

PLANNING BOARD

Monday, March 27, 2006
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 6:57 p.m.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BENJAMIN & ELIZABETH LAWHORN AND NORMAND & ANITA MCKEOWN: Request for Boundary Line Adjustment approval to transfer 20.10 acres from tax lot 225-014 to tax lot 225-013. Property is located at 119 & 147 Farrarville Road, in the “R” Zone. PB # 0406

Mr. Matthew Scagliarini presented the application. Mr. & Mrs. Normand McKeown were also present.

Mr. Scagliarini explained that the McKeowns want to transfer 20.10 acres to the Lawhorns. Both lots have a large tract of undeveloped land. There is a dwelling unit and a large outbuilding on each parcel. Per a court stipulation they will be adding a wood road to access the Bean Dam. They are currently researching the current use on the property. Mr. Scagliarini stated that they are asking for waivers for topo and soil information because the parcels are large and they are not needed for a boundary line adjustment.

Mr. Elson Moody wanted to know if the property has been cleared and if it is level. Mr. Scagliarini stated that the lot is heavily wooded and relatively flat. Mr. Moody stated that he is thinking of it for industry because it is close to town. The Board stated that the property is located in a residential zone and is not zoned for industry.

BOARD'S ACTION – BENJAMIN & ELIZABETH LAWHORN AND NORMAND & ANITA MCKEOWN:

MOTION: W. Peterson moved to grant the following waivers as they are supported by staff and this is back land:

1. Topography.
2. Soils information.

The motion was seconded by R. Caldwell and carried. (6-0)

MOTION: C. Patten moved that the application be accepted as complete for the purpose 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 May 31, 2006 subject to extension or waiver.

The motion was seconded by G. Flack and carried. (6-0)

The chairman opened the public hearing.

Mr. Scagliarini stated that he is aware of all the approval conditions and agrees to all of them.

Mr. Jim Locke, an abutter, stated that he owns 61 acres of land behind the McKeowns and has a ROW through their property to get to Bean Dam. It is a legal ROW and he walks it about every three years. The ROW is in the records and he has discussed moving it with the McKewons because it goes right through their yard. He wants to make sure that it is shown on the plan. Mr. Scagliarini used the plans to show Mr. Locke that the ROW will be on the plan. Mr. Locke stated that he doesn't mind relocating it. Mr. Scagliarini stated that he is not sure that it is relevant to the boundary line adjustment. Mr. Locke stated that in 1971 or 1972 he bought the mill, the bank, the post office, the dams and the ROW from Mr. Oattie Cormier. Over the years he has sold the mill, the bank and post office but has maintained the ROW to the dam. He wants to make sure he still has the ROW because it was a complicated deed involving numerous transactions and he wants to make sure the ROW is carried on by this plan. The Board assured Mr. Locke that the ROW will be on the plan and if he wants to relocate it that becomes a civil matter between him and the applicants. The boundary line adjustment doesn't change the ROW. Mr. Moody stated that whoever owns the dam owns the ROW.

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

MOTION: J. Pike 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. One copy of plan showing Current Use/Not –in Current Use areas on both lots.
2. Submission of final plans (2 mylars & 6 paper copies):
 - a. All pins to be set and so certified on final plan.
 - b. Aquifer statement.
 - c. Show and cite Locke ROW on plan.
3. Final plans will not be recorded until transferring deed has been approved by the Town and deed and

- mortgage subordination forms are signed and ready for recording.
- 4. Payment of decision recording fee.
- 5. Compliance hearing shall be held by Board as necessary.

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

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

The motion was seconded by C. Patten and carried. (6-0)

J. Pike wanted it noted that the ROW was discussed at length.

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by J. Pike, seconded by R. Caldwell, it was voted to approve the minutes of the March 13, 2006, meeting as submitted. (6-0)

ELECTIONS:

MOTION: J. Pike nominated P. Harris as Planning Board chairman.

The motion was seconded by R. Caldwell and carried. (5-0-1) P. Harris abstained.

MOTION: R. Caldwell nominated J. Pike as Planning Board vice-chairman.

The motion was seconded by C. Patten and carried. (5-0-1) J. Pike abstained.

STAFF REPORT:

A. CONTRACT:

The Planning Board signed C. Daigle's contract.

B. ZONING AMENDMENTS:

The Board signed the certified copy of the zoning amendments that were adopted this year.

C. WAGNER SITE PLAN TAX LOT 102-009:

The chairman signed the Wagner site plan for Winnisquam carwash.

D. LAKES REGION PLANNING COMMISSION:

The Board received a memo from Town Administer Jeanne Beaudoin concerning J. Marden wanting to

be reappointed as Belmont's representative for LRPC. R. Caldwell explained that the Board of Selectmen had no concerns about reappointing J. Marden but they wanted the Planning Board's input. It was the consensus of the Board that J. Marden be reappointed. He has done a good job and has the time necessary to devote to the position.

E. OFFICE STAFFING:

The Board received a memo concerning office staffing and agrees that office staffing will remain the same.

F. ALTERNATE POSITIONS:

The Board received a letter from Ms. Christine Long who has expressed an interest in being an alternate on the Planning Board. Mr. William Rollins also has expressed an interest in being an alternate but has just started a night class on Monday evenings. The Board decided to have Ms. Long come in and meet the Board at their April worksession. They would also like to let Mr. Rollins know they are interested in having him as an alternate and hopes he will consider it when his schedule permits.

G. BLUE SKY SUBDIVISION TAX LOT 227-004:

The chairman signed the subdivision plans for the Blue Sky Enterprises on Middle Route and Rogers Road.

H. REGULATIONS:

C. Daigle stated that she has started working on the earth excavation and campground regulations. She currently is working on the campground regulations and is following DES regulations for water and sewer. She has reviewed numerous other campground regulations and may be adding a section on water pressure for the comfort stations and bath houses. She hopes to have the campground regulation drafted for the April meeting for the Board to review.

ADJOURNMENT:

MOTION: On a motion by R. Caldwell, seconded by P. Harris, it was voted unanimously to adjourn at 7:45 p.m. (6-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant