



DRAFT
PLANNING BOARD
TOWN OF BELMONT, NH

Monday, June 26, 2023
Belmont Mill, and Zoom
Belmont, NH 03220

Present: Chairman Peter Harris, Michael LeClair, Richard Pickwick, Kevin Sturgeon, Gary Grant,
Jon Pike Ex-Officio

Absent: Vice Chair Ward Peterson, Dennis Grimes (alternate)
Zoom: Michelle

Staff: Karen Santoro, Town Planner; Rod Cameron, Land Use Technician; and Susan Austin,
Land Use Assistant

Chairman Harris opened the meeting at 6:00 pm and welcomed those in attendance. He announced that any party experiencing any difficulty in accessing the meeting at any point, should call 603-267-8300 x 101, and the meeting will be recessed until access can be restored for all parties.

Chairman Harris asked that everyone be respectful to each other and the Board members, and to please direct all questions and comments to the Board. The public will be allowed the opportunity to address the Board during the public hearing.

Chairman Harris stated that they are changing the order of the agenda in order to allow any abutters that were present for the Lakeview application to leave the meeting as the applicant had requested a continuance for both applications.

Plan Submission Meeting and Public Hearing: Lakeview at Belmont, LLC: Continuation of a Request for Subdivision Approval to subdivide 172 acres into 4 lots, three of the lots will be single family residential lots, while the fourth lot will have nine 2-bedroom condominium units. Property is located at 89 Ladd Hill Road, Tax Lots 206-013-000-000, 201-066-000-000 and 201-067-000-000, in the Rural zone. Planning Board case #09-23P

Plan Submission Meeting and Public Hearing: Lakeview at Belmont, LLC: Continuation of a Request for Site Plan approval to convert from a Golf Course to residential use. Property is located at 89 Ladd Hill Road, Tax Lots 206-013-000-000, 201-066-000-000 and 201-067-000-000, in the Rural zone. Planning Board case #10-23P

Bedford Design Consultants, agent for the applicant, has submitted a request to continue both the Subdivision and Site Plan applications to the July 24, 2023 meeting to allow them time to redesign the road following a meeting with the Fire Department and to complete the report for the aquifer study that was requested at the last meeting.

Motion to continue until 7/24 KS/RP vote 6/0

Plan Submission Meeting and Public Hearing: Field Lane Belmont LLC: Continuation of a Request for a Site Plan approval to build three self-storage structures, one will be climate controlled. Property is located on Field Lane, Tax Lot 245-007-000-000, in the Industrial Zone. Planning Board case #08-23P

George Chadwick of Bedford Design Consultants and Mark Murphy, owner were present for this application. G. Chadwick stated that they were proposing a self-storage unit facility that would have two cold storage units and one climate controlled. There will be 24 feet between buildings for access purposes. The lot is zoned Industrial. He stated that the parcel has mapped for soils and wetlands by Bedford Design. The property will be accessible 24/7 by tenants, but there would not be any full-time staff on site. There would be regular employee visits. There will be security cameras and lighting. Parcel has access to water and sewer, but they will not use it. Stormwater will be collected via stormwater detention pond. They submitted a sample lease agreement showing that the storage of fuel or gas was prohibited. The landscaping and lighting plan shows that the proposed lighting is all shielded down, as the intent is not to have nightglow. He stated that he received the Staff comments, and all concerns are easily addressable and would request they are conditions of approval.

WAIVER REQUESTS

The applicant is requesting a waiver from Section 5:D:5 Aquifer Plan

G. Chadwick explained that the soil types and multiple test pits do not support that the property is in an aquifer area.

Staff supports the waiver request. K. Santoro noted that granting the waiver request does not exempt the owners from the required annual Aquifer Inspections.

MOTION: J. Pike moved to grant the following waiver: Section 5:D:5 Aquifer Plan
G. Grant seconded.
Vote: All in favor, motion carried. (6-0)

MOTION: K. Sturgeon 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 in a timely manner to complete review and act on the application. The Board shall act on this proposal by 8/30/2023 subject to extension or waiver.

J. Pike seconded the motion.
All in favor, motion carried. (6/0)

DEVELOPMENT OF REGIONAL IMPACT

Chairman Harris stated that in order to provide timely notice, provide opportunities for input and consider the interests of other municipalities, the Board shall act to determine if the development has a potential regional impact as defined by RSA 36:55. Impacts may include, but are not limited to: relative size or number of dwelling units as compared with existing stock; proximity to the borders of a neighboring community; transportation networks; anticipated emissions such as light, noise, smoke, odors, or particles; proximity to aquifers or surface waters which transcend municipal boundaries; shared facilities such as schools and solid waste disposal facilities.

MOTION: P. Harris moved that the proposal does not have a potential regional impact.
M. LeClair seconded the motion.

Vote: All in favor, motion carried. (6-0)

DEPARTMENT RESPONSE

Staff Notes:

Applicant is proposing interior storage, an allowed use in the Industrial Zone. Proposed are three buildings, two self-storage buildings, not climate controlled; and one climate controlled self-storage. The rear of the property abuts the Rural Zone. Due to this fact the rear setback is 50' (typical rear setback for the industrial zone is 15'), this has been reflected in the plan provided. It is noted that the parcel is located within the aquifer protection district. Applicant has provided a sample rental agreement to show that storage of gasoline, etc. in the units is prohibited. No rental office is proposed; operational hours are 24/7. Applicant was made aware of security concerns at ARC meeting and is proposing security lighting and cameras.

There was no public comment. Chairman Harris closed the public hearing.

MOTION: K. Sturgeon moved that the application for Site Plan Approval be granted Final, conditional approval as it appears to meet all the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions (precedent) 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.

The conditions placed upon the approval are as follows:

1. This action is based on a plan or plan set dated 6/1/2023
2. Submit final plans (6 paper, 1 reduced). Submit one copy for approval prior to submitting all required copies. Add/identify/include note on plan:
 - a) Sheet 1 Note 12 – Indicates snow storage shown on plan set; it does not appear to be indicated on plan set.
 - b) Sheet 3 – Correct Elevation 690.8, should be 570.8
 - c) Detail sheets – no construction detail for outlet structure(s)
3. ADA parking space to be indicated on plan.
4. Payment of notice of decision recording fee, \$20.60-check made payable to BCRD.
5. Evidence of other agency permits obtained.
6. Applicant shall sign and return copy of Town's Site Inspection Schedule.
7. Conditions precedent shall be completed no later than 6/26/24. Active and Substantial development of the approved improvements shall occur no later than 6/26/25 and improvements shall be substantially completed by 6/26/27 or shall be in accordance with the approved buildout schedule.
8. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

9. A copy of the Quality Assurance Program, approved plans and the Town's Inspection Schedule shall be provided to the site contractor(s) prior to work commencing.

10. Submission of building plans, approved by Building Inspector and Fire Department; shall comply with all applicable building, fire, health, and life safety codes. Property owner shall install all required traffic control and fire and life safety facilities and systems required by the Board and/or by other applicable Codes and Regulations.
11. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
12. Obtain successful milestone observations from Land Use Staff as listed on Land Use Inspection form and additionally and separately all required inspections by the Building Official, Fire Department and NH DOT.
13. Shall erect orange construction fencing around entire perimeter of area to be disturbed. No encroachments outside of fenced area is permitted without prior approval of the Town in conjunction with review by project engineer.
14. Evidence of other agency conditions achieved.
15. Occupancy/use of improvements requires submission of 2 paper original record (as-built) site plans including structures, utilities, roads, drainage and other site improvements.

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

16. Approved uses include: Interior self-storage.
17. Successful annual aquifer inspections required.
18. The property owner shall be responsible to inspect, maintain and make immediate repairs to stormwater management features to assure they function in the manner intended and protect water quality. A copy of the annual report/maintenance shall be submitted to the Town.
19. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
20. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
21. All exterior lighting shall be downcast and shielded from abutters and traffic.
22. Utilities must be underground.
23. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
24. No changes shall be made to the approved plans unless application is made in writing to the Town.
25. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
26. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 6/26/24 unless all conditions are met or an extension is applied for and granted in accordance with the Regulations. Notice to the applicant and/or a public hearing are not required for the Board to determine that a conditional approval has expired. Reapplication in the case of an expired conditional approval requires a new application meeting all applicable Regulations.
27. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
28. Operational conditions of the Town and other agencies shall be met.

M. LeClair seconded the motion.

Vote: All in favor, motion carried. (6-0)

Plan Submission Meeting and Public Hearing: Peter M. Palmer: Request for a Boundary Line Adjustment that would transfer .57 acres from Lot 201-052 (Parcel #1) to Lot 201-005-001 (Parcel #2) and would transfer 10.61 acres from Lot 201-005-001 (Parcel #2) to Lot 201-052 (Parcel #1). Properties

are located at 66 Diane Drive and Old Ladd Hill Road in the Residential Single Zone. Planning Board Case #12-23P

Peter Palmer and Steven Nix were present for this application. Mr. Nix stated that they were in front of this Board last year for a subdivision that retained a 50-foot strip of land along the west side of the new lot and a forestry easement over the 13-acre lot for access to the remaining fields and forest. While they were laying out the new home, they found that the layout of the lot impacted the desired building site and if they conveyed the additional 10 acres with the majority of the road frontage would have a negative impact on the remaining Palmer farm. This proposal reduces the size of the proposed building lot to 3 acres, eliminates the 50-foot strip and adds the 10 acres back with the remaining Palmer farm.

WAIVERS

Applicant has requested waivers from Sections 5:D:1c for surveying the entire parcel; and for Section 5:D:3 for onsite wetlands mapping and onsite soils mapping. Staff supports the requests; the applicant has provided a letter from a wetlands scientist regarding the site and surveying the entire lot would be an unnecessary burden on the applicant with no benefit to the town staff.

MOTION: M. LeClair moved to grant the following waivers:

Subdivision Regulations:

Section 5:D:1c – Waiver for survey of entire 60+ acre parcel

Section 5:D: 3 – Waiver from onsite wetlands mapping

Section 5:D: 3 – Waiver for onsite soils mapping.

J. Pike seconded the motion.

All in favor, motion carried (6-0)

MOTION: J. Pike 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 in a timely manner to complete review and act on the application. The Board shall act on this proposal by 8/30/2023 subject to extension or waiver.

G. Grant seconded the motion.

All in favor, motion carried. (6/0)

DEVELOPMENT OF REGIONAL IMPACT

Chairman Harris stated that in order to provide timely notice, provide opportunities for input and consider the interests of other municipalities, the Board shall act to determine if the development has a potential regional impact as defined by RSA 36:55. Impacts may include, but are not limited to: relative size or number of dwelling units as compared with existing stock; proximity to the borders of a neighboring community; transportation networks; anticipated emissions such as light, noise, smoke, odors, or particles; proximity to aquifers or surface waters which transcend municipal boundaries; shared facilities such as schools and solid waste disposal facilities.

MOTION: P. Harris moved that the proposal does not have a potential regional impact.
M. LeClair seconded the motion.
Vote: All in favor, motion carried. (6-0)

DEPARTMENT RESPONSE

Town Assessor: Property is in Current Land Use. One copy of the final plan showing the Not-in-Current-Use area for both lots is required and the Town Assessor should be contacted regarding questions on any Land Use Change Tax Penalty process that may result. Assessing adjustments resulting from this proposal will occur only on the April 1st assessment date following the recording and/or commencement of project.

Staff Notes: Applicant is proposing two boundary line adjustments to transfer .57 acres from Lot 201-005-000-000 to Lot 201-005-001-000 and transfer 10.61 acres from Lot 201-005-001-000 to Lot 201-005-000-000. Property was initially subdivided in December 2022; due to property characteristics and the proposed location of the house with well and septic system, the applicant is proposing the boundary line adjustment to transfer the 50' wide strip of land from Lot 1 to Lot 2 and return 10.61 acres from Lot 2 to Lot 1 (66 Diane Drive). This would allow construction of the home on Old Ladd Hill (Class VI road) closer to the intersection of Ladd Hill Road (Class V). A variance was received in August 2022 to permit a buildable lot on a Class VI Road without required frontage. This application does not increase the number of lots (2); it remains the parent lot (205-001-000-000) plus one new lot (201-005-001-000).

There was no public comment. Chairman Harris closed the public hearing.

MOTION: K. Sturgeon moved that the application for Subdivision Approval be granted Final, conditional approval as it appears to meet all the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions (precedent) 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. This action is based on a plan set dated 6/1/2023.
2. Submit final paper plans (4 full size, 1 reduced, 1 pdf). Submit 2 mylar copies of the boundary line adjustment sheet(s) suitable for recording. Submit one copy (preferably electronic) for approval prior to submitting all required copies.
3. Payment of decision recording fee. Checks made payable to BCRD in the amounts to be determined (mylar, LCHIP, notice of decision, and waiver of municipal liability).
4. Conditions precedent will be met no later than 6/26/2024.
5. Compliance hearing shall be held by Board as necessary.

APPLICANT SHALL TAKE SPECIAL NOTICE: NO USE/WORK MAY COMMENCE UNTIL ALL PRE-CONDITIONS ABOVE HAVE BEEN SATISFIED. CONTACT THE LAND USE OFFICE WITH ANY QUESTIONS. COMMENCING WORK OR USE PRIOR TO TOWN AUTHORIZATION SUBJECTS THIS APPROVAL TO REVOCATION, AND OTHER ENFORCEMENT ACTION AND DAILY FINES.

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

6. Any monumentation disturbed or destroyed during construction shall be replaced.
7. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
8. No changes shall be made to the approved plans unless application is made in writing to the Town.

- 9. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
- 10. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 6/26/24 unless all conditions are met or an extension is applied for and granted in accordance with the Regulations. Active and substantial development of the improvements to be completed no later than 6/26/2025. Construction to be substantially complete no later than 6/26/2027. Notice to the applicant and/or a public hearing are not required for the Board to determine that a conditional approval has expired. Reapplication in the case of an expired conditional approval requires a new application meeting all applicable Regulations.
- 11. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
- 12. State Subdivision Approval

R. Pickwick seconded the motion.

Vote: All in favor, motion carried (6-0)

Minutes:

Amend/Approve prior meeting minutes of May 22, 2023.

MOTION:

J. Pike moved to approve the minutes of May 22, 2023, as written.

M. LeClair seconded the motion.

Vote: All in favor, Motion carried (6-0)

Staff Report:

New Land Use Technician Introduction

K. Santoro introduced Rod Cameron, who just started as Land Use Technician, to the Planning Board.

The Vault Storage (1213 Laconia Road)

K. Santoro stated that she was requesting consensus of the Board. She stated that the second floor is being sublet to company that installs racking systems in stores; they would be storing rack/shelving systems; and they would like a small office to have computer and bathroom. She asked if the Board would prefer that the property owner submit a minor site plan application, or she can give an administrative approval. The Board agreed to allow an administrative approval by the Town Planner.

Tiny Home Community

K. Santoro stated that a resident, Kevin Mitchell, has been in contact with Land Use staff regarding a tiny home community possibly being built in Belmont. She distributed information she received from the City of Dover, where there is an existing tiny home community that is being used as Workforce Housing. Mr. Mitchell is looking at a 12-acre parcel as a possible location. She suggested to him that he bring his proposal in front of the Board as a conceptual consultation.

Master Plan Update

K. Santoro stated that the last Master Plan update was in 2002, and there may be funds available to assist in the update. Discussion ensued about the Master Plan, and possible chapter ideas. K. Sturgeon asked if they could include an infrastructure discussion on the next agenda.

MOTION: K. sturgeon moved that a discussion about infrastructure be included in the July 24, 2023 agenda.
R. Pickwick seconded the motion.
Vote: All in favor, motion carried (6-0)

MOTION: On a motion by M. LeClair seconded by J. Pike it was voted unanimously to adjourn at 7:26 pm. (6-0)

Respectfully Submitted



Susan M. Austin, Land Use Assistant