

PLANNING BOARD

Monday, November 22, 2004
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman P. Harris; J. Pike, G. Flack, W. Peterson, C. Patten,
J. Marden and R. Caldwell.

Alternates Present: C. Gilbert and C. Shibles.

Staff: C. Daigle, R. Ball and E. Murphy.

The chairman opened the meeting at 7 p.m.

PUBLIC HEARING –PROPOSED CAPITAL IMPROVEMENTS PROGRAM FOR THE YEARS 2005-2010.

P. Harris explained that the Planning Board's duty was to work on the Master Plan and then the Capital Improvement Plan (CIP). The CIP process is a valuable tool in making long-range financial decisions for the community. They contacted all the departments for a list of their projects over \$10,000 for the 2005 budget. The CIP proposed 2005 budget is \$909,725. It can fluctuate if changes to request are needed.

C. Daigle explained the handout shows changes in the line items and recommendations from the CIP Committee reassigning some numbers and dates. P. Harris explained that the numbers adopted by the CIP Committee go to the Budget Committee and the Board of Selectmen to use as a tool as they determine the budget to go before the voters. Money is put aside each year for some Capital projects until the amount is funded to lessen the burden on tax payers. Some changes may be made yearly to prioritize projects.

Mr. Ron Mitchell representing the BRATT Committee wanted to address misconceptions in the last Planning Board meeting as represented in the minutes. The fact that BRATT trails are for non-motorized vehicles is correct but in the winter time snowmobiles can use the trails. The trails are to accommodate everyone. Snowmobiles usually run the rails, which can damage the machines. Cross-country skiers use the trail. They are considering swapping and having the skiers using the railroad tracks and having the snowmobiles use the trail. Another concern was about erecting fencing and blocking access to businesses. The fencing has not been established yet. They may have a broken fence to let snowmobiles through. It is not their intent to block access to any facility. The snowmobiles would use the trail from January to April and walkers and bicyclists would

use it the remaining nine months. The State has bicycling maps showing the areas that go through Belmont and those trails on the highway are unsafe. This trail would be a safer mode. Policing of the trail would be by the users. Most trail users carry cell phones and they would notify the authority of any wrong doing. The trail is another reason the Lakes Region is becoming a destination. People seek out areas that have recreational trails. The State has appropriated over a million dollars for trails from Franklin to Lakeport showing the State supports trails. A second grant for Belmont would complete the trail if Tilton and Laconia also get the grant. The 2005 CIP request for \$10,000 is to have engineers draw plans to be able to apply for a grant. They are also counting on the generosity of residence to donate labor and material to offset the matching cost. J. Marden stated that the funding for sidewalks comes out of the same grant and Belmont needs sidewalks. He wanted to know how competitive the grant is with two requests from the same town for the same funding. Mr. Mitchell explained that last year Tamworth applied for work on the side of the road, Belmont for the trail, Moultonborough for the trails, Gilford for sidewalk which ranked #3 and Tamworth for shoulder work. Tamworth got both their projects funded. The State is spending money on trails so they want to see them completed. Laconia, Tilton and Belmont are going for the next three grants to complete the trail. Grants are out there and Belmont should apply. J. Pike wanted to know if the BRATT Committee has funds for a grant writer. Mr. Mitchell explained that \$10,000 is towards hiring an expert. He went to LRPC then to Mr. Ray Burton to get a grant. J. Marden stated that the grant was applied for under the Town of Belmont's name. J. Pike wanted to know what would happen if Belmont received the grant but Laconia and Tilton do not apply or do not receive a grant. What happens to the trail as there will be a gap between Franklin and Belmont and Belmont and Lakeport? Mr. Mitchell explained that Ray Burton is setting up a meeting with other towns that are applying and the State to coordinate with everyone and make sure they are all on the same page. R. Caldwell wanted to know if Tilton is represented. Mr. Mitchell stated that Franklin and Northfield are working together. The State transportation grant is for non-motorized vehicle.

P. Oberhausen had concerns about a proposed satellite fire station on Route 107 being eliminated from the CIP projects. He explained that the fire response time to Durrell Mountain Road is 12.5 minutes. Belmont is 17 square miles and he feels that the station should be in the budget as it is vital to the town. There is nothing in the northeastern part of town. R. Caldwell stated that he lives on Durrell Mountain Road and Laconia's response time is 5 minute. C. Daigle explained that the station is still in the CIP to begin funding in 2009, which is the original Fire Department request. J. Marden wanted to know how many towns the size of Belmont have both a full and part time manned Fire Station? Where do we stop? C. Daigle stated that the Fire Department's request figures have been reduced for 2005 because they can lease instead of buying some equipment. The Board questioned some of their needs but they have all been substantiated. The Master Plan and CIP process guide the Town on how it wants to grow and what the people and departments needs are. It is a guide to growth control so as not to burden the tax payers. They are looking at having triggers in place to allow growth but maintain a balance between what can be built and how fast.

MOTION: W. Peterson moved to accept the amended CIP figures for 2005.

The motion was seconded by J. Pike and carried (6-1). J. Marden opposed. He stated the Board of Selectmen have already accepted the CIP budget before the Planning Board approved it and he is not voting on it tonight because he is not sure of the legality of BOS accepting it before the Planning Board accepted it.

PUBLIC MEETING – GROWTH:

P. Harris explained that the 2002 Master Plan received great response. It's objective was to develop goals for Belmont's future. In March 2004 Belmont adopted an interim growth management ordinance in order to work on developing a CIP and to study growth and determine if a system needs to be in place to manage growth. The CIP committee had numerous meetings and worked with departments to put together the CIP. The Board also has gathered information and statistics to determine where Belmont is in relationship to growth in other towns in the first tier as well as the State as a whole.

C. Daigle explained that the Board is reviewing the data to determine what method of growth management, if any, is best for Belmont. The Master Plan has been completed, the CIP adopted and an Interim Growth Management Ordinance adopted in March 2004. The Board has reviewed historic, current and anticipated growth statistics for Belmont. Belmont's population growth has been measured against the first tier communities, the Lakes Region and the State. Belmont's population growth is higher than any of the first tier communities, the Lakes Region and the State. Based on the census figures for 2000-2003 Belmont's population growth is estimated to have grown faster than the first tier, the Lakes Region and the State. Housing in the 1980s and 1990s grew faster than the first tier, the Lakes Region and the State. Based on the 2000-2002 figures housing grew faster in Belmont than the first tier, Lakes Region and is on the par with the State which is 8.56% and Belmont is 8.5%.

C. Daigle talked about community facility updates that were looked at and recommended as part of the Master Plan. The need for a Community Center was identified although no tax dollars have been scheduled in the CIP. The Public Works building is already at capacity. The Town Hall and Library are not up to par and are maxed out. The Police Department needs to be expanded or replaced but no tax dollars have been scheduled in the CIP. The Fire Department sub station is in the 2009 funding schedule.

They are reviewing the services from the Public Works Department, Fire Department and the Police Department to help determine if growth management is necessary. They are also looking at the number of students in the school and the library use, number of books and number of book per capita. The Board is also looking at how much protected land Belmont has. Its protected land area is the second lowest of the first tier communities. The current use penalty is not a deterrent from taking land out of current use because of the premium price of land. The Board looks at figured to determine what is happening in the community. Growth management is an overall plan and it may include an ordinance of some type. They are looking at Northfield's ordinance, which has a trigger in place if growth impacts reach a certain point. They are

looking at options that could include capping the number of building permits, phasing in development, voluntary conservation of land, cluster development or reducing density. They are looking at having a trigger mechanism in place for when impacts rise to a certain level a temporary measure would be put in place. It would not be intended as a permanent measure but allow time for services to catch up. P Harris stated that in March 2004 the people voted in an Interim Growth Management Ordinance as most services are at capacity.

Mr. Hugh Baird wanted to know how accurate the school figures are. Mr. Mike Cozort, School Superintendent, explained that they did a demographic study 10 years ago and it was on target. They hired the same company again expecting the same accuracy. The elementary school numbers are lower and the middle and high school numbers are around the same. The elementary school built in 1985 is at capacity, there have been two additions to the middle school which is a little under capacity because they can use the Memorial School for overflow. The high school is 25 students under capacity. Mr. Baird wanted to know what the average class size is. He stated that some teachers don't mind having larger classes, as they are easier to handle. Mr. Cozort stated the State has standard for class size. J. Pike stated that the middle and high school numbers are higher than the elementary school figures because Canterbury has its own elementary school but shares our middle and high schools. The Board discussed allowing more senior communities that would have less children in the school system vs the impact senior's have on other services such as medical and police. Age restrictive communities also may have more people requesting tax relief. Mr. Baird stated that he is new to the community and feels the Board and the Town are doing good work.

Mr. Al Carista wanted to know what is going to happen when there is a growth ordinance and all the existing lots in town are built and there can be no more subdivisions. The available buildable lots will have premium prices. Belmont is unique because of its surplus of land and affordable living. P. Harris stated that Belmont is 75 % people and 25% land and there is concern about the affect of extra buildout on the existing residents. Mr. Carista wanted to know if low income housing could be restricted with an Growth Management Ordinance? P Harris explained that the Interim Growth Management Ordinance ends in March 2005. Mr. David Morse wanted to know what the time line is for having an ordinance in place. C. Daigle stated that the Board will have public hearings on the first and fourth Mondays in January. The Board is now in the process of putting together the proposed amendments for the first public hearing. P. Harris stated that information comes from fact finding, studies of samples ordinances, and the LRPC. The CIP gets changed each year.

MOTION: J. Pike move to accept the finding of facts on growth as presented in the Growth Data report dated November 17, 2004 and the Summary Findings of Fact Report dated November 15, 2004.

The motion was seconded by W. Peterson and carried. (7-0)

J. Marden stated the findings of fact show we are above the first tier communities and a trigger mechanism Ordinance is being considered. He feels that impact fees should also be considered. They also need to have an overlay map for protecting land and have the Conservation Commission try to purchase land before it is developed.

PUBLIC HEARING – RTE 106 REALTY TRUST: Continuation of a request to extend the term of a previous Site Plan approval (as originally approved on 7/10/98) allowing construction of two commercial buildings for one additional year (9/2005). Property is located on Laconia Road, Tax Lots 210-007 & 210-008, in the "C" Zone. PB # 2204.

Mr. Al Mitchell presented the application and explained that he wants to extend his site plan approval for another year.

C. Daigle explained that the original approval was in 1995 and any outstanding items are outlined in the staff report. A storm water management plan is needed before Mr. Mitchell can construct anything. Mr. Mitchell agreed to have the stormwater management plan before any construction begins.

J. Marden wanted to know how many times the Board could extend an application. Mr. Mitchell explained that he has approval in several towns and he tries to get companies to come into town. Having the approvals in place encourages companies to come because the site plan is already in place which speeds up the process. J. Pike stated that the yearly extension protects the town.

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

BOARD'S ACTION – RTE 106 REALTY TRUST:

MOTION: J. Pike 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 1/26/05 subject to extension or waiver

The motion was seconded by R. Caldwell and carried. (7-0)

MOTION: W. Peterson 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:

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 DES Septic.
2. Submission of DOT Driveway upgrade.
3. Submission of Security/escrow.
4. Sign Plan, Record Notice, Fee Due.
5. Submission of stormwater management plan.
6. All conditions of the original approval and extensions shall remain in effect.

7. Extension is to September 23, 2005.
8. Additional notification fee of \$16.
9. Project shall remain in compliance with all applicable public health and other regulations and ordinances.
10. EPA notification be given as required.

The motion was seconded by J. Pike and carried. (7-0)

PUBLIC HEARING – A.E. MITCHELL: Continuation of a request to extend the term of a previous Site Plan approval (as originally approved on 9/26/94) allowing construction of a commercial building for one additional year (9/2005). Property is located on Park Drive, East Gate Park, Tax Lot 217-104, in the "C" Zone. PB # 2304.

Mr. Al Mitchell presented the application and explained that he wants to extend his site plan approval for another year. J. Pike wanted to know if a stormwater management plan is needed? C. Daigle stated that it is not needed for this site.

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

BOARD'S ACTION – A.E. MITCHELL:

MOTION: G. Flack moved that the application for 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 1/26/05 subject to extension or waiver.

The motion was seconded by R. Caldwell and carried. (7-0)

MOTION: J. Marden 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:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvement or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of DES Septic.
2. Submission of Security/escrow.
3. Sign Plan, Record Notice, Fee Due.
4. All conditions of the original approval and extensions shall remain in effect.
5. Extension is to September 23, 2005.
6. Project shall remain in compliance with all applicable public health and other regulations and ordinances.
7. EPA notification be given as required.

The motion was seconded by G. Flack and carried. (7-0)

PUBLIC HEARING – A.E. MITCHELL: Continuation of a request to extend the term of a previous Site Plan approval (as originally approved on 9/23/93) allowing construction of a commercial building for one additional year (9/2005). Property is located on Laconia Road & Bryant Road, Tax Lot 230-101, in the “C” Zone. PB # 2404.

Mr. Al Mitchell presented the application and explained that he wants to extend his site plan approval for another year. J. Marden wanted to know where the driveway cuts are located. Mr. Mitchell explained that he has a driveway permit for them and they are located across from Seavey Road off the old Bryant Road. J. Marden wanted to know what size of the building is. R. Ball stated it is a two story 4160 square foot building.

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

BOARD'S ACTION – A.E. MITCHELL:

MOTION: W. Peterson 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 1/26/05 subject to extension or waiver.

The motion was seconded by J. Marden and carried. (7-0)

MOTION: G. Flack 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.

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 DES Septic.
2. Submission of DOT Driveway update.
3. Submission of Security/escrow.
4. Sign Plan, Record Notice, Fee Due.
5. Submission of Stormwater management plan.
7. All conditions of the original approval and extensions shall remain in effect.
7. Extension is to September 23, 2005.
8. Project shall remain in compliance with all applicable public health and other regulations and ordinances.
9. EPA notification be given as required.

The motion was seconded by C. Patten and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING –ANDREW P. SANBORN FARM L.L.C.AND JOHN & CAROLYN PEVERLY: Request for a Boundary Line Adjustment approval to transfer 2.10 acres from tax lot 232-002-001 to 214-008 and .33 acres from 214-008 to 232-002-001. Property is located at 443 Durrell Mountain Road in Gilford & 401 Durrell Mountain Road in Belmont, in the LR & NRR (Gilford) &RS (Belmont) Zones. PB # 2504.

Mr. Howard Warren and Mr. John Peverly presented the application.

Mr. Warren used the plan to show the location. The Sanborn Farm property is 33 acres and the Peverly's property is 1.5 acres. There are wetlands dividing the properties with both the Sanborns and the Peverlys owning property on both sides. The property that will be exchanged does not include any wetlands. The Peverlys will have a total of 3.36 acres. The property lines will be moved away from the Peverly's buildings and well which are too close to the property line. The Sanborns will get more frontage on Durrell Mountain Road. In October they received approval from Gilford. Mr. Warren asked for waivers for topo, soils and other significant figures, additional lot figures and delineating soils on the Peverly's side of the wetland. He explained that Mr. Johnson used the same plan that they used for the pit reclamation in Gilford and that is why wetlands are showing on the Sanborn's property. There are no building lots being created just transferring of land between abutters.

J. Pike wanted to know about the note on the plan stating that the existing septic system on the Peverly's property has to be replaced in plasce in kind. Mr. Warren explained that it is a State law that you cannot put a new system on land that is acquired. J. Marden wanted to know if the frontage is a Class VI Road. Mr. Warren stated that it is.

P. Harris read the letter from Scott & Patricia Smith, abutters, stating that they accept the proposal. The chairman asked if anyone in the audience had any questions or comments. There being none he closed the public hearing.

BOARD'S ACTION – ANDREW P. SANBORN FARM L.L.C. AND JOHN & CAROLYN PEVERLY:

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

1. Topography, soils & additional lot features.

J. Marden wanted to know about the additional lot features and what the future potential development of the lots is. Mr. Warren explained that the pit reclamation plan is on file with all the details and there is no development for the property at this time.

The motion was seconded by R. Caldwell and carried. (7-0)

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 1/26/05 subject to extension or waiver.

The motion was seconded by R. Caldwell and carried. (7-0)

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. Approval of this proposal does not signify approval of the access for any building, use or development purposes to the Sanborn Farm lot over the Class VI portion of Durrell Mtn Road.
2. Final plans will not be recorded until transferring deeds have been approved by the Town and are also signed and ready for recording along with mortgage subordination forms.
3. Submission of final plans (2 mylars, 6 paper prints):
 - a. All pins to be set and so certified on final plan.

- b. Gilford Planning Board approval to be Signified on final plans and a copy of the Gilford Planning Board minutes of the issue shall be submitted to the Belmont Land Use Office.
4. Payment of plan 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 G. Flack and carried. (7-0)

PUBLIC HEARING – MALLARD’S LANDING: Request to extend the term of a previous Site Plan approval (as originally approved on 9/8/03) for on-site outside storage for one additional year (9/2005). Property is located on Union Road, Tax Lot 110-002 in the “RS” Zone. PB # 2604.

Mr. Kevin Parziale presented the application.

Mr. Parziale explained that when they received the original approval they were not aware of the cost impact. According to the Association’s bylaws they can only vote on money issues in July so they were unable to get bids for the job before their approval expired.

P. Harris read the letter from Winnisquam Marine, an abutter, stating they have no objections to the extension.

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

BOARD’S ACTION – MALLARD’S LANDING:

MOTION: J. Marden 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 1/26/05 subject to extension or waiver.

The motion was seconded by W. Peterson and carried. (7-0)

MOTION: J. Marden 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:

Conditions to be complied with prior to decision being recorded. No site improvements shall commence until decision is recorded.

1. Payment of \$16.37 Notice of Decision recording fee to Belknap County Registry of Deeds.
2. As-built plans required prior to occupancy/use.
3. All conditions of the original approval and extensions shall remain in effect.
4. Extension is to September 8, 2005.
5. Project shall remain in compliance with all applicable public health and other regulations and ordinances.

The motion was seconded by G. Flack and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING –MALVINA

CHERRETTE: Request for a Boundary Line Adjustment approval to transfer 2.94 acres from tax lot 125-039 to tax lot 126-026. Property is located at 52 & 60 Concord Street, in the “V” Zone. PB # 2704.

Mr. Fred Wheeler presented the application.

Mr. Wheeler asked for waivers for a Quality Assurance Program, Soils & Topography and from showing additional off-site detail. He withdrew his request for a waiver of photos and presented the Board with photos of the site. The two tax lots are on Concord Street in the village zone. Tax lot 125-039 is owned jointly by Malvina Cherrette and Ledger Parent and is 5.12 acres. Tax lot 126-026 is 9.73 acres. The proposal is to transfer 2.94 acres to the larger parcel in order for the larger parcel to remain in current use if the other parcel is sold. Currently both parcels are substandard but are able to be in current use because they are abutting lots. The larger lot will be 12.67 acres.

Mr. Wheeler explained that there are drainage problems on Concord Street and Ms. Cherrette is working on getting an easement for access to the pit in exchange for an easement for drainage over her property to the pumping station brook. P. Harris wanted to know if there are any wetlands on the property. Mr. Wheeler stated only those along the brook which is the boundary line.

The chairman read a note from Mr. Steve Wiener, an abutter, stating that he has no problems with this proposal.

J. Pike wanted clarification on the exchanging of easements. Mr. Wheeler stated that Ms. Cherrette has been working with the town on exchanging the drainage easement for the access easement and they still have to go before the Board of Selectmen and have a warrant article before any agreement can be finalized. They are anticipating an agreement and that is why it is noted on the plan. The note is not a formal agreement just language that can be referred to it clearly states that it is not the granting of any easements.

J. Marden wanted to know if the snowmobile club has contacted Ms. Cherrette about the trails. Ms. Cherrette stated that she does not feel that she has the right to grant permission for use of the trail but the other party involved may do it.

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

BOARD'S ACTION – MALVINA CHERRETTE:

MOTION: C. Patten moved to grant the following waiver:

1. Quality Assurance Program, Soils & Topography.
2. From showing additional off-site detail.

The motion was seconded by R. Caldwell and carried. (7-0)

MOTION: J. Marden 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 1/26/05 subject to extension or waiver.

The motion was seconded by R. Caldwell and carried. (7-0)

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.

1. Transferring deed to be approved by the Town and signed prior to recording plan.
2. On plan:
 - a. Correct “existing” and “new” totals/math for lots.
 - b. Change property line between stone monuments across stream to solid line.

- c. Correct Locus
- d. All pins to be set and so certified on final plan.
3. Easement language to be clear that these are proposed easements not approved and are subject to all applicable review and acceptance requirements.
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 G. Flack and carried (7-0).

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by J. Marden, seconded by J. Pike, it was voted to approve the minutes of the November 8, 2004, meeting as submitted (5-0-2). R. Caldwell and P. Harris abstained.

STAFF REPORT:

A. 14A BROAD STREET LLC TAX LOT 126-011:

C. Daigle explained that 14A Broad Street LLC, the former site of Voith Paper, received site plan approval for multi-tenant users and now have entered into an agreement for single tenant only. The new proposal is permitted but is not a manufacturing use. The building being occupied will be a benefit to community. Since the property was recently reviewed by the Board is additional Site Plan necessary now?

MOTION: W. Peterson moved that a new site plan is not required based on staff's recommendation and the applicant's withdrawal of the original application is recognized.

The motion was seconded by R. Caldwell and carried. (7-0)

B. RETAIL USE ZONING AMENDMENT:

C. Daigle explained that she has had a request from a resident to allow retail sales in a rural zone by special exception. The request was to allow small retail sales in the areas along Rte 107 as there are many services currently allowed in that area.

The retail sales would be things like craft shops and small convenience stores. They would have to go before the Zoning Board of Adjustment to determine if the use would be suitable for the area. J. Marden wanted to know if any part of Route 107 is commercial. C. Daigle stated just the Mooney property area. J. Pike stated that the Zoning Board should be allowed to determine if the use should be allowed if it meets all the requirements for a special exception. The Board discussed the fact that no heavy retail should be allowed in the rural areas but small retail businesses could be allowed. They discussed the possibility of making the area along Rte 107 as a light commercial zone and limiting the square footage of the business to determine what constitutes light commercial. Staff will draft some footage requirements and bring that information back to the Board.

C. WINNI BRIDGE PLACE REAL ESTATE, LLC TAX LOT 102-007:

The chairman signed the Notice of Decision for Winni Bridge Real Estate, LLC.

D. LOCHMERE VILLAGE DISTRICT TAX LOT 117-004:

The chairman signed the Notice of Decision for Lochmere Village District.

E. LOT SIZE:

C. Daigle explained that a member of the Zoning Board has suggested that the lot size requirements be increased to resolve some of the setback issues.

J. Marden wanted to know if the height restriction for buildings should be changed. He stated that a ladder truck was proposed as part of the budget request. C. Daigle stated that the current height restriction is 45' and the fire department has more of a problem with the width and construction of roofs and being able to reach across them.

F. RIDE SHARE:

C. Daigle showed the Board a copy of the proposed temporary sign for the Ride Share on Rte 106. The Ride Share was part of the Master Plan recommendations and the sign will let people know that the community is moving forward with recommended Master Plan projects. The Ride Share will save the environment while providing a safe and convenient place for the people of Belmont to leave their vehicles while sharing rides.

G. AQUIFER PROTECTION ORDINANCE:

C. Daigle explained that she has received a petition for a proposed aquifer ordinance. The closing date for petitions is December 8th and the Board will set the date for the public hearing at their December 13th. P. Harris wanted to know if any more work has been done with the tri-community aquifer study. C. Daigle stated she was not aware of anything new from the other Towns.

H. GROWTH:

The Board discussed how Northfield's first year with a growth ordinance is working and having a certain percentage of growth before a trigger mechanism is

activated. They discussed the fact that Belmont's population and housing growth is at a higher rate than the first tier area. W. Peterson wanted to know how Belmont's low-income housing growth compares to the tier's average. The Board discussed differentiating between residential and commercial growth. C. Daigle stated that Northfield determines if the project is subject to growth management by how it affects services.

J. Marden discussed having impact fees based on the number of bedrooms and the Growth Ordinance based on services. J. Marden stated that they would have to prioritize the needs to determine which ordinance a project would fall under. The Board wanted to know if any other first tier towns have impact fees. C. Daigle stated that no other first tier town has impact fees that she is aware of.

The Board decided that they would like to have LRPC come to their meeting and discuss how Northfield's Ordinance is working to determine if it will be right for Belmont

ADJOURNMENT:

MOTION: On a motion by G. Flack, seconded by J. Pike, it was voted unanimously to adjourn at 9:47 p.m. (7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant