

PLANNING BOARD

Monday, June 28, 2010
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Vice-Chairman Ward Peterson, Claude Patten and Christine Long.
Members Absent: Peter Harris, Gary Flack and Jon Pike.
Alternates Present: Douglas Sanborn.
Alternates Absent: William Rollins and Reginald Caldwell.
Staff: Candace Daigle, Rick Ball and Elaine Murphy.

The vice-chairman opened the meeting at 7:04 p.m. and appointed D. Sanborn as a voting member for the meeting.

BOARD'S ACTION-MINUTES:

MOTION: On a motion by C. Patten, seconded by W. Peterson, it was voted to approve the minutes of the May 24, 2010, meeting as submitted. (3-0-1) C. Long abstained.

STAFF REPORT:

CAPITAL IMPROVEMENT PROGRAM (CIP):

C. Daigle explained that it is time to start planning for the CIP and she wanted to know if the Planning Board wants to review the CIP and hold the Public Hearing or do they want to appoint a subcommittee to do it. C. Long stated that the process worked well last year and recommends that they continue to do it. W. Peterson agreed.

It was the consensus of the Board to review the CIP and hold the public hearing.

C. Daigle stated that she will be sending out the notices to the Department Heads.

WELCOME LETTERS:

C. Daigle explained the new School Superintendent, Mark Blount, will assume his position July 1, 2010 and the new Fire Chief, David Parenti, will assume his position on July 6, 2010. It was the consensus of the Board to send them a welcome letter and to invite them to a meeting.

HAULASS POWERSPORTS LLC FOR THE LODGE AT BELMONT TAX LOT 246-001:

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C. Daigle explained that the motor cross event had a small attendance but it was a success. Everyone parked on-site. It took a significant staff effort to coordinate everything. They resolved the off-site parking issue and paid their Fire Department service bill prior to the meet. They will require a joint meeting with staff and department heads before the next event. They are holding practice days on the site now.

MOONEY-NUTTER BROWN HILL ROAD TAX LOT 229-079:

C. Daigle stated that the Mooney-Nutter Pit on Brown Hill Road conditions of approval are being worked on and the outstanding conditions are mostly administrative. They need signage, locks, portable toilet, etc. to actually start. W. Peterson stated that they have been hauling out of there. C. Daigle stated that she will look into it.

TERRA FIRMA TAX LOT 229-053, 229-053-001, 226-012, 226-012-001 & 226-12-002:

C. Daigle explained that Terra Firma, a 34 lot subdivision off Upper Parish Settlement Drive, came before the Board for acceptance only in 2006. They never came back for their Public Hearing or asked for an extension and now they are appealing the decision that they have expired. They argue that because the Board never took an affirmative vote at the end of the 65 day period their application is still open. She has been working with both our and their attorneys and they will be coming back to the Board in July for a Public Hearing. They will have to renote abutters. The largest issue is the road construction, they should be put on notice that the Board of Selectmen requires the most recent road standards for acceptance. She has received a letter from their attorney stating he also is not submitting new plans. They submitted plans in 2007 and their engineer has revised them twice since. The 2007 packets do not meet the open space calculations or Gerry Langs's review. They also haven't made application for the alteration of terrain permit that may also change the plans.

The Board discussed setting a deadline for them to submit new or outstanding information.

SHOOTER'S TAVERN & PIZZERIA TAX LOT 101-007:

C. Daigle explained that staff has had a very difficult time getting the contractor's yard cured but it was completed last Thursday. They closed on the Boundary Line Adjustment last Friday. She explained that they are having continuing problems with Shooters operation. They have been approved for 5-person bands but have larger. The hours of approved were Sun-Wed 11-11 & Thurs-Sat 11-1 & Entertainment 8-11:30 but the final plans says 11-1 all week & Entertainment Wed-Sat 8-1. They have exceeded occupancy. They were approved for 135 occupancy based on seating and parking but the Assembly permit is for 165+outside seating. There continues to be parking in the ROW. They are using the restricted driveway for parking and access.

C. Patten stated that he has heard that it is standing room only. There was discussion about how they can control multiple problems. C. Daigle stated that if problems keep reoccurring then the Police Department may require them to have an Officer on site. W. Peterson stated that he thought that they had a bouncer on site. C. Daigle stated that their security primarily outside and only when they have entertainment.

The Board also discussed the differences in the hours for the entertainment and how they are different than what was represented at the meeting. D. Sanborn wanted to know what the liquor license is for. Is it more restrictive? C. Daigle stated that they can be regulated by both the liquor license and the Town Regulations. W. Peterson stated the site plan was approved for one thing and they are doing something different. There are residents in the area and the Board owes it to them to have the applicant stick to their approval or come back to amend the plan.

It was the consensus of the Board that Shooters needs to come back to the Board if the hours and number of entertainers are different than what they were approved for.

GISTIS TAX LOT TAX LOT: 215-007:

C. Daigle stated that Gistis, the 43 lot subdivision on Province Rd, will expire in August. Underwood reviewed plans and the applicant is willing to do many of the items if the town requires it. She explained that staff will respond to Holden's letter.

223DW HIGHWAY LLC TAX LOT 101-028:

C. Daigle stated that Garden Oasis has opened and is very busy. They have put boulders around the lawn, Phase III building and parking area, in place of the fence. The Board agreed that the boulders serve the same purpose as the fence. R. Ball stated that he has been in contact with the engineer and they plan on starting Phase III in the next couple of months.

The Board discussed the fence on the rear of the property and if there is security in place. They discussed the steep slopes at the rear of the property and if a fence will resolve the issue. C. Daigle stated that she will contact the owner to find out how he wants to handle the fence issue.

BROWN HILL ROAD AND THE BROWN HILL RD/RTE 106 INTERSECTION:

C. Daigle explained that the Board received copies last month of the letter outlining the recommended improvements to Brown Hill Road and the Brown Hill Road and Rte 106 intersection. The letter will be forwarded to the State DOT District 3 for review.

MOONEY/NUTTER – PROVINCE ROAD TAX LOT 229-079:

C. Daigle explained that they are waiting for security for the pavement of the apron. The owners have applied to the State DOT to extend the driveway permit. When the new driveway is complete they will reclaim the pit.

PIKE INDUSTRIES TAX LOT 231-011:

C. Daigle stated that Pike Industries is working with the town to eliminate 50' the setback on both sides of the property line for excavation. Town Administrator, Jeanne Beaudin, and Public Works Director, Jim Fortin, support the eliminating the 50' buffer requirement. Pike will then proceed to get their permit renewal.

BUSINESS LISTING:

C. Daigle stated that E. Murphy and D. Rollins have updated the list of existing businesses and did a mailing to new businesses who are now registering on our business site.

HENRY DIONNE TAX LOT 230-041:

C. Daigle stated that Mr. Dionne received his variance for the carport and will be coming to the Planning Board in July for Site Plan approval and to discuss the Boundary Line Adjustment.

LAKES REGION PLANNING COMMISSION (LRPC):

C. Daigle explained that the chairman is at the LRPC Annual Meeting to receive an award given to the Town of Belmont for their work on the Tri-town Aquifer.

MASTER PLAN VISIONS & GOALS:

C. Daigle stated that they have received a copy of the Master Plan Goals and the steps that the Town has taken to meet those goals. She will be sending copies to the Department Heads to have them review and add the progress their departments have made to accomplish those goals. The list of accomplishments and progress will be a benefit to the Town. There have been many goals outlined in the 2002 Master Plan that have been worked on and accomplished and some that are ongoing.

W. Peterson stated that a lot of work has been done on a lot of chapters like the housing studies and other issues that fit in the master plan even if not into a formal chapter.

C. Daigle stated that when she receives the Department Head response a complete list of goals and progress will be provided to the Board and can be attached to the minutes.

ELLSWORTH TAX LOT 226-004 & 226-005:

C. Daigle stated that if a person owns two adjacent lots they can go to the Planning Board to merge their lots without having to have a public hearing. She explained that Mrs. Ellsworth owns two lots on Province Road that she wants to merge. The realtor came in for a merger application and she explained to her that an attorney has to make out the deed. C. Daigle explained that she received the application back today and it does not meet the Registry of Deeds requirement for the deed to be recorded. The reason that the deed needs to be made out by an attorney is because of title issues. Someone has to determine that it is a good title and meets the regulations. She has refused to accept the document until it is done correctly. R. Ball has found a subdivision plan that was done after the original deed.

W. Peterson stated that he is concerned about the houses being on the correct lots. The Board reviewed the lots and agreed to have staff verify that the houses are on the correct lots. W. Peterson stated that the merger will correct some existing problems. C. Patten stated that the merger would eliminate a land-locked parcel.

C. Daigle wanted to know if the Board is willing to have the chairman sign the merger document if it is

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corrected and is done by an attorney.

MOTION: C. Long moved to authorize the chairman to sign the merger document once it is submitted in accordance with the requirements.

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

ZONING & REGULATION AMENDMENTS:

C. Daigle explained that throughout the year the Board comes across items that may need to be looked at in the Zoning Ordinance. The Board discussed some proposed amendments.

C. Daigle stated the first proposed amendment involves cemeteries. The proposal is to replace “Cemeteries” with “Cemeteries, Private Burial Grounds, Burials on Private Properties” and to allow them only in the Rural zone because in the village zone the lots are small. She explained that there are more and more family plots being created and there are concerns about what happens to those sites when the property is sold and the plots are not maintained.

C. Daigle stated another item that the Board may want to consider is reducing the front setback by 50% on small lots, especially the ones on the lake where the highwater and front setbacks may overlap. A number of those nonconforming sites require variances to do any construction. On most of the preexisting nonconforming lots the houses are up against or in the setback and that creates a problem.

D. Sanborn stated that he has that issue on his property because he has three front setbacks and he can't use his back yard. C. Daigle explained that the primary purpose is for road maintenance, road widening and snow removal. This proposal would reduce the setback to 25' and still would allow room for parking. R. Ball suggesting reducing the setback only on lots with existing structures. C. Daigle stated that if you have waterfront property and you have a house within 50' of the lake and you remove it you have to meet the 50' setback from the highwater because the State will not give any leeway for the setback. Those property owners are forced to come to the town to build or rebuild within the front setback.

Changes in Aquifer regulations would be the transfer of a regulated substance from one container to another through the use of an independently powered mechanism shall require a breakaway hose connection.

Article 8 would require setbacks for cemeteries and cemeteries would be subject to Site Plan Regulations.

The other proposed amendment would be the definition of “Interment”.

C. Daigle explained that today she received a request to regulate shooting on your own property. It was suggested by that resident that it not be permitted. W. Peterson stated that there is a State law that allows it.

A suggestion at the Charrette was to rezone Rte 106 and not allow strip zoning. The Board discussed the fact that there are not a lot of places to expand the zone depth on Rte 106.

SUBDIVISION AND SITE PLAN AMENDMENTS:

C. Daigle explained that the major Subdivision and Site Plan amendments deal with water conservation.

The Subdivision Regulations would be that a project shall include a Water Conservation Plan to utilize Best Management Practices. Best Management Practices could include water efficient appliances, natural landscaping, drought resistant species, sufficient topsoil placement, conservation ground cover mix, limit outdoor watering and utilize irrigation sensors, etc.

The Site Plan Regulations would include water efficient landscaping. Some items that would be included would be minimized site disturbance, non-invasive vegetation, decorative lawn areas, water efficient grass mixes, native species of trees and plants and regulations on irrigation system etc.

PLAN NH CHARRETTE:

C. Daigle explained that the effort of the people who came for the Charrette was awesome. They had a walkabout, then a listening session where they asked questions on what the residents envisioned for Belmont and what they wanted the plan to address. After two such listening sessions they went to the Middle School and designed and presented the plan.

They discussed the fact that the village isn't big enough for both additional commercial uses and expanding civic facilities and the people were more interested in facilities for the community. They envisioned moving the Gale School down to the village and placing it on the land on the corner across from the bank. They also want to create an open vista to Sargent Park. They want to put a community center in the park and move the Police Department creating more room for the park. They did a streetscape with period lighting and canvas canopies on the buildings. The town offices would be moved to the Gale School or the Gale School could be rented out for offices at first in order to raise seed money. The bank building will be removed and the bandstand moved over and an amphitheater created. The band stand area becomes green space. Behind the mill there will be an open air pavilion and the river walk.

The Charrette Committee explained that the Town can choose one thing at a time until they meet their final goal. One thing they talked about was what to do with commercial buildings such as a bank. They suggested that it be in the triangle between Rte 106, Rte 140 and North Main Street. The Town could adopt an overlay architectural district as a gateway to the village. Doing an arc way sign on Rte 106 at

North Main Street and Concord Streets would show pride in the village.

They also recommended changing the traffic pattern at the Main Street and Rte 140 intersection. The stop sign would have traffic stopping on Main Street instead of Rte 140. There also may be State funding for part of a traffic light, changing the traffic pattern and adding a turn lane.

The Charrette committee will produce a Charrette book and a full set of plans. The Board of Selectmen are considering reactivating the Village Revitalization Committee to prioritize what they want to do.

C. Long stated that at one time the Planning Board talked about regulating electronic signs and message Boards and this may be the time when they are considering an architectural overlay. The Board previously discussed regulating the speed of the message so that it is not a distraction. C. Daigle stated that they have adopted a 25' sign height restriction. W. Peterson stated the reasons for the taller signs are to spot the business from a distance.

ADJOURNMENT:

MOTION: On a motion by C Patten, seconded by C. Long, it was voted unanimously to adjourn at 8:40p.m. (4-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant