

PLANNING BOARD

Monday, February 22, 2010
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 7 p.m. and appointed W. Rollins as a voting member for tonight's meeting.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – TOWN OF BELMONT FOR RICHARD & PEGGY MEYERS: Request for subdivision approval to subdivide one lot into two. Property is located at 344 Durrell Mountain Road, Tax Lot 214-014 in the "R" Zone. PB # 0210P.

Mr. Rick Ball presented the application. Mr. and Mrs. Richard Meyers were also present.

Mr. Ball explained he is representing the Town and Mr. & Mrs. Meyers. The Meyers want to subdivide a 51 acre lot on the corner of Durrell Mountain and Rogers Road. They want to take out 5 acres for the house and deed the remaining 46 acres to the Town for Conservation land.

He is asking for two waivers. The first waiver is for filing and notification fees because the Meyers are transferring the lot to the Town for Conservation land. The second waiver is for topo, soils and wetlands. There is an existing sewer and well on site and there will be no further subdivision of the property.

BOARD'S ACTION – TOWN OF BELMONT FOR RICHARD & PEGGY MEYERS:

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

- a. Filing & Notification Fees as the purpose of the Subdivision is to transfer lot to the Town for Conservation purposes.
- b. Topo, Soils & Wetlands due to the size of the lots and no new development.

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

MOTION: C. Patten 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 4/28/10 subject to extension or waiver.

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

The chairman opened the public hearing.

Mr. Ball explained that the purpose of the subdivision is to create a 46.08 acre Conservation lot that will be deeded to the Town. The parcel will be known as "Pop's Woods" and will remain open space for the enjoyment of the public. The lot shall not be further subdivided. Allowable uses will be conservation, passive recreation, wildlife habitat enhancement and sustainable forestry management. Motorized wheeled vehicles are prohibited.

Additional notes on the plan will include: The 5.04 acre parcel shall not be further subdivided and will remain forever one single family lot. Any new driveway onto a paved road is to have a paved apron. The total frontage for the 5acre lot will be on the plan.

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. Submission of final plans (2 mylars, 5 paper copies, 1 paper reduced):
 - a. Note that 46.08ac lot is restricted to Conservation.
 - b. Note no further subdivision of remaining 5 acre house lot.
 - c. Any new proposed driveways accessing onto paved road to have paved aprons.
2. Compliance hearing shall be held by Board as necessary.

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

3. No changes shall be made to the approved plans unless application is made in writing to the Town.
4. Approval is subject to expiration, revocation and changes in the Ordinances.

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

PLAN SUBMISSION MEETING AND PUBLIC HEARING – JASON DROUIN CUSTOM

HOMES LLC: Request for a one year extension (12/15/10) for subdivision approval to subdivide one lot into three. Property is located at 15 Durrell Mountain Road, Tax Lot 212-008 in the “R” Zone. PB # 0310P.

Mr. Jason Drouin presented the application.

Mr. Drouin explained that he didn’t have the time or money to install the driveway last year. He wants to put in the driveway in as soon as possible. He is asking for the same approval as he had last year.

BOARD'S ACTION – JASON DROUIN CUSTOM HOMES 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 4/28/10 subject to extension or waiver.

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

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

MOTION: C. Patten moved that the application for extension 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:

1. All conditions of the original approval remain in effect.
2. Compliance hearing shall be held by Board as necessary.
3. Extension is to 12/15/10.
4. No changes shall be made to the approved plans unless application is made in writing to the Town.
5. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
6. Approval is subject to expiration, revocation and changes in the Ordinances.
7. Additional \$20 due for noticing.

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

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by W. Peterson, seconded by W. Rollins, it was voted to approve the minutes of the January 25, 2010, meeting as submitted. (4-0)

STAFF REPORT:**FERNCREST ESTATES LLC TAX LOT 110-006:**

C. Daigle explained that Ms. Beth Bascom came into the office last week stating that she now has decided to change from an Assisted Living facility to an Adult Daycare facility servicing 60 adults. C. Daigle explained to her that she needs to submit her application to the Board for approval. Some of the issues that will have to be reviewed are Building and Life Safety requirements. There is also concern about parking and the affect of now dropping off 60 adults will impact the parking. There may be a need to adjust the number of handicap parking spaces. It was the consensus of the Board that Ms. Bascom will need to submit an application for the proposed changes.

GISTIS BELMONT REALTY T 215-007:

C. Daigle stated that she has received an estimate of \$1,800 to review the road plans for Gistis Belmont Realty is \$1,800. She has talked to the applicant who will escrow the funds.

ROAD WIDENING:

C. Daigle stated that as directed by the Board she has contracted with Underwood Design Engineers to produce an estimate for the cost of widening of Brown Hill Road and upgrades at the intersection of Brown Hill Road and Rte 106 and the intersection of Brown Hill Road and Rte 107 as recommended by the traffic analyses by Mr. Stephen Pernaw related to the Gistis and Terra Firma developments.

223 DANIEL WEBSTER HIGHWAY TAX LOT 101-028:

C. Daigle stated that 223 Daniel Webster Highway site plan approval required granite curbing and the applicant wants to change it to asphalt curbing. They also want to eliminate the fencing out back. She explained to the applicant that there is a 1:1 slope along the back property line and the fence is required. The applicant also does not want to vegetate all the area that is not in Phase 1. He wants to keep it gravel and have a flea market in that area.

It was the consensus of the Board that as long as there is curbing they have no issues with using asphalt curbing. The applicant will need to come back to the Board if he decides to have a flea market.

LAURENT GILBERT TAX LOT 244-015:

C. Daigle explained that Mr. Gilbert came before the Board for an informal meeting to discuss the possibility of a large water withdrawal business. His plan was to have a large water withdrawal facility and pump the water directly into trucks to be hauled off site for bottling. His current plan is to extract the water into large holding tanks and then pump into trucks to be hauled away. As part of the State's permitting process Mr. Gilbert has to develop a Water Conservation Plan. The plan requires that the system check for leaks and that the logs be kept in a utility building. Mr. Gilbert has built the utility building without a permit. When Mr. Gilbert was informed he needed a permit for the 10' x 10' pump

house he came in to get the necessary permit. C. Daigle wanted to know if the permit could be issued or does Mr. Gilbert need to get site plan approval for the pump house. The Board discussed the fact that Mr. Gilbert needs the pump house to do the required testing for the State so they can determine if the large water extraction facility will be allowed. The Board agreed that the building permit for the 10' x 10' pump house can be issued but any further building associated with the water extraction facility will have to come before the Board for site plan approval.

ADJOURNMENT:

MOTION: On a motion by C. Patten, seconded by W. Rollins, it was voted unanimously to adjourn at 7:35 p.m. (4-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant