Planning Board  
Town of Belmont, NH

Monday, January 27, 2020
Belmont Corner Meeting House
Belmont, New Hampshire

Present: Chairman Peter Harris; Vice Chair Ward Peterson; Members Rick Segalini, Jr., Michael LeClair, Kevin Sturgeon, Gary Grant and Jon Pike Ex-Officio; Alternate Members Richard Pickwick and Dennis Grimes.

Staff: Dari Sassan, Rick Ball and Colleen Akerman.

Chairman Harris opened the meeting at 6:00 p.m. and welcomed those in attendance.

It was the consensus of the Board, with the agreement of the applicant, to move agenda item number one, Mountain Made Materials, to agenda item number three.

1. Plan Submission and Public Hearing – Robert O. Lord: Request for subdivision approval to subdivide one lot into two. Property is located at 60 Concord Street, Tax Lot 126-026-000-000 in the “V” Zone. PB # 0120P.

P. Harris stated the applicant presented this proposal to the ARC on 11/14/2019. Staff reported the compliance status of the existing lot to be nonconforming because it includes a manufactured dwelling unit, which is not permitted outside of a manufactured home park or manufactured home subdivision. Redevelopment of the site or relocation of the manufactured unit will likely result in the loss of legal nonconforming status for the manufactured unit.

P. Harris noted the applicant has requested a waiver for application fees.

MOTION: M. LeClair moved that the request to waive Application Fees (Subdivision Section 5.B) be granted because the subdivision is being conducted for the purpose of placement of the historic Gale School building by the Save Our Gale School Committee, a 501c3 nonprofit organization.

The motion was seconded by R. Segalini and carried. (7-0)

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 4/1/2020 subject to extension or waiver.

The motion was seconded by R. Segalini and carried. (7-0)
The chairman stated the following definition will be used to determine if the applications before the Board tonight have a regional impact. He explained 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:** R. Segalini moved that the proposal does not have a potential regional impact.

The motion was seconded by G. Grant and carried. (7-0)

The chairman opened the public hearing.

Mr. Mike Bemis, LLS of Steven J. Smith and Associates and Mr. Robert Lord were present for this application.

Mr. Bemis explained that this is a simple subdivision. There is a 12.6 acre lot and they will be taking out 1 acre for the proposed move of the Gale School Building. There are notes that will be updated on the plan including sight distance, which is 450 feet in either direction. If the subdivision is approved, a Site Plan will be submitted for relocation of the Gale School building.

J. Pike asked about the square footage of the building. Mr. Bemis replied that conceptuals have been done and the building will fit on the lot with the required parking. R. Ball confirmed that schematics show it will fit. W. Peterson asked about the Town’s easement. R. Ball verified the building will not be placed on the easement. The easement will be paved but if the pipe needs any work, the owner will be responsible for replacing the pavement. J. Pike asked if that is written into the deed. R. Ball said yes, it spells that out. J. Pike asked if it will be written into the Subdivision for this property so that we are covered. R. Ball said that the easement will be noted on the plan. P. Harris inquired if there is a need for a Variance or Special Exception. R. Ball answered no. D. Grimes questioned what happens to the mobile home. Mr. Bemis stated the mobile home will be removed. R. Ball confirmed that removal is required for this plan.

The chairman asked if anyone in the audience had additional questions or comments. There being none, he closed the public hearing.

**Board’s Action – Robert O. Lord:**

**MOTION:** M. LeClair 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 December 2019.
2. Remove manufactured dwelling unit from the property and accordingly update plan.
3. Submit final plans (2 mylar, 5 paper, 1 reduced). Submit one copy for approval prior to submitting all required copies. Add/identify/include note on plan:
   a. Indicate “total frontage” for remaining lots.
   b. Revise Note #5 to match acreage shown on plan.
   c. Revise Note #10 to read: “The approval of this plat is subject to revocation in compliance with the Belmont Subdivision Regulations and NH RSA 676:4-a”
   d. All pins to be set/certified on final plan.
   e. Show driveways sight distances.
   f. Show extent of garage and any other detached existing structures.
   g. New lot to have:
      1. paved apron.
      2. underground utilities from ROW.
      3. for on-site delivery, US Postal approved box/location.
4. Payment of decision recording fees. Cost of plat (to be determined) and notice of decision ($16.60).
5. Conditions precedent shall be completed no later than 1/27/21.
6. Compliance hearing shall be held by Board as necessary.

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

7. Approved uses include: Those permitted in the Residential Single-Family Zone.
8. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
9. No changes shall be made to the approved plans unless application is made in writing to the Town.
10. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 1/27/22 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.
11. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.

The motion was seconded by R. Segalini and carried. (7-0)

2. Plan Submission and Public Hearing – Andrew Grant: Request for subdivision approval to subdivide one lot into two. Property is located at 389 Province Road, Tax Lot 215-007-000-000 in the “R” Zone. PB #0220P.

   P. Harris reviewed the lot history. There was a Boundary Line Adjustment 5/10/1999, a Subdivision 10/26/2005, and another Boundary Line Adjustment 08/28/2017. The applicant presented this proposal to the Application Review Committee on 12/19/19. The property is located in the Rural Zone. The southern half of the lot is located within the Aquifer & Groundwater Protection Zone with a portion in Current Land Use with uses including vacant land with the exception of a garage.

   J. Pike questioned the substantial development that had previously been approved for the property. R. Ball reported that plan was withdrawn.
P. Harris stated the applicant has requested waivers for Topographic Plan, Soils Map & Report, Road/Sidewalk Plan, Special Features Plan & Report and Additional Reports.

MOTION: W. Peterson moved to grant the following waiver requests:

a. Topographic Plan (Subdivision Section 5.D.2) because the data is already available through previous subdivision cases.

b. Soils Map & Report (Subdivision Section 5.D.3) because the data is already available through previous subdivision cases.

c. Road/Sidewalk Plan (Subdivision Section 5.D.7) because no additional roads or sidewalks are proposed.

d. Special Features & Report (Subdivision Section 5.D.8) because of the minimal potential impacts associated with the proposal.

e. Additional Reports (Subdivision Section 5.E) because of the minimal potential impacts associated with the proposal.

The motion was seconded by M. LeClair and carried. (7-0)

MOTION: R. Segalini 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 4/1/2020 subject to extension or waiver.

The motion was seconded by G. Grant and carried. (7-0)

MOTION: J. Pike moved that the proposal does not have a potential regional impact.

The motion was seconded by R. Segalini and carried. (7-0)

The chairman opened the public hearing.

Mr. Peter Holden of Holden Engineering & Surveying, Inc. presented this application. He said the 136-acre lot is part of a previously approved 50 lot subdivision and now it will be subdivided into just two lots. Two acres around the garage are not in current use, but 134 acres will be left in current use. One lot will be subdivided to 30 acres on Middle Route to make one house lot. There will be one 104 acre lot and one 30 acre lot. Driveway sight distances and other notes will be added to the plan per the conditions of approval.

The chairman asked if anyone in the audience had additional questions or comments. There being none, he closed the public hearing.

Board's Action – Andrew Grant:

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 or plan set dated 10/28/19.
2. Submit final plans (2 mylar, 5 paper, 1 reduced). Submit one copy for approval prior to submitting all required copies. Add/identify/include note on plan:
   a. Indicate “total frontage” for remaining lot.
   b. All pins to be set/certified on final plan.
   c. Add the following statement certified by the surveyor and/or engineer: "This plat meets all Zoning and Subdivision Regulations of the Town of Belmont in effect as of the date of filing unless waivers have been requested in writing."
   d. Correct Note # 11 to read: "The approval of this plat is subject to revocation in compliance with the Belmont Subdivision Regulations and NH RSA 676:4-a."
   e. Show driveways sight distances.
   f. Show extent of garage and any other detached existing structures.
   g. New lot to have:
      1. paved apron.
      2. underground utilities from ROW.
      3. for on-site delivery, US Postal approved box/location.
3. Submit Updated Current Use map(s) to Town Administrator.
4. Payment of decision recording fees. Cost of plat (to be determined) and notice of decision ($16.60).
5. Conditions precedent shall be completed no later than 1/27/21.
6. Compliance hearing shall be held by Board as necessary.

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

7. Approved uses include: Those permitted in the Rural Zone subject to applicable review processes.
8. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
9. No changes shall be made to the approved plans unless application is made in writing to the Town.
10. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 1/27/22 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.
11. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.

The motion was seconded by J. Pike and carried. (7-0)

P. Harris thanked Mountain Made Materials for their willingness to let the other cases proceed prior to their case.
3. Public Hearing – Mountain Made Materials: Continuation of a request for Earth Excavation approval to expand existing excavation area including blasting. Property is located at 224 Hurricane Road, Tax Lot 231-014-000-000 in the “R” Zone. PB # 2119P.

Mr. Jon Rokeh and Mr. Howard Warren presented this application.

Mr. Rokeh reviewed the discussion from the last meeting. He said the plans for this blasting site were compared to the Pike application. Most of the questions centered on the grading for the site and the 4-foot separation to the high-water table. Work will be starting at the low end of the site by the wetlands. They will evaluate after each blast and give the Town a report if they have any water and to prove they are not hitting the seasonal high-water table. The bond amount recommended at $25,000 is okay for road damage in and out. There is $10,000 in place, but the applicant agrees to $25,000.

Mr. Rokeh indicated their blasting expert, hydrogeologist and soil scientist will give brief presentations and then answer questions. The handout distributed to the Board includes important information such as back end use of the site. The back page shows a 5-lot subdivision with two large lots with horse pastures taking up the pit areas. There are smaller house lots at the beginning of the site. This shows one residential use. M. LeClair asked about the timeline for the site. Is it based on market conditions? Mr. Rokeh said at least 10 years, probably 20 years.

Mr. Rokeh stated that blasting will be done with State of New Hampshire blast plans. The first page of the handout shows a 2,000-foot radius around the pit areas for monitoring. He commented there have been discussions with Staff to expand that area to the property line. The handout shows where the excavated areas are and the darker sheet shows the distances from the blast area to the nearest houses at 2,000 feet out from the excavated areas. The closest house is 866 feet and others vary up to 1,300, 1,700 and 1,800 feet. There is a good separation to the houses on Hurricane Road. Nutter and Pike have structures closer than that.

M. LeClair requested a blast schedule and asked who gets noticing. Mr. Rokeh replied that Mr. Joe Taber will review that, but there will be about 3-4 blasts per year. Mr. Taber said neighbors can be on the list and in some towns the Police Department likes to get a call. The Fire Department requires 24-hour notice and a one-hour follow-up notice. D. Sassan explained noticing conditions differ from one application to another. We should see what the applicant is proposing and determine if it is acceptable. If monitoring will happen at 2,000 feet that may be replicated for noticing. M. LeClair said he did not see anything about noticing in the proposed conditions of approval. D. Sassan pointed out question #7 and proposed condition #23 to be modified to include what is proposed or to add to it. M. LeClair identified pages 4 and 6 are missing from the Staff Report given to Board members. R. Ball will make copies now to distribute to the Board.

Mr. Taber declared there is no set noticing policy his company provides. They work with their customers and schedule about two weeks ahead to manage equipment, obtain permits and work with the Fire Department. The first notice is at least a week ahead of time. Drilling happens over one week to 10 days. Notifications are made during that time. Before any blasting happens, neighbors are offered pre-blast surveys.

J. Pike expressed concerns about the responsibility for blasting notifications and said we need you to tell us what your schedule is. Your company should have a set notification policy. Someone has to be responsible. Mr. Taber explained each town has different requirements. There was discussion about
noticing conditions and monitoring operations. Mr. Taber stated the Fire Department requires a blasting permit and they monitor operations. The Board did not receive a copy of a blasting plan. M. LeClair asserted that police and neighbors need to know about blasting. Mr. Warren explained the blasting plan has noticing information including whistles and other notifications. D. Sassan stated that one page of the plan set has quite a bit of information about blasting operations. He also noted proposed condition #27 includes a 2,000-foot blast notice, which the operator pays for. Mr. Rokeh acknowledged the State of NH Alteration of Terrain (AoT) is required when doing blasting, and they have a whole page of procedures that is required for the permit. These procedures have been used in many places for other projects.

P. Harris commented the Pike application expert explained about different types of blasting. Mr. Taber explained they look at the site and determine the best possible scenario for their customer and the neighbors. They start small and conservative. There may be a few more blasts the first year to understand what is going on with the neighbors. Vibrations are monitored and the shots are checked to be sure they are correct for the geology. Before all that happens, pre-blast surveys are given to neighbors if they agree to it. Mr. Taber is unsure if water sampling will be done in this situation. Tap surveys will be completed per NH guidelines for water quality. This is a small, simple site. They are going into the side of a hill and will leave a nice area. There is a sunset to the work. The area will be enhanced after it is done.

J. Pike questioned the water sampling. What happens if blasting affects wells in the area? Who is responsible? Mr. Taber said his company is insured and claims can be filed through the insurance company. He emphasized that this work will be completed above ground level and not in a hole. Most wells are a couple of hundred feet deep. They are going to be above the seasonal high-water table and will not be creating a pond.

D. Grimes asked if individual homes will be monitored for vibrations. Mr. Taber said they will be using two to three seismographs to get data points, and if a neighbor complains they will take one to their house. D. Grimes asked if all of the houses are surveyed to check if the foundations are in good shape and won’t sustain damage. What happens if a foundation is substandard? Mr. Taber explained video is taken of foundations and exteriors, and interiors by request. Surveyors document cracks in buildings so there is a baseline for the structure.

K. Sturgeon requested information about blasting distances relative to homes. Mr. Taber stated that in general, they have blasted up to 50 feet from structures depending on the situation. They predict vibrations and what they can do to a structure. It is simple by using weight versus distance. Calculations are used to be conservative because they don’t want to break anything.

P. Harris had questions about test holes to find out how deep the material is, and if sound is used to follow the noise and see where it breaks off. Mr. Taber replied that type of testing is done when they are looking for minerals, not when harvesting ledge. Mr. Rokeh said they did 15-20 test pits and they are only a few feet from ledge. P. Harris asked about radon and if there will be any testing for that. Mr. Taber said no, all of New England has radon. Mr. Warren said Mr. Bickford will talk about the characteristics and quality of the ledge.

P. Harris reminded the applicant the Board needs to make an informed decision. Why is 2,000 feet being used for monitoring? Mr. Warren reported the State changed their directive this year and they are requiring 2,000 feet from public and private water. He is working with R. Ball to locate all of the wells in the area. When a State permit is obtained, the State determines what needs to be done for monitoring and oversight. The State permit will be applied for if the Board approves this application.
M. LeClair requested the Board hear from Mr. Bickford.

Mr. Fred Bickford introduced himself as a hydrogeologist with 40 years of experience. He has worked on water supplies and groundwater monitoring, including well #3 in Belmont. He explained when he first started working on this application the main thing was to get information to confirm if the site was outside of the stratified drift aquifer. The project has changed since then, but they have 19 test pits. Mr. Bickford has experience with bedrock wells and water supplies. The series of test pits were pretty clear cut and definitely outside of the stratified drift aquifer. When the USGS did the mapping of the aquifer district, they had to work with the information that was available, which included fairly widespread data points that required generalizing. They could not be precise in every location. The maps are useful to figure out where the aquifer will be the most productive. It is harder to determine at the edges because we can’t see how deep it goes. Stratified drift aquifers are deposits left behind by glaciers. This site is outside of the stratified drift aquifer. This plan has changed and is not deep excavation. It will start at a point where it is established to be more than 4 feet above the seasonal high-water mark. The pit floor will be extended at a low grade from that point. As they go, they will make sure to stay above the 4-foot mark.

M. LeClair asked how the site is determined to be outside of the stratified drift aquifer. Mr. Bickford reported that he made observations in the test pits. There was a hydrology report done last June. The test pits were an even sampling of the area. The pits had glacial till and no permeable sand and gravel deposits. There is weathered bedrock, then solid bedrock. They dug as deep as they could with the backhoe. It was quite obvious that it is not good aquifer material. There cannot be an aquifer unless there is water. It is not a close call to determine. When looking at the USGS report and data you can see why they did what they did. There is one well close by to the east of the north pit that is clearly outside of the stratified drift aquifer. There is a group of several wells a few hundred feet to the south. Those wells are far enough away from this site. The bedrock changes rapidly from one surface to another. In many places on the property you can see bedrock at the surface. There is ledge at the surface. It is a clear-cut answer to say that this is safely outside of the stratified drift aquifer.

As the project goes along and excavation expands, it will be a matter of periodically checking to be sure they are more than 4 feet above the seasonal high-water table. When using that term, it doesn’t have much meaning unless there is an aquifer. There needs to be bedrock fractures and unless you get to one of those fractures, there is nothing that makes the water table make any sense.

Mr. Craig Clairmont, Department of Public Works (DPW) Director, asked if blasting can affect the fractures. Can fractures be made through the water table? Mr. Bickford replied that the chances of that happening at this site is not great. It takes a lot of energy. Mr. Taber commented that blasting is expensive and we don’t want to waste explosives and we don’t want to bother the neighbors.

R. Segalini said one of his concerns from the last meeting was contaminants on the pit floor such as fuel and blasting agents getting into the pit and eventually leaching down into the groundwater of neighbors. Mr. Bickford replied that this rock is solid without much fracturing, and Mr. Taber will be working to minimize the production of byproducts that could be carried in water. Fuel and other sources need a pathway to get into surface water or the aquifer. If there are fractures, there is a possible pathway but a driver is needed for it to get into ground water. There is no ground water source they are expecting to see. There will be spring runoff, and precipitation will accumulate, but the expectation is that any water that runs off will go through natural wetlands. Mr. Rokeh added that they will need to treat the ponds and the detention area and that there may be a swale. The State of NH requires treatment of runoff water. They must use the least possible contaminants to help prevent it from getting into the ground or surface
P. Harris expressed concern that there are only some test pits and the applicants haven’t seen what is in the ground as far as drilling. How does Mr. Bickford know what is there? Mr. Bickford answered that you look at the rock and what you see at the surface, you can safely project it continues for some distance. He can’t say how far, but over distance the rock shows small variations. Anything of significance would occur across a distance greater than the total depth of this excavation. There is little chance of seeing different variations. There should not be much impact. If there was a change in the rock with depth, it could negatively affect ground water, but there is little reason to see a problem in 50-100 feet.

P. Harris asked if the site can be bored and tested. Mr. Bickford said yes, but he contends there is a low enough probability of revealing irregularities or further useful information that it is not necessary. From what you see on the surface it is not likely you are going to find anything that would change in this scale of operation. They are looking at going into the side of a hill 30-40 feet. The hill goes up at 15-20% and they are going 1-2% up the hill.

D. Grimes questioned if anything changes if there are changes below the ground. If blasting was done and there were drastic changes, would that put a halt on things? Mr. Rokeh said yes, that is the premise of what they are doing. If there is a problem, it will be corrected by adjusting the angle of future blasting and excavation activities. Mr. Bickford does not anticipate that to occur with what they are doing. Mr. Bickford said the chances of running into something is minute. It is always possible but we have to make generalizations. He is not afraid of being proven wrong. There will be surprises once in a while.

M. LeClair asked how deep the test pits are. Mr. Rokeh explained they are only a few feet because otherwise they would need to drill or bore. They can’t dig any further, and that is how they know it is ledge. Mr. Warren said they dug the pits with an excavator and found up to 12 feet of overburden. Most of the overburden was only 3-7 feet before hitting ledge, but there are pockets. There are places where the ledge is popping out of the ground. They could never dig deep enough to not hit ledge. Mr. LeClair asked for confirmation that they are not going below 40 feet. R. Ball said yes, he had just measured it on the contour maps.

K. Sturgeon wanted to know how many yards would be removed from the site. Mr. Rokeh answered 420,000 cubic yards from one area and 330,000 cubic yards from another.

Mr. Clairmont asked how much overburden is on the site and how long it would be before gravel materials would all be extracted and blasting activities commence. Mr. Warren said by the middle of summer. Nutter and Persons were there in the past, so they are starting at a low point and clearing up the hill. The material will be exposed right away. Mr. Clairmont wondered if there will be blasting in areas that have already been reclaimed. Mr. Warren explained that parts of the property have been smoothed out and now have trees, but the northern quarry has untouched ground. About 1/3 of that has not been opened yet.

Mr. Warren acknowledged that they need to work on the entrance and they propose that the road agent helps figure it out. They will go with his specifications to keep trucks in the travel lane. The new guardrail may be too close to the entrance and some of it may need to be lopped off. They are certain they can get the work done to keep trucks in their lane.
Police Chief Mark Lewandoski described the entrances as being designed for triaxles. He quoted NH State law RSA 265:43 Turning on Curve or Crest of Grade Prohibited. “No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.” Chief Lewandoski reported that a measured distance was taken from the center of the exiting driveway (pit entrance) southbound at 300 feet and that placed them at the bottom of the curve. He said they continued to 500 feet and were in the beginning of the curve with virtually no visibility to the driveway. Chief Lewandoski provided this information, along with photos, for the Board members to review. He reported that trucks block the road and cannot make the turn unless they swing back and pull out again. The whole road is blocked for 15-18 seconds. It takes 70-85 feet for a car traveling 30 mph to brake, avoid impact, or go off the road. Mr. Warren responded that they have been looking at this problem all winter. There is a constraint with the phone pole and the property line right there. If there can be changes to the guardrail, things could be widened. Mr. Clairmont contended it will take a bit more than that but he can work with Mr. Warren.

Chief Lewandoski asked to comment on the blasting. He said the Police Department (PD) has had issues with Pike, but now they are good about notifying them one day before and one hour ahead. The ledge that is there allows shockwaves to travel. Items fall off the walls from 300 Hurricane Road and north to the Town shed. There is a transfer of energy. Pike put out a bunch of seismographs for monitoring. Notification to the PD is important. Mr. Clairmont noted that the Fire Chief reports people with PTSD are crawling under their beds and we need to be sensitive to them. Mr. Warren asked if he should speak with the Fire Chief. Mr. Clairmont said yes.

Mr. Clairmont commented that mother nature is fickle and the Town just put in a new road. On a 60-degree day the mud is really deep. Mr. Warren said they are trying to stay on top of it. Mr. Clairmont maintained the road can’t be posted every day. There needs to be a cooperative effort of common sense. Temperatures change from 15 degrees to 45 degrees in the same day. Hurricane Road is a Town road, not Interstate 93. Maybe trucks can go out of the pit when it is cold. The road base is fluctuating and there are more trucks and traffic. He is concerned about the $1.5 million road. Mr. Warren said they put stone in the transition area but it is soft and sinks. A transitional strip may need to be paved.

W. Peterson questioned the road bond increase from $10,000 to $25,000. Mr. Clairmont said it would not cover much. W. Peterson asked what should the road bond be. Mr. Clairmont said he cannot make that determination. D. Grimes asked Mr. Warren if his insurance covers damage to public roads. Mr. Warren said no. He explained the thought and discussion with the previous Town Planner were about damage that occurs when a truck is turning. The original bond was for in front of the entrance and exit, to protect turning. He said they had to pave a strip on the other side of the road so they would not break the pavement. The cost estimation was that $25,000 would be available to fix damage at the intersection of the road and the pit because if there was a problem, it would happen there.

Mrs. Ruth Mooney asked to make a comment on this application. She said that not many years ago the bridge on Church Hill was inspected by the State and they put barrels across it and it could not be used. With no money from the State, the Town had to refurbish it. What happens to the trucks going up and down the hill if the State puts the barrels back out? We allowed you to do this, not expecting the traffic. Who pays for the bridge and where do we go from there? There are no other roads these trucks can go on. Mr. Warren responded that the State of NH rates all bridges for weight, and they are supposed to keep up with the inspections of bridges. You can’t lay the blame of what happens to the bridge on a single user. Mrs. Mooney asked where do the trucks go if the bridge is closed. K. Sturgeon commented.
they use Dearborn Street. Mr. Clairmont said Seavey Road can be used if traveling Route 106. Mr. Warren observed they would probably go the other direction down Union Road out to Route 3. Mrs. Mooney asked how many other turns are there where damage can occur? She said we try to do the roads every year to keep them in good shape and she is concerned we are going to go backwards. There is no money in reserve if the State closed that bridge. K. Sturgeon clarified it should not be called a bridge, it is a culvert. R. Ball confirmed it was slip-lined with rebar and grout. It should be somewhere on the 10-year plan for 80/20 reimbursement. D. Grimes asked how often the State inspects bridges. Mr. Clairmont said once a year.

D. Grimes said the concern seems to be that the bridge could be damaged, but it is inspected every year. How many more trucks will be using that road? Will there be a huge increase? R. Ball replied there will be no increase. There have been no negative reports from inspections since it was relined. Mr. Clairmont said the State gives a timeframe for inspection, so it will need to go into a plan. D. Grimes observed the bridge still has life left. Mr. Clairmont said the State could come in and say to put it into a plan and then the Town needs to readjust. Right now, this is not a “show stopper” unless something changes. R. Ball checked the 10-year plan and does not see this bridge listed. Mr. Clairmont surmised it gets pushed out due to inspections.

Mrs. Mooney asked what time trucks are going up the hill. She watched them go up the hill before 7 am. Mr. Warren responded they cannot load in the pit until 7 am. There is no travel restriction on the road.

J. Pike asked if any materials will be backhauled onto the site. Mr. Warren said they will need some silt fence material and will be bringing in stumps to grind for that. They have brought in some ¾” crushed stone for the driveway. They are hauling from Durrell Mountain Road to make the aggregate sandier. J. Pike said he was confused when talking to Pike. When they move, we are going to have a lake. Where you are taking out the stone, what are you going to cover it with to make it a horse pasture? Mr. Warren described a huge amount of loam has been found on the site and it will be used with the overburden. The property will be worth a lot of money when reclaimed. They have been staying on top of the reclamation as they go along and will keep up with it going forward. D. Grimes asked about the loam. Mr. Warren said they found it, dug it up, and screened it to 3” to use in reclamation. There are pockets of loam all over the property. They find it and use it. D. Grimes said he is impressed with that. They are not going to leave it as a pit, which is nice. Many operations have left and disappeared. Mr. Warren said they can do a little work and get value out of it, so there is no sense leaving it.

K. Sturgeon asked if the project is economy-driven. Is there a limit to what can come out every year? Mr. Warren explained there used to be an 80,000 cubic yard per calendar year limit, but there is no longer a limit. Pike Inc. talked about the market base. Some years there is a big demand and they had more shots. Mr. Rokeh said that for the size the company is, 4 shots is the most they would ever need to do in one year to keep up with demand.

Chief Lewandoski expressed concern about the stumps coming into the site and if they were coming from Massachusetts. R. Ball reported he talked to DES and there are no restrictions on hauling stumps from Massachusetts, only firewood.

R. Segalini asked about blasting and processing on site. Mr. Warren confirmed they will be processing on site. R. Ball asked where the crusher is on the plan. Mr. Warren said he does not need a permit for temporary use. R. Ball noted there was an approval in November 2007 to put in a crusher. Mr.
Warren said whatever you want, just tell us.

P. Harris asked about the reclamation of the land. Mr. Warren explained the concern they heard was “What will happen when it is done? What is the economic impact? Will it detract from the neighborhood? Can it generate taxes?” A 5-6 lot subdivision can go in there. M. LeClair countered that roads and abutters were the Board’s concerns. D. Grimes commented these questions should be brought up in any application like this. J. Pike noted that the ordinances are for a gravel pit but not a quarry. Mr. Warren explained that he was reviewing the Zoning Ordinance and there are a number of permitted uses that could be a benefit, such as boat storage, contractor’s yards, equestrian centers, agricultural use, and more. Some uses may require a Special Exception. Right now the plan is to sell the property as land.

M. LeClair asked what conditions need to be added for the final approval. D. Sassan referred to question #7. The answers are essential to the conditions of approval. There was mention of a blasting plan. Is there a water quality monitoring plan? There was also mention of working with DPW to create an egress from the site that suits DPW and PD concerns. We may want to gather more information for conditions of approval. Mr. Warren said they have spent a lot of time working together so Staff could have everything written up. He suggested they should continue to work on these and make a list of what is needed in writing and come back.

M. LeClair said he appreciates the amount of time that has been spent with Staff and how much money has been spent on this project. Before he can say yes or no, he wants to see the entrance done. He is comfortable with the information about the water and wells, but wants something in writing so it is properly documented. There has been too much discussed and he would like better language covering the items discussed tonight. Condition #27 should specifically mention the PD. He would also like to see a permit for the crusher. R. Ball remarked the crusher may already be allowed and he will look into it.

R. Segalini would like water quality testing added to the pre-blast survey. We are getting close. The driveway should be in compliance for what is there now. Mr. Warren said they will do whatever is needed. J. Pike said the driveway can’t be fixed until spring. They should work with DPW to do whatever can be done now, and put it in as a condition of approval so they can be shut down if they don’t comply. Mrs. Mooney said they are breaking the law right now. They should not be hauling in and out of there right now. Mr. Warren asked Chief Lewandoski what do we need to do. Chief Lewandoski said to keep the trucks on the right side of the road where they belong. He can’t say it is okay to break the law. Mr. Warren asked if the Chief would like them to start adhering to that rule tomorrow morning and the Chief said yes, if you can. Mr. Warren would like to work with Mr. Clairmont as quickly as possible to resolve this.

Mr. Clairmont asked if there was any consideration to working with Pike for alternate access to the site. Mr. Warren said Pike will not work with a competitor.

R. Pickwick asked if the utility companies had been questioned about moving the utilities and/or pole. There was discussion of what that may entail and why the lines are set up the way they are now. Mr. Warren said they can work around the pole because it is close enough to the street.

There was more discussion about the egress and if a proper stone apron could eliminate some of the issues. Mr. Warren has a transition of 100 feet and it will be a mess when it unfreezes. They should be able to do something now and make plans with DPW. D. Grimes mentioned some other areas have temporary signage that may be beneficial to notify people trucks are entering the highway. Chief
Lewandoski thinks that is not a bad idea and he would appreciate some signage.

Mr. Warren asked if the experts can be released if we continue this. D. Sassan said his expectation is there are two main things to answer and Staff will work with the applicant on these.

W. Peterson had additional questions on the reclamation. How much overburden is put down? Mr. Warren said there will be 2-3 feet of overburden with loam on top of that. Septic systems will need to be engineered.

The chairman asked if anyone in the audience had additional questions or comments. There being none, he closed the public hearing.

**MOTION:** J. Pike moved to continue the Mountain Made Materials Case 21-19 to the February 24, 2020 Planning Board meeting.

The motion was seconded by M. LeClair and carried. (7-0)

### 4. OTHER BUSINESS:

**A. Approval of Minutes 12/16/2019:**

**MOTION:** On a motion by J. Pike, seconded by W. Peterson, it was voted to approve the minutes of December 16, 2019 as written. (5-0-2) M. LeClair and K. Sturgeon abstained.

**B. Staff Report:**

1. **WorkTrucks LLC – Map/Lot 101-016-000-000 – 126 Daniel Webster Highway Unit #3:** D. Sassan received a request for a Change of Tenant for Cupples Corner for truck/trailer and retail sales, and occasional power sports/equipment sales. This can probably be handled at the Staff level but we wanted to bring it to the Board. It was the consensus of the Board for Staff to process this request as there is no change in use, only tenant.

2. **George Condodemetraky – Map/Lot 122-059:** R. Ball explained Mr. Condodemetraky came in with a “site plan” so that he could fill in the hole behind Penguin. He told Mr. Condodemetraky that he looked like he was in good shape to go to the ARC with the plan that he had, which included a mini mall. Mr. Condodemetraky said he has no intention of moving forward to completion, but the Board said they wanted a site plan so he has done a site plan. The plan does not show the fill that he wants to add. If he were to bring forward a plan that shows the area and amount of fill that he wants to do, would that be sufficient? It was the consensus of the Board that Mr. Condodemetraky must go through the full Site Plan process, starting with the ARC.

3. **Plan NH Master Plan Update:** D. Sassan shared a handout with information on services that Plan NH offers. He said we expect to discuss the Master Plan at a future meeting. K. Sturgeon noted that he has brought this up a number of times but that doesn’t mean he wants to reinvent the wheel. There could be a meeting with other boards to discuss making a few tweaks and bringing the plan up to speed. It is 18 years old and not a bad plan. P. Harris mentioned roundtable discussions have been hosted before to introduce the different boards after elections.
K. Sturgeon announced that he will not be running this coming year for Planning Board, and he is happy we have alternate members who have shown up.

4. Election Sign Ups: D. Sassan stated the election filing period is open from January 22, 2020 to January 31, 2020. The Planning Board has one vacant alternate position and P. Harris and K. Sturgeon’s positions are up as well. R. Pickwick noted he has already filed.

5. Follow up on Schools Amendment: D. Sassan reminded the Board that the hearing on the schools amendment was cancelled due to snow. Counsel agreed it was not possible to reschedule the meeting and have a second hearing, so it was recommended to wait until next year.

6. Ladd Hill & Revolution Road (Map/Lots 205-040-000-000 & 205-037-000-000): R. Ball reported there will be a warrant article to discontinue Revolution Road and part of Old Ladd Hill Road: “To see if the Town of Belmont will vote to discontinue completely, Revolution Road and the easterly portion of Old Ladd Hill Road, so-called, with ownership to revert to the abutters, and thereby cease any and all public rights to Revolution Road and Old Ladd Hill Road from its end at Mile Hill Road to the westerly end of property owned by the Sara Kaye Mirski Revocable Living Trust (Map 205 Lot 40) and the S Mirski and P Spencer Revocable Trust (Map 205 Lot 37).”

The proposed article would revert ownership to abutters and end any public rights to these roads. This was the route people used to take from Mile Hill to get to Lake Winnisquam. He said he was asked if it can be removed from the ballot, but it cannot. It can be sent to study, however. An amendment may be made at the Deliberative Session to add text to the article which would then read, “To see if the Town will vote to study whether or not to discontinue completely . . . .” The road is currently owned by the Town, is significantly historic, and no one can predict whether or not the Town will need it to travel from Mile Hill to Ladd Hill in the future. The “road bible” for NH, “A Hard Road to Travel”, suggests no road be discontinued unless there is certainty that there is no need for it in the future.

7. McDonald Subdivision - Map/Lots 211-006-006-000 & 211-006-007-000 – R. Ball explained that this subdivision approval required putting in underground utilities, however they have hit ledge and are unable to continue with underground utilities for two lots. They would install poles and run lines to the back of one lot and it would feed two lots. It was the consensus of the Board to allow the necessary aboveground utilities to accommodate for the ledge.

C. New Business: None

D. Adjournment:

MOTION: On a motion by M. LeClair, seconded by W. Peterson, it was voted unanimously to adjourn at 8:30 p.m. (7-0)

Respectfully submitted:

Colleen Akerman
Building & Land Use Clerk