

DRAFT



APPLICATION REVIEW COMMITTEE

TOWN OF BELMONT, NH

Meeting Minutes
Belmont Mill
Thursday, February 24, 2022 – 8am

Members Present: Town Administrator K. Jeanne Beaudin, Police Chief Mark Lewandoski, Public Works Director Craig Clairmont (late arrival), Land Use Technician Richard Ball, and Assistant Town Administrator/Assessing Alicia Jipson.

Members Absent: Fire Chief Michael Newhall, Town Planner Sarah Whearty, Building Official Russell Wheeler and Assistant Fire Chief Deb Black.

Others Present: Christopher Berry, William Ferren, Craig Francisco, Donald Grenier, and Rick Bacon.

R. Ball 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. The following is a brief synopsis of the property discussions held.

46 Horne Road LLC: Request for Subdivision Review to subdivide one lot into nine residential lots. Property is located in the Rural Zone, at 46 Horne Road, Tax Lot 218-119-000-000, #11-22R.

Mr. Christopher Berry, SIT from Berry Surveying & Engineering, was present for this application.

Mr. Berry explained the proposal is a nine-lot subdivision at the corner of Horne Road and Dutile Road. Most of the frontage is on Dutile Road but the address is 46 Horne Road. Mr. Berry stated they have mapped the site for wetlands, shown all setbacks, buffers, and things of that nature. Mr. Berry declared that one of the key things to discuss with staff is sight distance for each proposed driveway. The regulations require 10x speed limit. He explained that they have gone to great lengths to show that they provide adequate sight distance. Around one corner it is 250 feet. Mr. Berry said they were able to prove that they meet those sight distances.

The other concern is stormwater drainage in the Town's ROW. They have started designing driveway culverts and will continue that design if there are no exceptions for their design. Mr. Berry commented that they will finalize culvert designs for DPW's review. The applicant would like to sprinkle the houses

instead of finding a location for a large cistern. R. Ball commented that other applicants have done it in the past.

Mr. Berry asked if Tier 1, 2, 3 soils mapping is a requirement and can it be waived? R. Ball questioned that many test pits were completed on the site indicating shallow ledge. Mr. Berry explained that for the first 20 pits they chose the wrong spots to dig and encountered ledge at 2-3 feet. Their second round of test pits, closer to the roadway, they encountered ledge much deeper. Mr. Berry clarified that general soils on site are sandy gravel materials. Mr. Berry stated that they meet the 10,000sf requirement. R. Ball indicated that the soil mapping is something that has been waived in the past. Mr. Berry also mentioned that all the lots are at least 3 acres which meets the NHDES Subdivision requirements.

Mr. Berry continued to explain that this proposal is considered a major subdivision. He asked if stormwater management is required by the regulations and if so, is it something they could request a waiver from. R. Ball indicated that a waiver could be requested. R. Ball explained that it has been a long time since the Town has seen a large subdivision like this and he is not sure what the Board would do. R. Ball declared that Staff would like to see some remediation of stormwater runoff. Mr. Berry stated that it is something they have reviewed internally and agree that anytime you modify land you are changing stormwater. They are proposing that all roof runoff be captured and infiltrated into the ground. Mr. Berry mentioned that the analysis will show that they need additional remediation and they plan to engage DPW. *[It is recommended that Land Use Staff (Planner) be included in discussions about proposed stormwater remediation/management]*

J. Beaudin indicated that she reached out to C. Clairmont and hopefully he is on his way.

Mr. Berry mentioned existing culverts on and off their property. He asked if the Town of Belmont has historically taken easements for that drainage? R. Ball said probably and continued to explain that it has been a long time since the Town has done a subdivision like this. There was discussion about the applicant granting the Town easements for the existing drainage. R. Ball and Mr. Berry agreed that having proper easements will be important once the ownership changes and there are 9 new owners.

R. Ball asked if there were any questions from Staff.

A. Jipson mentioned that the lot is currently in Current Use and, once they subdivide it, it will come out of Current Use. J. Beaudin clarified that once the ownership changes (no longer contiguous) or development begins (construction of house/driveway) those actions will trigger the land coming out of Current Use. The lots will come out individually until such time that the minimum acreage requirement is no longer met (10 acres).

Chief Lewandoski brought up the sight distances for the driveways. He was concerned about the sight distances because of the design of the road. Chief Lewandoski was satisfied that the applicant has represented they can meet the sight distance requirements. He continued to say it is residential so there should be minimal traffic, however, Dutile Road is one of those winding, country roads where driveway locations in the wrong place could turn into problems in the future.

R. Ball explained that the driveways would have to be constructed in the locations shown on the plan or the applicant will need to come back to the Planning Board to change the locations.

Mr. Berry indicated that a note has been put on the plans that says if the driveway locations are going to change, the owner will work with DPW. He will modify the note to indicate working with Land Use Staff to get the change approved by the Planning Board. R. Ball explained that Land Use Staff would bring it to the Board as part of the staff report and it likely would not require a public hearing.

R. Ball mentioned that it appears that 4 lots do not meet the 4:1 ration for length to width. Mr. Berry indicated he was not aware of that but he will check.

R. Ball stated that underground utilities are required.

C. Clairmont arrived.

R. Ball read S. Whearty's comments due to her absence (doctor's appointment for child). One of the remaining comments was that for proposed residential development along town/state roadway frontages that exceed 600 feet, the construction of an internal street system or service road outside of the roadway ROW may be required to provide greater safety for the development occupants. This statement was taken from the Town's Subdivision Regulations.

Mr. Berry mentioned that the stormwater analysis will show that additional stormwater management will be required. He is proposing to increase storage near the existing culverts to try to avoid the creation of a pond. R. Ball said if the stormwater analysis shows that a pond is required, the Town would accept the pond and an easement. Mr. Berry asked if the design should address flow and/or treatment volumes? R. Ball responded yes, both. Mr. Berry asked if the Town is prepared to take on stormwater management? R. Ball said we have in the past. *[The Town Planner would not recommend this as it becomes a maintenance nightmare for the Town, but would defer to DPW as they would be responsible for the future maintenance.]*

R. Ball asked if the applicant plans to do a SWPPP and if an AOT permit is required for the project. Mr. Berry said that an AOT permit is required for contiguous area but this is not considered contiguous and will not require an AOT permit.

C. Clairmont said the Town wants driveway locations mapped out. R. Ball confirmed that driveways are shown on the plan. C. Clairmont said paved aprons are required and DPW would like them done sooner rather than later so the Town is not chasing down the contractor.

R. Ball noted that the next Planning Board application closing date is 4pm, Tuesday, March 8th for the Monday, March 28th meeting.

There being no further questions or comments, R. Ball thanked the applicant for attending and encouraged continued contact with staff to the benefit of the proposal.

Lakeview at Belmont LLC: Request for ten, 2-bedroom detached condominium units in an Open Space Subdivision with 20'-wide driveway with a Town hammerhead turnaround. Four single-family, residential lots, common area, and convertible area while maintaining the golf course. Property is located at 89 Ladd Hill Road, Tax Lots 201-066-000-000 & 201-067-000-000 in the Rural Zone. #09-22R

Mr. Craig Francisco, LLS, Bedford Design Consultants, was present for this application.

Mr. Francisco explained that their proposal includes a condominium development with 10 2-bedroom units and a private road and 4 single-family lots. He continued to explain that one of the main issues they have is the grade of the proposed private road. Mr. Francisco acknowledged that the Town's regulations require a maximum grade of 8% for the road. He said the existing ground profile is about 12% and to meet the 8% requirement, it would require quite a bit of fill. They would like to steepen it to 10% to reduce the fill required for the road. Mr. Francisco explained that they will be able to provide nice front yards and walkout basements. They are proposing leach fields in the front yard. They are proposing a shared well off the end of the hammerhead for the condominium units.

Mr. Francisco noted that units 2, 3, 4, and 5-7 are in hole 9. He explained that Mr. Ferren is working to try to reconfigure hole 9 so they can keep it. They are planning to keep the golf course. That is the prime thing, to keep the golf course.

Mr. Francisco reaffirmed that grading of the road is a concern – 12% would be really good, 10% would be okay.

Mr. Francisco moved on to a discussion of the 4 single-family lots. He explained that they would be part of the cluster. He acknowledged that in the Town's Zoning Ordinance it states that all lots must front from interior roads or access from interior roads so they will go to the Zoning Board for this. He thinks it is silly to put in a road for 4 lots and it would ruin everything.

Mr. Francisco's theory is to put the house towards the front of the lot with the leach field in the front yard and the well in the back. He explained that the well radius would extend into hole 1. Mr. Francisco clarified that by making the lots this size they wouldn't have any issues with NH State Subdivision or lot loading requirements.

Mr. Francisco declared that they would request a Variance for the interior road. He would also like to request a Waiver from the Planning Board for the grade of the road.

Mr. Francisco stated that the other item for discussion is the yield plan. The applicant has roughly 30 acres on the golf course side of the road and approximately 140 acres on the other side of Old Ladd Hill Road. The density for 30 acres is 10 units and they are proposing 14. The zoning for an Open Space Subdivision allows for a 20% density bonus if you preserve a certain amount of farmland. Mr. Francisco said they are going to be preserving farmland. There was a discussion about if 6-acres of land from across the street could be put into a conservation easement to count towards the Open Space.

R. Ball brought up the 20% max allowable area that can be recreation area, such as a golf course. Since most of the land is golf course, that would exceed the threshold and would require another Variance. Mr. Francisco agreed it would be around 90% recreation area.

There was a discussion about the maximum lot area in the Open Space Regulations. R. Ball said he would get back to Mr. Francisco after speaking to former Planner, C. Daigle. He believed the maximum lot area was one-and-a-half times the conventional lot size.

R. Ball commented on the frontage lots. He said the purpose of the Open Space Regulations is to maintain rural character and to not have a conventional subdivision chopped up down the road. He is not sure how you argue against that.

Mr. Francisco said he believes they can get 3 lots outside of the cluster in there. In order to do that, he would have property lines that are really strange. He does not see a big difference between having 4 frontage lots with 130-150' frontage versus having 3 conventional lots with really strange lot lines. He commented that 3 driveways is not very different than 4.

R. Ball stated that they have submitted for design review on Monday, February 28, 2022. R. Ball asked if they had submitted to the Zoning Board yet. Mr. Francisco said no they have not. He will go for a Design Review at Planning Board on Monday.

R. Ball asked if Staff had any comments. C. Clairmont had no comment.

J Beaudin asked if each unit would be individually owned. Mr. Francisco explained that each condominium will be individually owned and the land under the building is part of their unit. They will be doing condominium documents. J. Beaudin questioned if the Condominium Association will own the road and the additional land. Mr. Francisco says they have not quite gotten into those details yet. He continued to explain that the clubhouse is unit 1 with access to the limited common area and all the other units 2-11 will also have limited common area. Mr. Francisco confirmed it would all be worked out in the condominium documents.

A. Jipson had no comment.

Mr. Francisco asked if the private road is a concern. R. Ball said no, the Town has permitted them before. There was discussion about whether the Town would take the road. With only a 30 foot right of way, the Town would not take the road. It will be built to Town-road standards, but it will remain private. Mr. Francisco asked if Staff feels the Planning Board will have an issue with 12% or 10% road grade. R. Ball said he thinks they can successfully argue 10%. When he calculated the slope he got 10.8%. R. Ball thinks that going to 12% might be a problem. *[Town Planner would not support slope >10% as it does not meet NFPA-1141 standards which are required for emergency services.]*

There being no further questions or comments, R. Ball thanked the applicant for attending and encouraged continued contact with staff to the benefit of the proposal.

Grenier Family Revocable Trust: Request for Site Plan Review for a commercial building and associated site improvements for a trailer sales/repair facility. Property is located in the Industrial Zone within the Aquifer Protection District, on Depot Street, Tax Lot 235-032-000-000, #10-22R.

[After the meeting R. Ball realized that it appears the lot is within 500' of municipal sewer at the corner of Depot/South roads.]

Mr. Rick Bacon, PE, Bacon Engineering, and Mr. Don Grenier were present for this application.

Mr. Bacon explained that his client, Mr. Grenier, is proposing a trailer and auto sales/repair facility. The site was previously a gravel pit. They are proposing a 2,700sf building with 3 garage bays. The business will have 3-4 employees. The lot is approximately 9 acres with 500+ feet of frontage along the section of Depot Street improved by NHDOT. Mr. Bacon stated that he will be looking at the NHDOT driveway permit. Mr. Bacon explained that they are not proposing the driveway in the same location (as the existing driveway). They are considering a possible subdivision. The proposed subdivision is in the works – survey, wetlands and soils are being done. Mr. Bacon indicated they might have to ask for a soil

waiver depending on Mr. Grenier's timeframe. Everything they are proposing for the Site Plan is keeping in mind the proposed location of the new lot line for the subdivision so that the Site Plan will not be affected.

Mr. Bacon indicated that Mr. Grenier is not planning on going beyond the top of the bank into the old pit area near the wetlands.

There was a discussion about the distance from the site to municipal water and sewer and the wellhead protection area for Tioga. Mr. Bacon stated that they kept the proposed building and storage areas close to the front and he thinks he is outside of it. C. Clairmont questioned the proximity to sewer. Mr. Bacon said that it is far enough to be a nuisance to the lot.

R. Ball asked about stormwater management and commented that it should be easy to infiltrate. Mr. Bacon said that they will probably do small infiltration areas to address stormwater management. The drainage study is half done because he has it from the previous applications. No fuel storage proposed (above or below) and no floor drains are proposed.

Mr. Bacon asked if the snowmobile trail out back is still active. Part of the agreement for the snowmobile club using the property was that the club would contact the owner every year and have some kind of agreement with the property owner. Mr. Grenier has not heard anything from them. R. Ball said he would get Mr. Bacon the contact information for the active club. Mr. Grenier would like to talk to them. He plans to still allow them to cross but ask them to sign a waiver. There was discussion about the liability relief if land is open to the public.

R. Ball asked Mr. Bacon to confirm the proposed use. The application indicated trailer sales and repair. Mr. Bacon said auto and trailer sales and repair. R. Ball asked if there would be off-site trailer repair, people bringing their trailers from off-site to be repaired on-site. Mr. Bacon confirmed inside, on-site repairs. Mr. Grenier is proposing used auto sales, trailer sales, and repairs of the used cars. He will not be advertising repairs.

Mr. Bacon said they are proposing a sign on the building and probably not looking for a sign out front. They will include lighting, fencing, and security aspects in their proposal. Mr. Bacon explained that they will probably have a graveled, fenced in area for storage of trailers and gravel area up front (along Depot Street) for display.

Mr. Bacon stated they are trying to stay out of the APD and are only proposing about 6% lot coverage. He is looking for feedback because a previous application he worked on for that site had a lot of concerns. There was a discussion about the previous application.

C. Clairmont asked R. Ball what the requirements for vehicle storage within the aquifer are. R. Ball said he is not sure. R. Ball indicated that the Planning Board will ask about leaks and spills and how they plan to address them. Mr. Bacon said most likely the back (gravel) section would be used for trailers and the paved section (they would put in a few extra spaces) would be used for the used cars in queue for repairs. He designed it to have room for 4 bays but is only proposing 3 bays. There was a discussion about the parking requirements. Mr. Bacon suggested 4 spaces per bay. R. Ball said it appears to have adequate parking. They have approximately 22 spaces shown on the draft plan.

R. Ball asked if A. Jipson had any questions. She did not.

J. Beaudin said once the applicant is through the Planning Board process and is ready to pull a building permit, the applicant will want to come in and make an application for the industrial/commercial reconstruction exemption. It is a 50% reduction in the assessed value of the improvements for a period of time. This property is in the Industrial Zone, so it qualifies. There are certain criteria that you must meet. The exemption must be applied for before construction begins. It is recommended that you apply for the exemption before/at the time you are applying for a building permit. The Town looks at the value of the property before construction, compares it to the value after, and the applicant gets the credit for up to 50% of the value of the improvements (new building).

Chief Lewandoski asked for the applicant to provide emergency contact information for the business. He asked about a closed/locked gate. The Police Department needs to know if its locked/gated. The location is susceptible to theft. The Fire Department might require Knox locks. The Police Department does not require Knox locks. In this situation, if they need to gain access, they will.

C. Clairmont mentioned that NHDOT might make the applicant do something with the existing driveway.

Mr. Bacon mentioned that he may want to meet with staff again before the plan is finalized.

There being no further questions or comments, R. Ball thanked the applicant for attending and encouraged continued contact with staff to the benefit of the proposal.


Other Business:

Minutes:

MOTION: On a motion by Chief Lewandoski, seconded by J. Beaudin, it was voted unanimously to adopt the minutes of January 27, 2022 as written. (5-0)

Adjournment: The meeting adjourned at 9:17am.

Prepared by,


Sarah Whearty, PE
Town Planner