

PLANNING BOARD

Monday, November 14, 2005
Belmont Corner Meeting House
Belmont, New Hampshire

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

The chairman opened the meeting at 7:00 p.m.

Public Hearing John Daigle: Request to clarify and/or amend the conditions (5a & 9) of an approved Subdivision to subdivide one lot into two. Property is located at 276 Daniel Webster Highway, Tax Lot 102-009 in the "C" Zone. PB # 4105 (original PB # 3805)

Atty. William Philpot, Atty. Ed Hibbard and Mr. John Daigle presented the application.

Atty. Philpot stated that his client, Mr. Daigle, is asking to clarify the conditions of the subdivision concerning the campground and what is necessary if they continue to operate. Atty. Ed Hibbard, representing the owner Mr. Wagner, stated that the owner doesn't intend on giving up the campground. Atty. Philpot stated that they are accepting the condition that any changes to existing property means he has to come to the Planning Board with a site plan. Atty. Hibbard stated that Mr. Wagner has concerns about that condition. P. Harris stated that at the last meeting the Board was told that there is signage on property that says this is no longer a campground. Atty. Hibbard stated that Mr. Wagner had family issues last year and was unable to come up to the campground so he put up the sign to prohibit people from using the property for parties and unauthorized camping.

C. Daigle stated that as a part of the staff report for the subdivision a narrative was required that described all the proposed uses on the property. Since the Board was told the campground use had ceased they were not required to show all the buildings, services, sewer and other amenities on the back lot. Atty. Hibbard stated that Mr. Wagner intends to continue the campground use. C. Daigle wanted to know how the campground is to function with many amenities gone and what happens to the utility easement for the remaining lot. P. Harris stated that the campground is a permitted use but if the campground use continues it will have to conform to today's standards if changes are made. C. Daigle stated that the owner has a responsibility to show how the use will continue with amenities being sold and the access and infrastructure being changed.

J. Marden wanted to know if the camp sites have electricity and sewer. Atty. Hibbard stated that some sites are pull in sites for trailers and motor homes. These units are self contained. They have some tent sites that

use the campground amenities including the bathhouse. There are no seasonal rentals. The State limits site use to two weeks.

C. Daigle stated that the Board needs to know what amenities are remaining and where they are located and how they are serviced. There is no site plan because the original campground is grandfathered.

J. Marden stated that sewer is required for the car wash. Does the campground have to hook into it because it is within 500'? C. Daigle stated that the sewer for the carwash is shown on the plan and the sewer also services the backlot.

C. Daigle stated that some of the buildings sold were used to service the campground. P. Harris stated that they need to be located on a plan to show where they are today and how the campground is going to function using those buildings. C. Daigle stated the subdivision regulations require that what exists on both lots be shown on the plan but because they were told that the campground use would cease they did not require it. Atty. Hibbard wanted to know if the Board wanted a narrative of what is on the site or do they want a site plan. C. Daigle stated that a site plan may exist. Mr. Daigle stated that there was one done in 1999. He stated that the bathhouse will be the only building left, all the rest will be demolished. The bathhouse is hooked up to town sewer. C. Daigle wanted to know how they operate the campground without an office and swimming pool. Mr. Daigle stated that a number of the customers come back year after year and they just contact Mr. Wagner direct. He also stated that they share the road to the site then there is a dirt road to the backlot to be constructed. Atty. Hibbard stated that Mr. Wagner is not planning on making any changes to the campground.

P. Harris stated there are safety concerns for emergency vehicles and how they will access the site. The Fire Department needs to know what is on the site and where it is located. Atty. Philpot stated that Mr. Daigle is responsible for the curb cut and 50' west of it and the balance of the access road. He agreed that the Planning Board needs two site plans to show what is on the site. C. Daigle stated that if a new road is going in then it requires a site plan. Atty. Hibbard stated that they are not planning on putting a road in. C. Daigle stated that there is no approval to build or use a road. Atty. Philpot stated that the road is not shown on the site plan.

Atty. Philpot clarified that they can keep the current subdivision as approved and they need to have two competing site plans. One to show Mr. Daigle's use and one showing Mr. Wagner's use if he plans on keeping the campground and constructing the road. Mr. Daigle stated that he is going forth with the site plan and the purchase and sales and he plans to meet the one year approval deadline. C. Daigle stated that they need a site plan application for the campground. Mr. Daigle stated that if the campground is not a viable campground they can continue to move forward and if Mr. Wagner continues to keep the campground then they need a site plan. Atty. Philpot agreed that changing the access is a change and Mr. Wagner has to come in with a site plan if he continues the use. Atty. Hibbard stated that his client may not be willing to do a site plan. C. Daigle stated that the site plan regulations are clear the change of the access, the road, elimination of frontage and removal of buildings and the pool are substantial changes. The Planning Board set its conditions based on what the surveyor represented. Atty. Hibbard stated that the surveyor was Mr. Daigle's surveyor and not the one Mr. Wagner planned on having. C. Daigle stated that they have authorization signed by Mr. Wagner authorizing Mr. Clark to represent him.

BOARD'S ACTION – JOHN DAIGLE:

MOTION: G. Flack moved to clarify the conditions (5a &9) of an approved Subdivision to subdivide one lot into two. The clarification states that due to substantial changes resulting from this approval a Site Plan is required for the campground use to continue on this site.

The motion was seconded by R. Caldwell and carried (4 -0).

BOARD'S ACTION-MINUTES:

MOTION: On a motion by J. Marden, seconded by R. Caldwell, it was voted to approve the minutes of the October 17, 2005, meeting as submitted. (4-0)

STAFF REPORT:**A. DRAFT SCHOOL IMPACT FEE –INTERIM REPORT:**

C. Daigle handed out Mr. Bruce Mayberry's draft interim report and explained that it is subject to change based on input he receives from the Planning Board. She stated that there will be a joint meeting with the Board of Selectmen on December 5th to go over the report with Mr. Bruce Mayberry and Mr. Russ Thibeault. The School Board has also been invited.

B. CAPITAL IMPROVEMENT PROGRAM:

C. Daigle handed out copies of the CIP.

C. ECONOMIC REPORT:

The Board received a copy of Mr. Thibeault's report on the impact of the four proposed subdivisions.

D. WELL HEAD PROTECTION AREA:

C. Daigle explained that the Tilton/Northfield Conservation Commission will be attending the December 12th meeting to discuss the well head protection area. A representative from DES will also be present.

E. ZONING AMENDMENTS:

The Board discussed growth management and whether it should be included as a proposed zoning amendment. J. Marden stated that there are a lot of statistics in Mr. Thibeault report that can be used to support a revised version of last year's proposal. C. Daigle stated there is nothing in the report on affordable housing or Belmont's fair share in the region. These items are still outstanding. J. Marden stated the school's numbers and the way they were talking at the last School Board meeting support growth management. He stated that Canterbury is at 3% growth and they could put something in compatible to that and then amend it if necessary. The Board discussed the fact that a citizen has informed them if they don't put some type of growth management on the ballot then he will. The Board discussed the fact that it would be better coming from them then by petition. R. Caldwell stated that the study stated that the report doesn't support it at this time. G. Flack stated that because the study doesn't

support growth management now doesn't say it isn't necessary in six months. They need to have something on the books when that happens. C. Daigle stated that Mr. Thibeault talks about permits elevating from 50- to 90 per year and when we get to 2010 and 2015 the school impact may be evident. C. Daigle stated that if they base the growth management proposal on building permits then the people who lived here a lot long time may be impacted because they can't build a house for a family member on land that they owned for many years. J. Marden stated that if the Planning Board doesn't recommend something what will happen when we top out. C. Daigle wanted to know what would happen if the petitioned growth management ordinance is challenged what will their stance be? P. Harris stated that it can be adjusted next year if need be. G. Flack stated that the building is not slowing down Belmont is the place to build because there are still lots available and people are willing to pay the price. Commuting to another state is not uncommon and people are willing to do it to live in Belmont. J. Marden wanted to know whether Mr. Mayberry recommends growth management or impact fees. C. Daigle stated that impact fees don't cover operating costs for the additional services needed. J. Marden stated that they would help with the initial cost created as a result of growth.

ADJOURNMENT:

MOTION: On a motion by P. Harris, seconded by R. Caldwell, it was voted unanimously to adjourn at 8:16 p.m. (4-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant