



# PLANNING BOARD TOWN OF BELMONT, NH

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Monday, February 27, 2023  
Belmont Mill, and Zoom  
Belmont, NH 03220

Present: Chairman Peter Harris, Richard Pickwick, Kevin Sturgeon, Gary Grant, Jon Pike Ex-Officio, and Dennis Grimes (Alternate)

Members Absent: Michael LeClair and Ward Peterson

Alternates Absent: Rick Segalini

Staff: Karen Santoro, Interim Planner 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.

**Plan Submission Meeting and Public Hearing – CJM Industries:** Continuation of:

Request for a Subdivision Plan approval to subdivide two lots into eight. PB #3322P

Conditional Use Permit for alternate access to two lots of the proposed subdivision. PB #3422P

Properties are located at Route 3 & 45 Westview Drive, Tax Lots 201-016-000-000 and 201-025-000-000 in the “C” and “R” Zones.

Nick Golon, P. E. from TF Moran was present for the applicants. He stated that they have addressed the comments from Fuss & O’Neill. Revisions to the design include utilizing municipal water services instead of installing wells, and they have been in contact with Laconia and Belmont DPW to confirm that there is adequate water pressure and flow. The state has granted the driveway permit. They are still waiting for the State Subdivision approval.

Craig Clairmont from DPW was present and stated that they have reviewed the plan, and they have met all of the water rules and regulations. He noted that the Fire Department recommends a hydrant at the bottom of the hill, where the entrance to the new road is, because of the distance to the closest hydrant is 300 feet. His recommendation is to put an easement at the top of development in order to provide for a possible future connection upgrade of the water line to Westview Drive. He also stated that they have an idea where the water line is, but they are not 100% sure where it is. A few years ago, the state came through and moved the water line. If they cannot tie in on the same side of the road they might need to tie in across the road.

**Waivers:**

**MOTION:** J. Pike moved to grant the waiver to Subdivision Regulations Section 9.E.9.a, to provide Road design per NHDOT Driveway Standards.

G. Grant seconded the motion.

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

**MOTION:** K. Sturgeon moved to grant the waiver to Subdivision Plan Regulations Section 5.D.1.d, to not locate water wells and septic within 100-ft of property.

R. Pickwick seconded the motion.

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

Land Use Comments:

Land Use Technician:

- An appropriate area should be provided on the shoulder near the bank of mailboxes to allow the mail carrier or residents to safely pull off the roadway to deliver/retrieve the mail. Area will need to be cleared in winter months to allow access.

Planner:

- Roadside ditch or some other design mechanism should be implemented to prevent snowbank ice melt from entering roadway on high side.
- A mailbox bank with pull-over area should be provided near the intersection of Route 3.
- Driveway aprons, culverts, road, utilities, and drainage all installed and inspected before plans are signed.
- Driveway locations shown should reflect actual driveway locations (as close as possible).
- An access easement should be drafted and provided to staff for review for the shared driveway.
- HOA documents should be drafted and provided to staff for review for maintenance of the shared drainage features, mailbox bank, and road (until accepted and taken over by the Town).
- Future town road must sit over 1 winter season before being tacked, shimmed, topped, and then accepted by the town.
- DPW is requesting an easement over one of lots to provide for possible future connection to/upgrade of water line to Westview Drive. Staff suggests an easement on the west side of lot 201-025 as it would connect to the top of Westview Drive.
- DPW: Gate valve could be relocated; add a tee and 20' section with cap installed for future use.
- Due to distance to next hydrant at Westview Drive is approximately 300'; Fire Department is requesting a hydrant at the bottom of the hill (at entrance of new road). This also helps mitigate the concern of pressure loss due to the grade of the proposed road.

Chairman Harris opened the public hearing: no public comment received.

**MOTION:** K. Sturgeon moved that the Conditional Use Permit for alternate access to two lots of the proposed subdivision be granted.

R. Pickwick seconded the motion.

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

**MOTION:** J. Pike 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.

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1. This action is based on a plan set dated 2/15/23.
2. One copy of the proposed plan should be submitted to Eversource for information purposes.
3. Complete, or secure in escrow, the following before the plan is signed and recorded:
  - i. 5' paved driveway aprons and culverts shall be installed and approved by DPW.
  - ii. Set pins and bounds.
  - iii. Submit as-builts including driveway aprons, driveway culverts, drainage, and pins/bounds.
  - iv. Incomplete improvements can be secured in an escrow account. Applicant shall submit engineer/surveyor estimates for improvements to be reviewed by the Land Use Office.
4. Submit final paper plans (5 full size, 1 reduced, 1 pdf). Submit one copy (preferably electronic) for approval prior to submitting all required copies.
5. Corrections to be made to plan(s) as outlined by Fuss & O'Neill in letter dated 12/14/2022 & 1/20/2023
6. Provide a draft of all easements to the Land Use Office for review.
7. Homeowners need to be made aware of the maintenance responsibilities associated with their shared drainage features, mailbox bank, and road (until such time as road is accepted and taken over by Town). This responsibility should be included on each of the deeds for the new lots.
8. Work with the Land Use Office to revise the Stormwater Analysis.
9. No certificates of occupancy will be issued until all drainage improvements shown on the plan, driveway aprons, and driveway culverts are installed and accepted by the Town Inspector and the plan has been signed and recorded.
10. Payment of decision recording fee. Check made payable to BCRD in the amount to be determined (mylar and notice of decision).
11. Conditions precedent will be met no later than 2/27/2024.
12. Applicant shall sign and return copy of Town's Inspection Schedule.
13. 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.**

Construction conditions to be complied with once plan has been signed and decision recorded (shall comply with full standards of the Town's Project Security/Construction Process):

14. Temporary erosion control measures shall remain in place until construction is complete and the site is stabilized. If building permits are requested prior to stabilization, the cost to remove the temporary erosion control measures shall be secured in escrow with the Town until the site is stabilized and the temporary erosion control measures have been removed.

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

15. Prior to any site work - escrow for construction inspections and closure in case of abandonment. Applicant shall submit engineer's estimate of closure costs. Construction inspector shall submit estimate of inspection costs. Town has received a quote for construction inspection of the proposed subdivision project in the amount of \$22,350.
16. Any monumentation disturbed or destroyed during construction shall be replaced.
17. 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.

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18. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
  19. No changes shall be made to the approved plans unless application is made in writing to the Town.
  20. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
  21. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 2/27/24 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 2/27/2025. Construction to be substantially complete no later than 2/27/2027. (674:39) 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.
  22. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
  23. Other: Update plans to show:
    - a. Easement location to Westview Drive for the Town to be determined for future water line expansion/improvements. Easement language to be provided to Town.
    - b. Relocated gate valve at top of cul-de-sac and installation of a tee and 20' pipe with cap for possible future improvements.
- c. Additional fire hydrant at bottom of hill near entrance to new subdivision road.

K. Sturgeon seconded the motion.

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

**Conceptual Consultation:** Whyte's Land Holding, Depot Street. M/L 236-013-000-000

James Mailloux was present to speak for the conceptual proposal. He stated that Whyte's Land Holding would like to move their logging/trucking business including two tractor trailers, to Belmont. The plan was to build a shop/office for repairs and maintenance, as well as a large garage for tractor trailers. The lot is located on Rt. 140 Depot Street in the industrial zone. The lot is 26.22 acres. The Board suggested that he meet with ARC and thanked him for his time.

**Plan Submission Meeting and Public Hearing – Laconia Housing and Redevelopment:** Request for Site Plan approval to add a shed, gazebo, dumpster, parking, walkway reconstruction and driveway repaving. Property is located at 24-72 Randlett Street, Tax Lot 204-013-000-000 in the 'RM' Zone.

Sarah Whearty, P.E. from Dubois and King INC., and Tom Cochran, Executive Director for Laconia Housing and Redevelopment were present for this application. Mr. Cochran stated that they would like to do a few renovations to the site to add a 16'x20' shed, a 12'x12' gazebo, and a dumpster with enclosures. He stated that they are also planning additional work to include removing stairs to construct ADA compliant walkways, additional parking spaces, striping of new ADA spaces and road resurfacing.

**MOTION:** J. Pike moved that the application qualifies as a minor site plan, and the application is also complete.

K. Sturgeon seconded the motion.

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

Chairman Harris opened the public hearing: no public comment received.

**DRAFT****Department Comments:**

## Staff Comments:

- At ARC the Fire Dept. noted that with the proposed changes at the east end of the loop drive to be sure there is enough width for emergency vehicles to be able to pass.
- Randlett St is a private road; no permit required to repave.
- Erosion & Sedimentation controls to be in place during construction (as outlined in plan set)
- Building permits required for gazebo and shed.

**MOTION:** J. Pike moved that the request to waive Utilities/Fire Protection Plan be granted because there are no changes proposed to any utilities. None of the proposed work should impact existing Abernaki water line or private sewer line from Laconia.

K. Sturgeon seconded the motion.

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

**MOTION:** K. Sturgeon moved that the request to waive Roads/Sidewalks be granted because they are reconstructing the existing road and will maintain as close to existing grades as possible.

J. Pike seconded the motion.

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

**MOTION:** J. Pike moved that the request to waive Quality Assurances be granted because the proposed work does not include any items that would require specific inspections or maintenance

D. Grimes seconded the motion.

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

**MOTION:** K. Sturgeon moved that the application for Minor 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.

1. This action is based on a plan set dated 1/2023.
2. Submit final paper plans.
3. No permits will be issued until the plan has been signed and recorded.
4. Payment of decision recording fee. Check made payable to BCRD in the amount to be determined (notice of decision).
5. Conditions precedent will be met no later than 2/27/2024.
6. Applicant shall sign and return copy of Town's Inspection Schedule.
7. Compliance hearing shall be held by Board as necessary.

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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.

Construction conditions to be complied with once plan has been signed and decision recorded (shall comply with full standards of the Town's Project Security/Construction Process):

8. Temporary erosion control measures shall remain in place until construction is complete and the site is stabilized. If building permits are requested prior to stabilization, the cost to remove the temporary erosion control measures shall be secured in escrow with the Town until the site is stabilized and the temporary erosion control measures have been removed.

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

9. Any monumentation disturbed or destroyed during construction shall be replaced.
10. 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.
11. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
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. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 2/27/24 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 2/27/2025. Construction to be substantially complete no later than 2/27/2027. (674:39) 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.
15. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.

**Public Hearing: Eversource Energy:** Pursuant to RSA 231:158, a public hearing shall be held for trimming and removal of trees and brush on roads designated as scenic roads (Cotton Hill, Jamestown Road, and Ladd Hill Rd).

Brian Salas, an Arborist from Eversource was present to inform the Town of Belmont that Eversource plans to do tree trimming on Cotton Hill Road, Jamestown Road and Ladd Hill Road. These roads have been designated as scenic road, and pursuant to RSA 231:158, they need to hold a public hearing to discuss any tree trimming and removal of trees on these and any other scenic roads within the proposed work area. He stated that Eversource has contracted with Asplundh Tree Expert Company to perform the actual trimming of trees. Asplundh will contact individual landowners where trees are to be trimmed prior to the start of work. Eversource performs this work in order to improve their liability.

Chairman Harris opened the public hearing.

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Woody Fogg, a resident on Jamestown Road, asked if they planned on cutting any big trees on that road. Mr. Salas stated that they only planned on trimming brush and tree limbs that were adjacent to any power lines.

With no additional comments or concerns from the public, Chairman Harris closed the public hearing.

**Minutes:**

**MOTION:** R. Pickwick Moved to approve the minutes of January 23, 2023 and January 25, 2023.

J. Pick seconded the motion.

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

## Staff Report/Other Business

Land Acquisition:

Denise Naiva, Chair of the Conservation Commission, was present to let the Board know that the Conservation Commission has voted to purchase 89 acres on Mile Hill Road. As a courtesy she is here to let the Board know. Chairman Harris stated that it was wonderful that the town has acquired that property.

Jones and Beech-Bond Reduction Request:

Jones and Beach Engineers requested on behalf of their client, KTM Exteriors and Recycling LLC (in reference to the Tioga Ridge Subdivision) a bond reduction. Underwood reviewed and recommended it to be reduced to \$133,880 rather than the request of \$119,460, due to the price of liquid asphalt and the fact that the vegetation has been cleared but stumps and stalk stubs from saplings remain.

**MOTION:** J. Pike moved to approve the bond reduction of \$133,880 as per the recommendation from Underwood Engineering.

K. Sturgeon seconded the motion.

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

Clarification request:

K. Santoro stated that there has been some confusion about the zoning changes in reference to solar. Was the intent to allow for offsite consumption? Or just for the property that the panels were located on? The Board clarified that offsite consumption was allowed.

Representatives for TAC and LRPC:

The Board tabled this conversation until the next meeting so that all members had an opportunity to participate.

**Adjournment:**

Motion to adjourn was accepted at 7:42 PM.

Respectfully submitted,

Susan Austin  
Land Use Assistant