# Planning Board Minutes
# Town of Belmont

Monday, September 28, 2026 6:00 P.M.
Belmont Mill 4th Floor Tioga Room
14 Mill Street & Zoom

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| **Present:** | Chairman Peter Harris; Vice Chairman Ward Peterson; Gary Grant; Richard Pickwick; and Michael LeClair. |
| **Alternates Present:** | Tyson Morrill |
| **Members Absent:** | Selectmen's Rep Jon Pike |
| **Staff:** | Karen Stuyniski, Town Planner |
| **Zoom:** | None |

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 through Zoom at any point, should call 603-267-8300 x 101, and the meeting will be recessed until access can be restored for all parties.

**Plan Submission and Public Hearing – Belmont Landing, LLC:** (Continued from August) Applicant is seeking Site Plan Approval to construct 36 residential units on the upper floors of an existing mixed use commercial building. Property is located at 171 Daniel Webster Highway, Tax Lot 101-022-000-000, in the Commercial Zone. Planning Board Case # 20-26P.

Chairman Harris stated that the Board has found that this application is complete and the proposal has no regional impact. The Board granted the following waivers at the July 27 meeting:

- Section 5:D:3 Soils Map & Report;
- Section 5:D:4 Topo Plan;
- Section 5:D:5 Aquifer Plan
- Section 5:D:7 Stormwater Management Plan
- Section 5:D:7 Stormwater Management Plan
- Section 5: E:6 Quality Assurance Program
- Section 5:D:8 Roads and Sidewalks
- Section 5:D:9 Landscape Plan

Chairman Harris stated that the Department comments were as follows:
**Fire:** Recommends third party review of fire and life safety plan; there is currently no fire lane, with addition of 36 residential units this causes concern for FD access.
**Police:** No comments.
**Water/Sewer:** No comments.
**Public Works:** No comments.
**Town Administrator:** No comments
**Code Enforcement Officer:** Units/building will need to meet Building, Fire and Life Safety codes including but not limited to means of egress. Building is proposed mixed use (commercial/residential) it needs to conform to the IBC requirements (not IRC).

**Conservation Commission:** No comments.
**Land Use Technician:** The property lacks adequate parking.
**Assessing Administration:** No comments.
**Staff Comments:**

***674:80 Amendment to Zoning Regulations. (excerpt)***
*I. Notwithstanding any provision to the contrary, municipalities shall allow multi-family residential development on commercially zoned land, provided that adequate infrastructure, including roads, water, and sewage systems, shall be available or provided to support the development.*

The current application does not meet parking requirements as outlined in the Site Plan Regulations Section 9:E. A traffic study was provided by the applicant however, the timing of the study (week prior to Memorial Day/Memorial Day) raises concerns. Staff is recommending a third-party traffic study be conducted. Additionally, parking is at a deficit with current tenants; not taking into consideration the potential use of the vacant units on the first floor.

Application indicates 104 parking spaces available; staff have totaled spaces finding a total of 96 parking spaces. Original approval in 2004 required 108 spaces (104 provided per plan – waiver granted for four spaces).

Plan sheet labeled "2nd Floor and Mezzanine Plan" indicates 29 units; actual unit count is 29 units on second floor plus 7 units on third (mezzanine) floor for a total of 36 units.

Dumpster currently on site may not be adequate to accommodate 36 dwelling units in addition to the commercial businesses on the first floor.

Current parking lot configuration does not contain a fire lane; in the event of an emergency fire apparatus may have difficulty accessing the property.

DOT Driveway permit may need to be upgraded due to proposed residential use.

Chairman Harris stated that a parking assessment contracted by applicant was received Monday, September 21, 2026.

Jamie O'Hara and his attorney, William Philpot were present to discuss this application. W. Philpot stated that he sees two issues. The fire issue and whether or not the Board wants a consultant on that issue, or further discussion with the Fire Chief, and the third-party review that the Board has requested about the parking. K. Stuyniski stated that the Town has reached out to Fuss and O'Neill and they are available to do a third-party assessment for the parking. She will be speaking to them in the morning to get a quote. She stated that the parking assessment submitted utilized the same data from the Memorial Day weekend and does not provide a neutral assessment. The assessment also does not recognize the parking requirements as outlined in the Belmont Site Plan Regulations. W. Philpot asked if the individual she spoke with was a traffic engineer. K. Stuyniski stated that he was. W. Philpot asked if the study would include the Fire Chief's concerns, or would they continue discussion with the Fire Chief? K. Stuyniski stated that the Chief would review the plans and make a separate decision if they would like a third-party review for fire safety.

M. LeClair noted that the dumpster currently on site may not be adequate to accommodate 36 dwelling units in addition to the commercial businesses on the first floor. J. O'Hara stated that presently there are two 10-yard dumpster onsite, and a grease dumpster for the restaurant. The two dumpsters are presently for

trash and recycling, but they can both be for trash, if need be. The trash dumpster is presently emptied once a week, and the recycling dumpster is emptied every two weeks. But that can be changed to daily if needed. W. Philpot asked how soon Fuss and O'Neill can complete the study. K. Stuyniski stated that the engineer has been very responsive and they understand that time is of the essence.

W. Philpot asked that this application be continued until the November meeting. K. Stuyniski stated that they can continue it until the next meeting, and if they still need time, they can continue the case until November.

**MOTION:** M. LeClair moved to continue this application for Site Plan Approval to construct 36 residential units on the upper floors of an existing mixed use commercial building. Property is located at 171 Daniel Webster Highway, Tax Lot 101-022-000-000, in the Commercial Zone. Planning Board Case # 20-26P.

**Second: W. Peterson**
**Vote: All in favor, motion carried. (5/0)**

**Plan Submission and Public Hearing – Pars Pie, Inc (Digital Eye, Inc – property owner):** Applicant is seeking Site Plan Approval to convert an existing retail store into carryout and delivery restaurant. Property is located at 141 Main Street, Tax Lot 122-133-000-000, in the Village Zone. Planning Board Case 23-26P.

Chairman Harris stated that the following waivers were requested:

Applicants for a minor project shall be exempt from the following requirements of these Regulations, except in cases where the Board shall determine otherwise during the course of their review of the application.

- Section 5.D.3. - Soils Map and Report.
- Section 5.D.4. - Topographic Plan.
- Section 5.D.5. - Aquifer Plan.
- Section 5.D.7. - Stormwater Management and Erosion Control Plan and Report.

Additional waiver requests:

- Section 5.D – Professional plans – No exterior changes are proposed. Parking is municipal/public and is not located on site.
- Section 5.D.6 – Utilities & Fire Protection Plan – Fire Department has requested third party review due to residential use above commercial kitchen.
- Section 5.D.8 – Roads and Sidewalks – No changes proposed.
- Section 5.D.9 – Landscape Plan – No changes proposed to exterior of site.

**MOTION:** W. Peterson moved to accept this application as a Minor Site Plan.
**Second: G. Grant**
**Vote: All in favor, motion carried. (5/0)**

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

- Section 5.D – Professional plans – No exterior changes are proposed. Parking is municipal/public and is not located on site.
- Section 5.D.6 – Utilities & Fire Protection Plan – Fire Department has requested third party review due to residential use above commercial kitchen.
- Section 5.D.8 – Roads and Sidewalks – No changes proposed.
- Section 5.D.9 – Landscape Plan – No changes proposed to exterior of site.

**Second: G. Grant**
**Vote: All in favor, motion carried. (5/0)**

**MOTION:** M. LeClair 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 12/2/2026 subject to extension or waiver.

**Second: G. Grant**
**Vote: All in favor, motion carried. (5/0)**

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.
**Second: G. Grant**
**Vote: All in favor, motion carried. (5/0)**

Chairman Harris opened the Public Hearing.

Bernard Morse, who lives at 138 Main Street. He stated that he owns the building directly across the street from 141 Main Street. He stated that people have been parking in his spots, thinking that it was municipal parking.

**DEPARTMENTAL RESPONSE:**
**Fire:** No concerns
**Police:** No concerns
**Public Works:** Some concerns from Public Works perspective is parking, primarily during winter months. There is also potential for necessary sewer and water upgrades that will need to be addressed. All items were discussed at the ARC Meeting where the project was originally presented.
**Town Administrator:** No comments
**Code Enforcement Officer:** No issues with this use
**Conservation Commission:** No concerns
**Land Use Technician:** No issues with the proposed development.
**Assessing Administration:** No issues or concerns.

**Staff Notes:**

- Fire Department will be requiring third party review of fire suppression system(s)
- Property is serviced by Town water and sewer.
- Restaurant will utilize public parking (no parking available on site). Due to the "to go" nature of the business, public parking deemed to be sufficient to meet the demand. Applicant will work with the Town regarding a single, corporate required, designated curbside pickup parking spot.

- The only external modification will be a required ADA ramp for accessibility. ADA ramps are exempt from setback requirements.
- All other modifications are internal (interior fit out).
- A grease trap/interceptor will be installed as required. Solid waste will be disposed of in the dumpster which is currently shared with the abutting property (Village Store).
- Per section 9:L Special Features: "*Hours of Operation. Except as otherwise approved by the Board, commercial or industrial uses which abut residential uses shall restrict uses which produce undue noise to the hours of 6a.m. to 7p.m."*

Proposed hours of operation are 10:30am to 12:00am. Property does abut residential use (apartments above/behind commercial use). What type of noise is produced during normal business operations?

Deliveries: application indicates utilizing side street (Fuller St) for deliveries. Due to nature of Fuller Street this is not advised; it is recommended that the parking area be utilized. The timing of deliveries may present issue with neighbors if they are before 6am/ after midnight.

Esra Bahadir (applicant, Pars Pies, Inc.) and Nawaz Azam (owner, Digital Eye, Inc.) were present to discuss this application. E. Bahadir stated that in 2023, she took over the Franklin Dominos location and for the last three years she has operated that location. After that, she took over the Meredith location, which is located in a shopping plaza. She stated that the Belmont location will be similar to the Meredith location. The hours of operation are dictated by the office in Boston. All location hours of operation are Sunday through Thursday 10:30 am to 12:00, Friday and Saturday 10:30 am until 1:30 am. She stated that there will only be two trucks making deliveries, a Domino's truck and a Coke truck. The drivers are very professional, they get in and out in a half hour. She stated that there will be a total of 4 employees, and they will only be parking in the back of the store. Delivery drivers will park in the front of the store. During rush time (4 pm to 7 pm), there will be two delivery drivers. Other times, there will be one delivery driver. One opening manager and one closing manager are scheduled for the store each day. During the mid-shift, a team member works alongside the scheduled drivers. and a shift runner. There will not be inside dining or public restroom in this location, only pickup and delivery.

**MOTION:** G. Grant moved that the Minor Site Plan 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 (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 an application dated 9/8/2026
2. Payment of decision recording fee. Check made payable to BCRD in the amount TBD.
3. Evidence of any other agency permits obtained as applicable.
4. All prior conditions of approval, except as amended by this approval, remain in place.
5. Applicant to work out agreement with Town of Belmont regarding one dedicated parking space for curbside delivery parking.
6. Applicant to provide copy of agreement for waste disposal.
7. Approved use is "diner, restaurant, tavern" (Domino's Pizza)
8. Hours of operation are Sunday through Thursday 10:30 am to 12:00, Friday and Saturday 10:30 am until 1:30 am.
9. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.

10. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
11. All exterior lighting shall be downcast and shielded from abutters and traffic.
12. No changes shall be made to the approved plans unless application is made in writing to the Town.
13. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
14. Conditions precedent shall be completed no later than 9/28/27. Active and Substantial development of the approved improvements shall occur no later than 9/28/28 and improvements shall be substantially completed by 8/24/30.
15. Compliance hearing shall be held by Board as necessary

**Second: M. LeClair**
**Vote: All in favor, motion carried (5/0)**

Minutes of August 31, 2026
The Board tabled these minutes until the October meeting.

Staff Report
K. Stuyniski stated that Kevin Sturgeon has resigned from the Planning Board. She stated that he noted in his letter that he enjoyed his time on the Board.

**MOTION:** M. LeClair moved to appoint Tyson Morrill as a full member of the Planning Board.
**Second: W. Peterson**
**Vote: All in favor, motion carried (4/0)**

Proposed Amendments
K. Stuyniski stated that one of the amendments she is proposing would be to address the new state law that allows multifamily development on commercial land. The Town can restrict the residential units to the second floor, and the bottom floors restricted to commercial.

The second proposed amendment pertains to short term lodging. It adds that the owner of the short-term lodging unit is responsible for ensuring that the occupancy limits are not exceeded.

K. Stuyniski stated that she will bring this back to the Board in October, which will keep the Board on track for the first public hearing to be held in November.

Master Plan
The Board discussed the Master Plan, and what the next steps were.

ADJOURNMENT
**MOTION:** On a motion made by M. LeClair, seconded by G. Grant, it was voted unanimously to adjourn at 7:14 pm.

Respectfully Submitted,



Susan M. Austin, Land Use Assistant