



PLANNING BOARD MINUTES

TOWN OF BELMONT, NH

MONDAY, March 25, 2024 6:00 P.M.

Belmont Mill 4th Floor Tioga Room

14 Mill Street & Zoom

Present: Chairman Peter Harris, Vice Chairman Ward Peterson, Gary Grant, Richard Pickwick, and Kevin Sturgeon.
Absent: Michael LeClair and Jon Pike
Staff: Karen Santoro, Town Planner; and Susan Austin, Land Use Assistant
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.

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.

Plan Submission Meeting and Public Hearing – White Oaks, LLC: Continuation of a request for Site Plan approval to add a tent style storage building to the site for the storage of maintenance equipment. Property is located at 52 Higgins Drive, Tax Lot 241-008-000-000, in the Industrial Zone. Planning Board Case # 05-24.

Chairman Harris stated that the following actions were taken at the last meeting of February 26, 2024:

The following waiver requests were granted:
Section 5.D.3 – Soils Report
Section 5.D.4 – Topo Plan
Section 5.D.5 – Aquifer Plan
Section 5.D.6 Utilities/Fire Protection Plan
Section 5.D.7 – Stormwater Management Plan

The Board determined that application was substantively complete and that the project does not have regional impact.

Jon Rokeh, Rokeh Consulting, was present for the applicant. He stated that at the last meeting they had a plan that placed the temporary structure in the existing parking area. They have come back with a plan showing that it was not in the front taking up any parking spaces, or interfering with any access to the lot.

Chairman Harris opened the public hearing portion of the meeting. There was no public present. The public hearing was closed.

K. Santoro stated that Staff's comment was that the new membrane structure would be for storage of maintenance equipment only, no washing of vehicles is permitted.

MOTION: R. Pickwick 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 (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 or plan set dated February 2, 2017; revised to July 1, 2018. Annotated January 2024 and February 2024 to indicate proposed membrane structure location.
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:
3. Payment of decision recording fee. Check made payable to BCRD, in the amount of \$20.63, to record Notice of Decision.
4. Conditions precedent shall be completed no later than 3/25/25. Active and Substantial development of the approved improvements shall occur no later than 3/25/26 and improvements shall be substantially completed by 3/25/28.
5. Compliance hearing shall be held by the 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. Approved use(s) with this application include indoor (only) climate-controlled boat storage (Warehousing/self-storage use; not self-storage). Changes to or additions of use(s) shall require Site Plan Review.
7. All prior conditions of February 1, 2017 Site Plan approval; as Amended 6/1/2017, remain in place.
8. Membrane storage structure not to exceed 24' x 64' in size. Structure is for equipment storage only. No washing of vehicles permitted with this approval.
9. All regulated substances stored in containers with a capacity of 5 gallons or more must be stored in product-tight containers on an impervious surface designed and maintained to prevent flow to exposed soils, floor drains, and outside drains.
10. Submission of building plans, requiring approval by the Building Inspector & Fire Department, shall comply with all applicable building, fire, health, and life safety codes.
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 3/25/25 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.

15. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
16. Operational conditions of the Town and other agencies shall be met.

Second: G. Grant

Vote: All in favor, motion carried (5-0)

Plan Submission and Public Hearing – Route 106 Realty Trust: Request for Site Plan approval extension for Contractor’s Yard, commercial building (motor vehicle & trailer service, professional offices, light manufacturing, retail stores and service business), and a Conditional Use Permit for a subordinate dwelling unit. The original approval date was June 27, 2022. Property is located on Laconia Road & 28 Corriveau Way, Tax Lot 217-114-000-000, in the Commercial Zone. PB Case #08-24P.

Jon Rokeh, Rokeh Consulting, was present for the applicant. He stated that the applicant realized that the project required more effort than he originally thought. The applicant would like to get site work done and ready to go, so he can get started on the construction.

COMPLETENESS OF APPLICATION

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 5/31/2024 subject to extension or waiver.

Second: R. Pickwick

Vote: All in favor, Motion carried (5-0)

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.

K. Santoro stated that Staff’s review suggests there is no evident regional impact as defined in RSA 36:55. The property is not within the Aquifer & Groundwater Protection District.

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

Second: W. Peterson

Vote: All in favor, motion carried (5-0)

MERITS OF APPLICATION:**Departmental Responses:**

Fire: No concerns at this time, depending on business size will depend on fire suppression. Along with E911 addressing

Assessing: No concerns.

Public Works: No concerns.

Code Enforcement Officer/Building Official: No concerns.

Land Use Technician: No concerns.

Staff Comments: Approved use is a Contractor's Yard, commercial building (motor vehicle & trailer service, professional offices, light manufacturing, retail stores and service business), and a Conditional Use Permit for a subordinate dwelling unit. Application for extension was received prior to expiration of approval.

Chairman Harris opened the public hearing portion of the meeting. There was no public present. The public hearing was closed.

MOTION:

K. Sturgeon moved that the application for a one year extension of the approval of Route 106 Realty Trust for a Contractor's Yard, commercial building (motor vehicle & trailer service, professional offices, light manufacturing, retail stores and service business), and a Conditional Use Permit for a subordinate dwelling unit located on Laconia Road & 28 Corriveau Way, Tax Lot 217-114-000-000 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 a plan set dated 6/22/22
2. Compliance hearing shall be held by Board as necessary.
3. All original conditions of approval remain in place except as amended herein.
4. Payment of decision recording fee.
5. Compliance hearing shall be held by Board as necessary.
6. Approved use as Contractor's Yard, commercial building (motor vehicle & trailer service, professional offices, light manufacturing, retail stores and service business), and Conditional Use Permit for a subordinate dwelling unit.
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. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
11. Approval is subject to expiration, revocation and changes in the Ordinances. This one-year extension shall expire on 6/22/2025 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.

Second: W. Peterson

Vote: All in favor, motion carried (5-0)

Plan Submission and Public Hearing – Route 106 Realty Trust: Request for Site Plan approval extension to construct and operate a self-storage facility. The original approval date was March 22, 2021, an extension was granted on March 27, 2023. Property is located on Old State Road, Tax Lot 201-003-000-000, in the Commercial Zone. PB Case #09-24P.

J. Rokeh was present for the applicant. He stated that the applicant had merged several properties and received their Alteration of Terrain permit in 2021, but they have not been able to act on this yet. The lot needs a lot of site work before they can start the proposed project. The applicant feels that it will be at least another year to get the lot completely cleared.

LOT HISTORY:

Current owner purchased a portion of the property, as a single lot in 1986

In 2017 he purchased the remainder from the Town, as a separate parcel and obtained a Special Exception allowing for the expansion of an existing nonconforming multi-family use from 16 to 21, contingent upon the merger of the two parcels. This Special Exception has expired.

The lots were merged in 2018.

Site was largely cleared in 2019 and 2 previously existing residential units have been removed.

Site Plan approval was given in March of 2021

Site Plan Approval Extension granted 3/27/2023

COMPLETENESS OF APPLICATION

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 in a timely manner to complete review and act on the application. The Board shall act on this proposal by 5/31/2024 subject to extension or waiver.

Second: G. Grant

Vote: All in Favor, motion carried (5-0)

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.

Staff's review suggests there is no evident regional impact as defined in RSA 36:55. The property is not within the Aquifer & Groundwater Protection District.

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 portion of the meeting. There was no public present. The public hearing was closed.

MERITS OF APPLICATION:

Departmental Responses:

Fire: No concerns.

Water/Sewer: No concerns.

Public Works: No concerns.

Town Administrator: No concerns.

Code Enforcement Officer/Building Official: No concerns.

Land Use Technician: No concerns.

Staff Comments: Approved use is interior self-storage facility. Application for extension was received prior to expiration of approval.

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 (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 7/2/2021
2. Compliance hearing shall be held by Board as necessary.
3. All original conditions of approval remain in place except as amended herein.
4. Payment of decision recording fee.
5. Compliance hearing shall be held by Board as necessary.
6. Approved use as an interior self-storage facility.
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. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
11. Approval is subject to expiration, revocation and changes in the Ordinances. This one-year extension shall expire on 3/25/2025 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.

Second: K. Sturgeon

Vote: All in favor, motion carried. (5-0)

Plan Submission and Public Hearing - Fall Line Trust: Request for Subdivision Approval (Phase 2) to create three lots from Lot 205-047-000-000. Property is located at 70 Bishop Road, Tax Lot 205-047-000-000, in the Residential Single Zone. PB Case #10-24P.

Bryan Bailey, Bailey Associates, Inc, was present for the applicant. B. Bailey stated that this is Phase 2 of the subdivision. Phase 1 focused on the frontage lots, and was approved in December of 2023. This phase will focus on the back lots. They are proposing a private right of way to serve the back lots. These lots will have onsite septic and individual wells.

LOT HISTORY:

October 1985 – Building permit for indoor riding arena
 March 1999 – Zoning designation letter
 May 2002 – Electrical permit for service upgrade
 April 2004 – Foster care license inspection
 September 2006 – PB Conceptual consultation – indoor sports complex
 March 2007 – DES Wetlands application (dredge & fill)
 March 2007 – DES AoT permit application (for indoor sports complex)
 October 2007 – PB site plan approval for indoor sports complex – Approval expired
 March 2017 – Mechanical permit for tank swap
 May 2023 – DES Subsurface Systems - Approval of Subdivision
 August 2023 – PB Subdivision Approval (for Phase 1)

WAIVER REQUESTS

K. Santoro stated that Staff supports the requested waivers.

Section 5-D-8: Special Features Plan & Report: Special features of this property include the man-made farm pond and prior use as a farm and pasture land.

MOTION: K. Sturgeon moved to grant the waiver to Section 5-D-8.

Second: W. Peterson

Vote: All in favor, motion carried.

Section 5-E-6: Quality Assurance Program: This subdivision regulation is not necessary to the proposed project and requests a waiver be granted. The proposed Private ROW will be built or Bonded as a Condition of Approval. Quality Assurance is therefore contained within this aspect of approval and Town Inspection requirements. Upon the sale of the individual lots and upon a request for a building permit that individual will have to comply with Best Management Practices for Sediment & Erosion Control for the individual site construction requirements.

MOTION: K. Sturgeon moved to grant the waiver to Section 5-E-6.

Second: W. Peterson

Vote: All in favor, motion carried.

MOTION: G. Grant 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 5/29/24 subject to extension or waiver.

Second: K. Sturgeon.

Vote: All in favor, motion carried. (5-0)

DEVELOPMENT OF REGIONAL IMPACT

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.

Staff's review suggests there is no evident regional impact as defined in RSA 36:55. The property is not within the Aquifer & Groundwater Protection District.

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

Second: W. Peterson

Vote: All in favor, motion carried (5-0)

Departmental Responses:

Fire: No concerns.

Police: No concerns.

Public Works: Drainage and paved apron requirement before any construction activity.

Town Administrator: No comments.

Code Enforcement Officer/Building Official: No Concerns.

Assessing:

- The newly subdivided parcels (except 001) should be listed as abutters on the abutters list for the new SD application. It will be the same name and address as the current owner of 205-047 because none of the new lots have sold yet.
- Assessing adjustments resulting from this proposal will occur only on the April 1st assessment date following the recording and/or commencement of the project.
- Property is in Current Use. An updated Current Use map showing the Not-in-Current-Use area(s) and the updated categorization change(s) will be required prior to development or change in ownership. (CU-18 Form may be required.) The Assessing Department should be contacted regarding questions about an updated Current Use map or any Land Use Change Tax Penalty process that may result from development or change in ownership.

Land Use Technician:

- Is the existing building, show in Phase 1, that is located on proposed lot# 205-047-06 to remain? If so, the structure should be shown on the plans. If not, then the 26-ft offset dimensions on the east side of the lot should be removed. addressed.
- The "ESMNT" notes on the new lots are somewhat confusing. Suggest that the label should read "ROW ESMT" with an arrow to the right-of-way easement for each of the lots. Addressed.
- Consider changing the print color of the stone walls to read like the plan legend.
- Cross section 4+50 (J-J) on sheet 6 of 8 does not read well.
- Cross section 6+50 (W-W) on sheet 6 of 8 does not read well.

Staff Notes:

- Application is to create two additional lots from Lot 205-047-000-000. Lots meet minimum lot size requirements and lots will front on new private road. New private roads serving no more than three (3) lots, including the original lot, shall be designed to conform to the minimum standards established in Exhibit 3 of the Subdivision Regulations and as shown on the attached Typical Private Roadway Section (9b) (Exhibit 5) in the Subdivision Regulations

MOTION: G. Grant moved that the application for Subdivision 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 2/21/2024; amended 3/4/2024.
2. One copy of the proposed plan should be submitted to Eversource for information purposes.
3. Prior to plan signing/recording an escrow shall be established for any incomplete improvements
4. Including setting of pins and bounds, and as-built plans (as necessary). Applicant shall submit engineer/surveyor estimates for improvements for review by the Land Use Office.
5. Submit final paper plans (5 full size, 1 reduced, 1 pdf). Submit 2 mylar copies of sheets suitable for recording. Submit one copy (preferably electronic) for approval prior to submitting all required copies.
6. Add/identify/include/correct on plan:
 - Label/include arrow for easements
 - Add L7 information to the easement table.
 - Correct note in signature block on page one to indicate correct number of sheets/sheets recorded
 - Remove incorrect note at top of page 2.
 - Correct spelling of "Subdivision" on Page 1 signature block.
 - Correct overlapping text on sheets 6 & 8
7. Payment of decision recording fee. Check made payable to BCRD in the amount to be determined (mylar and notice of decision).
8. Conditions precedent will be met no later than 3/25/2025.
9. Applicant shall sign and return copy of Town's Inspection Schedule, if applicable. Schedule will be available once final plans are submitted.
10. Compliance hearing shall be held by the 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.

11. 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):
12. Provide wetland information to new property owners for proposed lot 205-047-010-000 to make them aware of wetland setbacks, filling and/or alteration guidelines.
13. Any monumentation disturbed or destroyed during construction shall be replaced.

14. 5' paved driveway aprons and culverts (as necessary) shall be installed prior to development on the lots.
15. All utilities must be underground.
16. Homeowners to be made aware of maintenance requirements for level spreader.
17. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
18. No changes shall be made to the approved plans unless application is made in writing to the Town.
19. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
20. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 3/25/25 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 3/25/2026. 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.
21. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
22. The existing septic is to be discontinued at lot Number 6, and decommissioned per State regulations. Show an alternate well location for lot number 6.

Second: W. Peterson

Vote: All in favor, motion carried. (5-0)

Plan Submission and Public Hearing – Good Fortune Trust of 2022: Request for Subdivision Approval to create three lots from Lot 229-007-000-000. Property is located at 258 Farrarville Road (fka 121 Brown Hill Road), Tax Lot 229-007-000-000, in the Residential Single Zone. PB Case #11-24P.

Jacques Belanger, J.E. Belanger Land Surveying, PLLC, was present, along with Richard Bjelf, the applicant. J. Belanger stated that this is a straightforward 3 lot subdivision. They are asking for 5 waivers. Presently, there is a new home being constructed where the original home burned. The newly created lots will eventually have homes constructed on them as well. J. Belanger stated that they have met with the Director of Public Works to discuss the driveway locations.

LOT HISTORY:

- 1994 – Subdivision application (create lots on Brown Hill Road)
- 4/2011 – Electrical permit
- 9/2013 -Correspondence re: unpermitted apartment
- 1/2016 – Building permit – doors/windows
- 7/2021 – Demolition permit - single family house and shed
- 3/2023 – Building permit – replace fire burned structure
- 5/2023 – Building permit for ADU (denied – Special Exception required)
- 9/2023 – Special Exception for ADU (granted)
- 9/2023 – Building permit for ADU
- 1/2024 – 911 Address Change from 121 Brown Hill Road to 258 Farrarville Road

WAIVER REQUESTS

K. Santoro stated that Staff supports the requested waivers.

Section 5-D-3: Soils & Maps Report: The wetlands were delineated for that area along the road frontage. The remaining parcel to the west is all wetlands and does not provide any upland. We therefore did not delineate the remaining area and would like to request to waive having to map the remaining wetland area.

Section 5-D-6: Stormwater Management & Erosion Control Plan & Report: There are 3 proposed lots within this subdivision which is under the 4-lot minimum. There are no streets proposed as all residential lots will have frontage on Farrarville Road. With no streets proposed there will be no need to provide storm management and erosion control plans.

Section 5-D-7: Road Profiles, Cross-Sections & Details Plan: Since there are no new streets proposed there is no need to provide Road profiles plans with cross sections,

Section 5-D-8: Special Features Plan & Report: This proposed 3 lot subdivision will not have any special features with the exception of the delineated wetlands. These wetlands will not be disturbed as all building and septic construction will be within the 35- and 75-foot wetland buffers per the town of Belmont wetland requirements.

Section 5-E-6: Quality Assurance Program: Due to this subdivision not proposing any new streets we feel a Quality Assurance Program is not necessary. The only site work will be for the construction of each residential home, septic area and for new well location. These will require a building permit and will be inspected by the town's building inspector. The proposed driveways will be under the control of the town's road agent and will be constructed per the towns driveway requirement as well as inspected by the road agent.

MOTION: W. Peterson moved to grant the requested wavers.
Second: G. Grant
Vote: All in favor, motion carried. (5-0)

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 in a timely manner to complete review and act on the application. The Board shall act on this proposal by 5/29/24 subject to extension or waiver.
Second: K. Sturgeon
Vote: All in favor, motion carried. (5-0)

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.

Staff's review suggests there is no evident regional impact as defined in RSA 36:55. The property is not within the Aquifer & Groundwater Protection District.

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)

Departmental Responses:

Fire: No concerns.

Police: No concerns.

Public Works: Site distance at driveway location on proposed lots may be an issue depending on driveway placement. Site distance requires 300' of clear line of sight in each direction. Driveway aprons must be paved and installed with appropriate drainage at the roadway before any construction activity takes place. Please check notes from ARC and feel free to reach out with any questions.

Code Enforcement Officer/Building Official: No concerns.

Conservation Commission: No concerns.

Assessing: Assessing adjustments resulting from this proposal will occur only on the April 1st assessment date following the recording and/or commencement of the project.

Land Use Technician: No Concerns

Staff Notes: Applicant is proposing to subdivide lot 229-007-000-000 (13.27 acres) into three lots. Currently there is a house under construction on the lot, to replace a fire burned structure.

Discussion Items:

- Does each lot contain 10,000 sf of upland area? (Confirm)
- Provide overview sheet showing all three lots.
- Proposed driveway locations should be shown on the plan; site distance to be verified
- Has State subdivision approval been received from DES?

Chairman Harris opened the public comment portion of the meeting.

Mike Silvia, 216 Farrarville Road. M. Silvia stated that he has no issues with the proposed subdivision.

MOTION: W. Peterson moved that the application for Subdivision Approval to create three lots from Lot 229-007-000-000, 258 Farrarville Road, in the Residential Single Zone 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 12/11/2023.
2. One copy of the proposed plan should be submitted to Eversource for information purposes.
3. Prior to plan signing/recording an escrow shall be established for any incomplete improvements
4. Including setting of pins and bounds, and as-built plans (as necessary). Applicant shall submit engineer/surveyor estimates for improvements for review by the Land Use Office.
5. Submit final paper plans (5 full size, 1 reduced, 1 pdf). Submit 2 mylar copies of sheet 1 and 3 suitable for recording. Submit one copy (preferably electronic) for approval prior to submitting all required copies.
6. Add/identify/include/correct on plan:

- Provide overview plan on single sheet
- 7. Payment of decision recording fee. Check made payable to BCRD in the amount to be determined (mylar and notice of decision).
- 8. Conditions precedent will be met no later than 3/25/2025.
- 9. Applicant shall sign and return copy of Town's Inspection Schedule, if applicable. Schedule will be available once final plans are submitted.
- 10. Compliance hearing shall be held by the 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):

11. Provide wetland information to new property owners for proposed lot 229-007-001-000 and 229-007-002-000 to make them aware of wetland setbacks, filling and/or alteration guidelines.
12. Any monumentation disturbed or destroyed during construction shall be replaced.
13. 5' paved driveway aprons and culverts (as necessary) shall be installed prior to development on the lots.
14. All utilities must be underground.
15. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
16. No changes shall be made to the approved plans unless application is made in writing to the Town.
17. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
18. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 3/25/25 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 3/25/2026. 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.
19. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.

Second: K. Sturgeon.

Vote: All in favor, motion carried. (5-0)

Lot Merger:

Lakeview at Belmont, LLC. Tax Lots 201-066-000-000 and 201-067-000-000.

MOTION:

R. Pickwick moved to approve the lot merger of lots 201-066-000-000 and 201-066-000-000, with the condition that the owner extend the mortgage to Lot 201-066-000-000 before the merger is recorded.

Second: W. Peterson

Vote: All in favor, motion carried. (5-0)

Minutes

Amend/Approve prior meeting minutes of February 26, 2024.

MOTION: K. Sturgeon moved to approve the minutes of February 26, 2024, as written.

Second: G. Grant.

Vote: All in favor, motion carried (5-0)

Staff Report

Source Water Protection Ordinance

K. Santoro stated that Christine Marion from Lakes Region Planning Commission has reached out to her about the new model source water protection ordinance that she had discussed with the Board last Fall. She would like to come back before the Board in the Fall this year and work with the Board to create a revised draft amendments to the Town's Ground Water Protection Ordinance.

Election Results

K. Sturgeon discussed the results of the elections with the Board. He also noted that they need alternates for both Planning Board and Zoning Board.

ADJOURNMENT

MOTION: On a motion made by K. Sturgeon, seconded by R. Pickwick, it was voted unanimously to adjourn at 8:10 pm.

Vote: All in Favor, Motion carried (5-0)

Respectfully Submitted



Susan M. Austin, Land Use Assistant