

PLANNING BOARD

Monday, October 16, 2006
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 7 p.m.

BOARD'S ACTION-MINUTES:

MOTION: On a motion by G. Flack, seconded by J. Marden it was voted to approve the minutes of the September 23, 2006, meeting with the following changes on page four paragraph five fifth line insert the word not before signed.. (5-0-2) C. Patten and R. Caldwell abstained.

STAFF REPORT:

CAPITAL IMPROVEMENT PROGRAM (CIP):

The Board signed the CIP certificate.

YOUSSEF AND BROUILLARD TAX LOTS 102-015 & 101-001:

The chairman signed the boundary line adjustment plans for Ms. Susan Youssef and Mr. Phil Brouillard.

SUMMIT REHABILITATION, LLC TAX LOT 205-005-004:

The chairman signed the Notice of Decision and plans for Summit Rehabilitation.

ZONING AMENDMENTS:

HAZARDOUS EMBANKMENTS:

C. Daigle explained that this regulation was recommended by the State. It would allow the town to regulate hazardous embankments that may occur outside the pit regulations. Private driveways are not regulated for embankments but some create dangerous embankment. J. Marden wanted to know if this regulation would apply to pits. C. Daigle stated that it would not. It is designed to deal with hazardous situations when unsafe embankments are created. Anything that exists is grandfathered whether it is private or public. The Board

decided that it would not like to proceed with this amendment.

CAMPGROUNDS:

C. Daigle explained that this amendment would regulate the expansion of existing campgrounds as well as new campgrounds. Currently campgrounds are permitted in commercial zone and by special exception in the rural zone. This amendment would mimic what is already in the site plan and subdivision regulations. The current ordinance allows preexisting and nonconforming campgrounds to expand by special exception. To prohibit campgrounds in some or all zones it must be in the use table. The campground regulations regulate park models as RVs. W. Peterson stated that campgrounds are allowed in the rural zone by special exception and people usually go to campgrounds that are in the rural zone not in the commercial zone. P. Harris stated that there are no significant lakes or trails in the rural zones. G. Flack stated they use the campground as park- and - go to get to their destination. J. Marden stated that they should leave it that campgrounds are allowed in the rural zone by special exception. R. Caldwell agreed.

MOTION: C. Patten moved that campgrounds and RV Resorts not be permitted in any zone and to continue to propose the remaining language.

The motion was seconded by G. Flack and carried. (5-2) J. Marden and W. Peterson opposed.

STRUCTURE HEIGHTS:

C. Daigle stated this is to consider raising structures heights in the commercial and industrial zones. J. Marden wanted to know if the Board should wait and see if the Fire Department gets a ladder truck. He wanted to know if a structure height has been determined. C. Daigle stated that is up to the Board to decide. W. Peterson stated that currently the ladder trucks do not reach the top of some of the existing buildings. C. Daigle stated the need to keep with the character of the area. G. Flack stated a lot of the developers would rather sprinkle a building instead of getting a ladder truck. The Board discussed the fact that buildings in Laconia are only seven or eight stories high. P. Harris suggested that any structure in excess of 45' needs a special exception and will only be allowed in the commercial and industrial zones.

The Board agreed to proceed.

CONCRETE PARKING PADS:

C. Daigle stated that we do not regulate concrete pads used for parking and utility purposes but the current regulations don't state that. This would just clarify the regulations. Concrete pads can't be regulated in site and subdivision regulations or under definitions. The proposal would be to clarify that concrete pads used exclusively for vehicle parking or as support for essential utilities (HVAC, electric, etc) are not considered structures.

The Board agreed to proceed.

FRONT SETBACKS:

C. Daigle stated that some lots have complex front setback issues. An example is a lot on a private road when it doesn't front on the road but accesses through a driveway from a private road. They would have to keep the setbacks at least 50' from the road. P. Harris stated that any increase in restriction would control over development in those areas. W. Peterson stated that if it is a preexisting nonconforming lot we already reduce the setbacks. C. Daigle explained that they can't reduce the highwater or front setbacks. G. Flack stated they can get relief through a variance. J. Marden wanted to know the lot coverage percentage. C. Daigle stated it is 60% except in the rural zone which is 30%. It is higher in commercial and industrial zones. Previously they added some language to the definition of setback to address those lots (especially along the lake) that are accessed over an easement or Right of Way but the language needs some additional tweaking. The existing definition says front setbacks are measured from the structure to the edge of the:

- public road Right-of way, or
- public road Easement, or
- private road easement that serves more that two lots, or
- traveled or constructed public way, or
- property line,

whichever is closest. It needs to include traveled or constructed private road that serves more than two lots. And to clarify that lots may have multiple "front setbacks", that lots that do not front directly on one of the above shall be considered as having a "front" setback, but in no case shall be developed within what would be considered the "front" setback of any nearby road Right-of-Way, road easement or traveled or constructed way as described above.

The Board agreed to proceed.

OPEN SPACE RESIDENTIAL DEVELOPMENT OVERLAY ZONE:

J. Marden stated that he would like to see the open space overlay again. C. Daigle stated that the amendment is that proposals to subdivide 20 acres plus into three or more lots for residential housing purposes would be required to design the subdivision as an Open Space subdivision. It would include a bonus for projects that provide exceptional public benefits. W. Peterson stated that it could be required if in a co-occurrence area. R. Ball suggested that a density bonus could be given if they chose to do an open space development but would not be required to. J. Marden stated that they could make it a special exception and require it on larger lots. W. Peterson stated that if it is a co-occurrence area they could require it but don't force it on all lots over twenty acres. A person may want to divide his lot into four lots and have his house in the middle of a large lot and it would not be allowed because he would have to do an open space development. C. Daigle stated that she will bring the overlay map to the next worksession.

GROWTH MANAGEMENT AND IMPACT FEES:

J. Marden stated that he is in favor of both growth management and impact fees. The Board discussed the fact that growth management and impact fees are hard to sell. Growth Management did not pass the last time they were brought before the voters. W. Peterson stated that if the numbers are right it helps maintain growth so you don't get huge spikes in growth. P. Harris stated that if people don't follow the studies and the research behind them then they don't understand it.

J. Marden stated that developers pay the impact fees. W. Peterson stated that the person buying the house ultimately pays the impact fee because they are included in the house price. J. Marden stated they could have the ordinance in place just not the fee schedule. If it is on the books they will have the ability to put in a fee schedule if necessary. P. Harris stated it would be misleading if they do not support it. C. Patten stated if it is the right way to go why doesn't every other town in New Hampshire have them. J. Marden stated it is a case of being proactive or reactive.

LOGGING:

J. Marden stated he would like some information on logging Is there anything the Town can do to oversee if the logging is being done correctly. The Board discussed the fact that the State does do spot check and visits to the sites.

P. Harris stated that sometime it is important to-+ get the information out to the people and let the voters make the decision so it is not just the Board's decision.

ADJOURNMENT:

MOTION: On a motion by G. Flack, seconded by C. Patten, it was voted unanimously to adjourn at 8:25 p.m.
(7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant