Dumpster sized appropriately to contain all refuse, placed on an impervious surface, screened all sides. Lids kept closed at all times except during active use to minimize loss of refuse. Gates kept closed at all times except during pickup.

11. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
12. Landscaping shall be maintained, shall be kept in a slightly manner and not allowed to deteriorate.
13. All exterior lighting shall be shielded from abutters and traffic.
14. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
15. No changes shall be made to the approved plans unless application is made in writing to the town.
16. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
17. Approval is subject to expiration, revocation and changes in the Ordinances.
18. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.

The motion was seconded by J. Pike and carried. (5-0)

J. Pike left the meeting at 7:45 pm

OTHER BUSINESS:

CAPITAL MPROVEMENT PROGRAM (CIP):

C. Daigle explained that there has been little change to the previous funding schedule. One change is to add \$14,000 for the Tioga River Trail. R. Ball explained that the Tioga River Trail is the old railroad bed that Richard and Betty Persons donated to the town. A portion of the trail where the Tioga River crosses it has washed out and needs to be repaired. The cost of repair could be \$100,000 and they are looking into grants to move forward with the repairs. Some of the grants require split funding and that is why they are requesting \$14,000 be put in the CIP for the next five years. By being in the CIP they will be ready to proceed when a concrete plan is in place to make the needed repairs.

The second change is to the Fire/Emergency Medical Services is to establish a dry hydrant and cistern repair and maintenance fund. They are asking for \$2,500 to be put in the fund to keep the tax rate stable and to be used only for the repair and maintenance of hydrants and cisterns. C. Daigle explained that new developments are required to have cisterns and once they become town owned they need to be maintained.

C. Daigle explained that last year the Town Clerk created a fund for document restoration. By law vital records have to be kept in perpetuity and this line enables the Town Clerk to preserve and restore the 200 years of town records.

The Board discussed the Fire Department request to replace two ambulances with one in 2013 and the ladder truck in 2015. There was discussion on this being a non-impact tax project because the funds come out of the Comstar fund. They also discussed the accrued benefits liability expenditure trust. It is a non current tax year impact fund that is set up to provide retirement benefits for employees without burdening the current year budgets. The amount is determined by the number of employees that are eligible to retire.

C. Daigle explained that Town Administrator, Jeanne Beaudin, has received an email from David Morse requesting that the library building expansion fund be reduced from \$50,000 to \$25,000. He has also requested that the cemetery maintenance fund be reduced from \$2,000 to zero this year and anticipated requesting \$4,000 for the fund next year. The Board had no problem with reducing the library building expansion fund but they did not see the benefit of reducing the cemetery fund this year and doubling the request next year. The reason for the CIP is to maintain level tax funding without having spikes in the tax rate. Eliminating the \$2,000 this year and doubling the request next year does not meet that goal.

MOTION: W. Peterson moved to reduce the Library building expansion fund from \$50,000 to \$25,000 for one year and to leave the \$2,000 in the cemetery maintenance fund and to notice the CIP Public Hearing for September 26, 2011 at 7 PM.

The motion was seconded by C. Patten and carried. (4-0)

STAFF REPORT:

WHITE MOUNTAIN HOMES TAX LOT 217-108 & 224-025:

C. Daigle explained that she and R. Ball met with Mr. Al Mitchell to discuss making his property more marketable. He would like to cut the saplings and to grub off the growth on the site. Mr. Mitchell did a two lot commercial subdivision and then received site plan approval to display and sell modular homes from this site. The site was constructed but abandoned and he would like to bring the site back to its original configuration.

MOTION: D. Sanborn moved that the grading of the site is a minor change and can be handled at staff level.

The motion was seconded by W. Peterson and carried. (4-0)

EMPLOYMENT CONTRACT:

The Board received a copy of C. Daigle's proposed two year contract renewal. C. Daigle explained that there are no changes except the dates. P. Harris stated that he has no problems with it as she has provided the Board with a good foundation, is a reputable professional that has made it better to do business in Belmont.

D. Sanborn wanted to know if C. Daigle only worked 32 hours a week. C. Daigle explained that she works 32 hours for the Planning Board and 8 hours for other Boards such as the Zoning Board, Conservation Commission and other Town Boards. D. Sanborn wanted to know about night meetings and how she is compensated for them. C. Daigle explained that she is an hourly employee and she receives comp time for those meeting. The comp time is at straight time not time and a half. The comp time has to be used by the end of the year or paid and cannot be rolled over from year to year. She explained that her contract has been the same for the last six or seven years.

C. Daigle provided the Board with compatible job descriptions and salary of other town planners. She asked the Board members to fill out the formal evaluation for her and return them at their convenience.

MOTION: W. Peterson move to extend C. Daigle's employment contract for two years.

The motion was seconded by D. Sanborn and carried. (4-0)

BUSINESS FORUM:

C. Daigle explained that along with the Economic Development Council the Town will be sponsoring a Belmont Business Forum on October 12th at the Belmont Lodge. Letters have been sent to all community businesses. The forum is to address the financial and technical needs of small businesses.

MARK A. MOONEY REV. TRUST TAX LOT 204-028:

The chairman signed the site plan for Mooney's wood processing business at 33 Province Road.

ZONING ADMENDMENTS:

C. Daigle explained that it is time to start looking at proposed zoning amendments. Some of the items that have been raised this year are; wood fired furnaces in the village zone, building mounted signs erected on roof tops, clarifying short and long pet boarding, retaining wall over 4' needing a building permit but not having to meet setback and making changes to the special exception criteria. The Fire Chief is also looking at making amendments to the Building Code.

They usually have two public hearings on proposed zoning changes and they are looking at having the public hearings at their regular November and December meetings.

ADJOURNMENT:

MOTION: On a motion by C. Patten, seconded by P. Harris, it was voted unanimously to adjourn at 8:22p.m. (5-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant