MEETING MINUTES of the APPLICATION REVIEW COMMITTEE TOWN OF BELMONT, NH THURSDAY, FEBRUARY 20, 2020 – 8:00 AM CORNER MEETING HOUSE

Members Present: Jeanne Beaudin (Town Administrator), Craig Clairmont (Public Works Director), Mark Lewandoski (Police Chief), Steven Paquin (Building Inspector/Health Officer), Richard Ball (Land Use Technician) and Dari Sassan (Town Planner)

Members Absent: Mike Newhall (Fire Chief)

Others Present: Wende Richter

Introductions
Mr. Sassan opened the meeting at approximately 8:00 AM. He thanked everyone for attending and explained that staff members comprising the Application Review Committee (ARC) are present to assist the applicants in a preliminary discussion regarding their proposals. He said that the discussion is non-binding on the applicants and the Town, and that the ARC has no regulatory authority. Mr. Sassan said the meeting is intended to allow staff to gain a better understanding of the proposal and to provide applicants with early input on their proposal. He said that staff members remain available to continue to provide assistance during the application process and that the meeting is a public meeting, but not a public hearing and staff is not authorized by local or State law to accept public comments as part of this review. Staff Members introduced themselves.

Case 01-20R – Wende Richter, Smith Orchard
Review for Agriculture (Outdoor Agritourism Functions- Weddings, Meals, Birthday Parties, Educational Tours, Anniversary Parties), 184 Leavitt Road, Tax Lot 211-077-000-000, Rural and Residential Single-Family districts. #01-20R

Ms. Richter distributed and described additional plans, photographs and a document containing the following information:

Planned Orchard Events

Weddings
3 events a year. Usually 1 during blossom, in May and 2 in September.
Number of people ranges from 25 to 100.
They are afternoon weddings 2-10. Usually on a Saturday.
All food items and trash must be picked up and removed from the Orchard before 10:00 PM
Bands to play no later than 10:00 pm
Tents, Porta potties and "decoration" usually put up on Friday.
Halogen ground lighting is brought in by the wedding party.
The event is broken down and cleaned up on Sunday.
Porta Potties and tents usually get picked up on Monday.

Harvest Brunch
Always held on the 4th Sunday in September
Time: 11:00 to 2:00 pm
Number of people: 100
A local restaurant cooks for this event.
Portable griddle runs on LP Gas

Birthday Parties
These usually take place in the afternoon, but not always.
They bring their own decorations, cake, etc.
They get their own tractor ride and are taught about the different kinds of Apples.

School Groups
Number of children: 20-65
Mornings from 9:30-11:00 Monday thru Thursday
They are taught all about how apples grow, about pollination, they pick their own apples,
to take home and are given a demonstration on how you make Cider.

Bluegrass Band - The Smith Orchard Pickers
They play on the last 2 Sundays in September
Time: 11:00-3:00
These events are open to the public
You do not need to pick apples to enjoy these events

Chief Lewandoski said that he is in favor of the proposal. He said that past events have not resulted in
negative traffic impacts, unruly behavior or other nuisances, other than complaints from a single
individual regarding noise. He acknowledged that he was initially concerned about potential instances
of impaired driving following wedding events, but that no such issues have surfaced. Chief Lewandoski
indicated that if liquor violations were found, the caterers would generally be the ones cited, as they are
the liquor license holder.

Mr. Clairmont indicated that he does not have any issues with the proposal. He said that the location
provides a great venue for events. Mr. Paquin said that he does not have issues with the proposal. He
said that he would double check with the Department of Safety, but that he believes that the State Fire
Marshal, who inspects tents, has lessened the inspection burden for these types of events. He said that
he would seek confirmation, but that his understanding is that events with an occupancy of fewer than
100 are not subject to fire marshal review.

Mr. Ball said that adequate, well drained parking is available, posing no operational or environmental
concerns.
Mr. Sassan stated that the property is located in the Rural & Residential Single-family Zone, not within the Aquifer & Groundwater Protection Zone or Floodplain, and that 29 of the 30 acres are in Current Use. He said that the site, including the current operation of an apple orchard, appears to be compliant. Mr. Sassan said that it may be necessary for code enforcement and the fire department to inspect the facilities in conjunction with any approval to operate, and it is possible that event specific inspections may be required.

Mr. Sassan said that the Land Use office is viewing the proposed use as agritourism, which is defined as a type of agriculture. He explained that when previously reviewed in 2017, a similar proposal was categorized as outdoor recreation, which would require ZBA relief, however, he continued, statutes pertaining to agriculture and agritourism have changed. Mr. Sassan said that following legal advice received from NHMA, the Land Use office has determined that the use shall be categorized as agriculture based upon currently available information about the use.

Mr. Sassan emphasized that further specific information regarding the use could reveal that the use is not agriculture, and that an ongoing evaluation will have to occur as more information is received specific to the proposed use. He thanked Ms. Richter for the information she provided in response his request for additional operational details including proposed frequency, duration, attendance and overall impacts of the proposed events, which he said seems to indicate the proposed use remains within the definition of agritourism, a form of agriculture.

Mr. Sassan said that site plan review would be required and that the application deadline for the March 23rd Planning Board meeting is 4pm, Monday, March 2nd. He said a full listing of all submission requirements is set forth in Sections 5 of the Site Plan Review regulations, and in the corresponding application checklists, which are all available on the town website.

Mr. Sassan said that waivers may be requested for submission requirements that do not impact or otherwise pertain to the proposed project. He said all waiver requests shall be formally submitted using a waiver request form and that the Board must vote to grant any requested waivers; thus, it is necessary to provide a reasonable rationale for any items to be omitted.

Mr. Sassan explained that he would place the following language regarding plan requirements, excerpted from the Site Plan review regulations, into these minutes:

Plans are intended to clearly represent the current proposal for the purpose of review, to be used by contractors and Town Officials during construction of required improvements and to provide an historic record of the approval to be used by subsequent owners and Town officials. Plans that meet these requirements will benefit both the developer and the Town in reducing unnecessary confusion, development costs, and lost time. For this purpose, plans shall be drawn in a clear, professional manner. Plans that are unclear, confusing, poorly drafted or that do not accurately represent the proposal or approval will be refused. Plans with orphan text, arrows, lines and graphics, or lines and graphics which are not accurately defined in the legend, or overstrikes that produce unreadability, or inappropriate layers turned on/off will be refused. Plans to be presented in more than one scale shall be appropriately drafted for each scale including line and text size. Acceptable plan scales are 10, 20, 30, 40, 50, 60, 100 & 200 scale. Plans that are simply photographically enlarged to another scale will be refused. On multi-sheet plan sets, individual sheets shall be arranged to make efficient use of paper rather than rigid adherence to a grid. An overview plan of the entire site, may, on its own, be
adequate to depict large, open areas of the development, while developed areas will be more appropriately depicted at a larger scale.

As required by NH RSA 674:37, all survey work shall be performed by a NH Licensed land surveyor. All engineering work shall be performed by a NH Registered professional engineer as required by NH RSA 310-A:11. All required Professional Certifications of the plans submitted shall be by original seal and signature only. A copied seal or signature shall not be accepted.

Minutes
Amend/Approve prior meeting minutes – December 19, 2019

MOTION: On a motion by Mr. Ball, seconded by Mr. Paquin, it was voted unanimously to adopt the minutes of December 19, 2019 as written. (6-0)

Adjournment
The meeting adjourned at approximately 8:20 AM.

Prepared by,

[Signature]

Dari Sassan
Town Planner