

DRAFT



APPLICATION REVIEW COMMITTEE TOWN OF BELMONT, NH

Meeting Minutes
Belmont Mill
Thursday, November 18, 2021 – 8am

Members Present: Public Works Director Craig Clairmont, Land Use Technician Richard Ball, Town Planner Sarah Whearty, and Building Official Russell Wheeler.

Also Present: Assistant Town Administrator/Assessing Alicia Jipson, Assistant Fire Chief Deb Black, Police Captain Stephen Akerstrom, and Assistant Candace Daigle.

Members Absent: Town Administrator K. Jeanne Beaudin, Police Chief Mark Lewandoski, and Fire Chief Michael Newhall.

S. Whearty thanked everyone for attending and explained that staff members comprising the Application Review Committee (ARC) are present to assist the applicant in a preliminary discussion regarding their proposal. The discussion is non-binding on the applicant and the Town. The ARC has no regulatory authority. 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. Staff members remain available to continue to provide assistance during the application process. 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. Members introduced themselves. The following is a brief synopsis of the property discussions held and may contain information for the applicant that was not covered in the meeting.

John & Carolyn Carr, JCCO Holdings LLC: Review for Site Plan proposal, Contractor's Yard (landscaping contractor). Property located in the Commercial Zone, 631 Laconia Road, Tax Lot 230-094-000-000. #18-21R

Mr. John Carr and Mr. Jeff Green, LLS were present for this discussion.

Lot: Property is located in the Commercial Zone (abuts RS Zone), not within the Aquifer & Groundwater Protection Zone or Floodplain, no Current Land Use. Property was sold 6/7/21. Prior approved uses include: Vehicle and Boat repairs, Storage & Sales (for history see 3/20/14 folder).

Existing Uses/Status: The compliance status of the existing lot to be in violation - current use as landscaping contractor's yard without required approvals. This process is to cure.

Request Process:

Proposed/existing use as Contractor's Yard requires ZBA Special Exception & Planning Board Site Plan.

Mr. Green explained they will be utilizing the existing structures. There is no proposal to add structures at this point. They will also be using the existing parking areas in the same manner with some minor

changes. They will add an area for bulk storage of materials. They purchase their supplies in bulk and take to job sites as necessary. It will be primarily parking of equipment, maintenance of his equipment, an office and material yard. Equipment maintenance will be inside the shop or on the exterior concrete pad. There will not be any vehicle/equipment painting in the shop. There will be limited traffic as they meet with most of their customers at the job site. They will be doing some additional landscaping and adding signage.

One concern is that they want to rent out the on-site single-family structure as the owner does not want to occupy it. It is currently empty. This will require a Variance from the Zoning Board; not one that has been granted in the past. Residences on commercial/industrial zoned lots are only allowed as a subordinate use or owner-occupied which it was until it became vacant. Asst. Chief Black also noted that if it's going to be rented, it needs to meet certain fire/ life safety codes including fire/co detection/alarm devices.

R. Ball asked if the amount of impervious coverage would be increased. Mr. Carr noted that at some point he would like to repave existing paved areas, but other gravel parking areas would be used as is. He doesn't wish to expand the paved area as his on-site equipment use would just damage the pavement. He will be relandscaping and will reduce any runoff that is occurring now.

Mr. Carr had the DOT driveway application and will submit it. He will include all proposed uses in that application. He also explained that he had a Phase 1 Environmental Assessment of the property completed prior to his purchase and no hazards were identified. There are no floor drains in the shop. Assistant Chief Black noted they had been on site and listed those items necessary to meet the applicable fire and life safety codes, exit signs, labeled and maintained, etc. It was noted that after Planning and Zoning Board approvals are obtained, a Certificate of Use from R. Wheeler who will confer with the Fire Department is required prior to legally occupying the commercial site.

Mr. Carr asked about the Site Plan Regulation limiting operational hours to 6am-7pm. Capt. Akerstrom noted that the Town also has a Noise Ordinance that limits noise to 7am-10pm Monday-Saturday and 10am-10pm Sunday. Mr. Carr will need to access his snow removal vehicles and supplies during storms. Capt. Akerstrom noted the backup alarms probably account for a great number of the complaints received related to commercial use. He should refer to the Ordinance for any exemptions. An abutter, Belknap Landscaping was given Site Plan approval for a similar use.

R. Wheeler has been on site and inspected the buildings. Mr. Carr should check with him for any proposed structural work and, when required, a building permit is required prior to the work. There is no structural evaluation of the shop. Cosmetic work does not require a permit. Mr. Carr may investigate a new canopy over the back building to store his equipment. Mr. Carr noted he is working with an electrician now on several issues. He will need a permit for proposed signage.

A Quality Assurance Program is required to the extent that there is a list of all regulated substances that will be brought onto the property, stored, used, and disposed of. Discussion also ensued about the need for a permit to store/dispense on-site fuel and the standards for that activity as well as the storage/loading of road salt. Additionally, Mr. Carr knows people who will take his waste oil. NOTE: Not in the meeting but NH DES regulates the transport and transfer of used waste oil. Mr. Carr will want to be sure that all requirements are met to limit his exposure and liability in this activity.

C. Clairmont remembers the property was once a very pretty lot and noted it would be nice to see it fixed up again. A. Jipson noted the property is not in Current Land Use.

There are two separate septic systems on site. The shop system will need to be certified for the proposed loading, 10-20 employees.

Mr. Carr noted that he had put "sales" on his sketch because it was on the prior site plan. He thought he might sell excess landscape hardscape materials or some of his equipment from time to time. He was counseled to include all uses he wanted to include in his business, explaining them in detail in the narrative, but that each may require different or additional conditions to be met. Photos should be included.

Plan should include, but not be limited to, the following:

- a. Survey should be revised to show NH DOT transfer at driveway.
- b. Extended "RS" setback on p/o rear line.
- c. Layout to include parking for employees as well as equipment.
- d. Handicapped parking/access
- e. Lighting
- f. Commercial building layout
- g. Proposed hours of operation (limited to 6am-7pm abutting residential zone)
- h. Show specific areas to be used for specific purposes
- i. Depending on areas to be used, screening may be required
- j. Screened Dumpster on solid surface.
- k. Signage
- l. No exterior storage of junk vehicles or vehicle parts.
- m. For any proposed sales, only business-owner owned items are eligible

S. Whearty noted that the next application closing dates are November 22nd for the December 15th ZBA meeting and December 6th for the December 27th Planning Board meeting.

There being no further question or comment, S. Whearty thanked the applicants for attending and encouraged continued contact with staff to the benefit of the proposal.

Other Business:

Minutes:

MOTION: On a motion by R. Ball, seconded by Asst Chief Black, it was voted unanimously to adopt the minutes of September 23, 2021 as written. (7-0)

Adjournment: The meeting adjourned at 8:38 a.m.

Prepared by,

Sarah Whearty, PE
Town Planner