

PLANNING BOARD

Monday, September 11, 2006
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 7 p.m.

PUBLIC HEARING – CAMPGROUND REGULATIONS:

P. Harris stated that the Board has been working on upgrading the Regulations and making them easier to understand. They have met with campground owners and the public at previous meetings and have taken their input into consideration when drafting the campground regulations. These regulations meet or exceed State campground standards.

C. Daigle explained that in this draft she has taken out the management issues and left them up to the prerogative of the campground owners. There are two different types of campground regulations. Campgrounds where sites are not occupied longer than three consecutive weeks and have no structures on them are regulated as “campgrounds”. “RV Resort – Campgrounds” regulate campgrounds where occupancy exceeds three consecutive weeks. The standards are similar to those of manufactured housing parks because experience shows consistent occupancy has similar impacts as a manufactured park. Both types of regulations are designed to prevent permanent occupancy. RV Resorts have unlimited times of years that they can be used but cannot be used as residence. Park models are considered a structure for the purpose of setbacks. Any changes to the zoning ordinance will have to be done through a zoning amendment.

W. Peterson wanted to know if under the regulations you could have a section for an RV Resort in a campground. C. Daigle stated that you can combine the uses but they have to be in different sections and have to meet the different standards.

Mr. Jim Coviello wanted to clarify that park models are not permitted in either campground or RV Resorts. C. Daigle stated that is true under the zoning regulations and cannot be changed without a zoning amendment. Mr. Coviello stated then they have to go with the zoning regulations that are in

place. Mrs. AnneMarie Coviello stated that the standards are similar to manufactured home park standards and she wanted to know what the similarities are. C. Daigle stated that the road construction and the number of units are some of the similarities but you have to compare both documents to find all the similarities. Mr. Coviello stated that you need municipal water and sewer. C. Daigle stated that it could community or municipal water and sewer. Mr. Coviello stated that under State regulations if you have more than 9 RVs you have to have a community well. C. Daigle explained that a community well means private well not a municipal well.

Mr. Cozort, school superintendent, wanted to know about campgrounds/resorts not being allowed to claim residency. C. Daigle explained that the regulations state that you cannot claim a campground as your domicile. Under State law you cannot send your children to the local schools or register your cars but you can vote. She explained that the community has experienced problems in the past with four season campgrounds claiming residency and the Board is trying to prevent those problems from reoccurring. Land use cannot control that problem that is why they are regulating RV Resorts in a similar as manufactured home parks. P. Harris has concerns that past campgrounds have converted to full time residency and they are trying to prevent those conflicts from happening again.

J. Pike wanted to reiterate that places are advertising units as year round because of the upgrade in construction and better heating for water pipes. Years ago you couldn't register cars unless you lived in the town now you can register cars with an out of State non resident registration. More and more people travel and live six months here and six months somewhere else and eventually the children will end up in the school system of their choice.

The Board discussed the changes made to the regulations and how they have clarified and simplified the regulations since the original draft. They support the regulation as being fair.

Mr. Coviello wanted to know why they decided on three consecutive weeks as being the distinction between a campground and a RV Resort. P. Harris explained that studies have shown that three weeks is the average vacation. He stated units can be shifted to different sites for people staying over the three week guideline. The three weeks is an important protection to keep the use temporary. Mr. Coviello stated that it eliminates any seasonal campground even if they are opened only one season. P. Harris stated that a campground has a lot of people in a small space compared to other areas and uses in town.

MOTION: J. Pike moved to accept the Campground and RV Resort Campground regulations as written.

The motion was seconded by C. Patten and carried. (6-0) C. Long did not vote as she was not present at the first hearing on the regulations.

PRELIMINARY CONCEPTUAL CONSULTATION: LISA & ERIC SOPER TAX LOT 111-046:

Mr. Eric Soper explained that he purchased the lot on Fox Hill Road and would like to subdivide an 1.5

or 2 acre lot. The previous owner was a realtor and wanted to subdivide the lot into three but couldn't do it. The issue is they want to have a private septic system instead of extending sewer to the lot. J. Marden stated that the regulations state that you have to tie in if you are within 500' of the sewer. C. Daigle stated that the closest existing lot is about 300' from the sewer. C. Daigle explained that originally Mrs. Black subdivided a lot off for her son and agreed to connect her son's unit to the sewer because it was the closest lot. She did not connect her lot to the sewer. The Sopers are proposing to subdivide the lot and want a waiver for the sewer connection. The Black's septic was put in 1976 and there is no septic on the lot to be subdivided. There is only one other property that could be involved in the connection that is the one across the street. The sewer comes up from the railroad and serves Fox Hill Estates and the first lot which is Mrs. Black's son.

R. Caldwell stated that regulation requires anything within 500' of the sewer to be connected and they are asking for a 280' waiver. P. Harris wanted to know if the reason is financial because that would set a precedent. To justify a hardship it has to be something in the land not financial. He understands that this is a small impact but someone else that would be creating a larger impact could ask for the same waiver because of the precedent that would be set. R. Caldwell stated that the existing septic system is thirty years old and will have to be updated so they would be better off to hook to the sewer because in the long term it will increase their property value. J. Pike stated that they could sell the lot subject to having to bring sewer to it.

BOARD'S ACTION-MINUTES:

MOTION: On a motion by J. Pike, seconded by J. Marden, it was voted to approve the minutes of the August 28, 2006, meeting with the following changes:
On page 6 first sentence eliminate "and have public access and pull off areas"
Carried (7-0)

CAPITAL IMPROVEMENT PROJECT (CIP):

The Board received copies of Ms. Linda Frawley's request for heritage resource money. She is asking for \$25,000 for six years for a total of \$150,000 to be used as seed money. The money will be used as the Town's match for possible \$500,000 grant money.

It was the consensus of the Board to notice the public hearing for the CIP for Sept 25th at 6:30 at the Corner Meeting House.

STAFF REPORT:

ANDREW P. SANBORN FARM LLC TAX LOT 214-009:

C. Daigle handed out the Notice of Decision for Andrew P. Sanborn Farm LLC vs the Town of Belmont. Andrew P. Sanborn Farm LLC prevailed. The judge determined that the Zoning Board of Adjustment acted reasonably and in good faith but they were not correct. The definition is not ambiguous. The ruling doesn't change the ordinance because the definition was clarified in March to read frontage has to be

access. A municipal waiver of liability is still required to build on the lot.

TRI TOWN AQUIFER:

The Board received a copy of the draft of the Tri-Town Best Management Practice book. Its purpose is to be used as a reference book when applicants come in front of the Board they will know what they are expected to do. Lakes Region Planning Commission would like to get all comments back to them by October 13th so they can produce the final draft. They hope to be coming in front of the Board at the December worksession with the final book.

NEW BUSINESS:

PLANNING PROJECTS:

J. Pike stated that as part of major projects he would like the developers to consider buffers for the protection of neighborhoods and abutters. J. Marden stated that as part of open space developments they are required to show the landscape plan. W. Peterson stated that if a property owner wants to have grass right up to the property line then they should be allowed to. The developer is entitled to the same rights. C. Daigle wanted to know if his goal is to have a vegetative buffer. J. Pike stated that there has to be some Best Management Practice either through the Town or the Forestry. C. Daigle stated it would be hard to do anything because they usually cut the trees before they come to the Board with their proposal so they're regulated by Forestry laws. R. Caldwell wanted to know where they would draw the line at a two lot subdivision or a fifty lot subdivision. R. Ball stated that Laconia requires street planting which creates a streetscape.

RECOGNITION:

The Board presented C. Daigle with a Recognition award for fifteen years of loyalty, diligence and outstanding performance to the Belmont Planning Board.

ADJOURNMENT:

MOTION: On a motion by R. Caldwell, seconded by J. Pike, it was voted unanimously to adjourn at 8:12 p.m. (7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant