

**TOWN OF CHESTERFIELD, NH**  
**PLANNING BOARD**  
**MINUTES**

Monday, March 5, 2012

Present: Brad Chesley, Chair, Jon McKeon, Selectmen's representative, James Corliss, John Koopmann, Sue Lawson-Kelleher and Rolland Vollbehrr (Alternate)

### **Call to Order**

Chesley called the meeting to order at 7:15 PM  
Chesley seated Vollbehrr for Willich

### **Review of the Minutes**

February 6, 2011

*Lawson-Kelleher motioned to accept the February 6, 2012 minutes as amended.  
McKeon seconded the motion which passed unanimously.*

### **Appointments**

- **Timothy Hanson/ Gerhard Isleib/ Eleanor Fink** – This is a continuation of an application for a Subdivision of the property located on Farr Road (Map 13, Lot A-6) consisting of approximately 26.87 acres in the Residential zone. It may be followed by a review to grant or deny approval of the application.

Rob Hitchcock and Tim Hanson were present for the applicant. Abutters to the proposed subdivision were also present.

It was noted that Higher Designs was at the last meeting. Hitchcock noted that the setback from the ravine was moved to 50 feet from the edge of the ravine. Lawson-Kelleher read the letter from Higher Design dated February 23, 2012 for the benefit of the public.

Hitchcock noted that the board had requested a 2% grade on the road, and this has not been done yet. He noted the power company is all set.

Chesley asked if the public had any comments or questions.

Annie Disilva stated that she does not believe the issue of the lack of water and well issues has been adequately addressed. Lawson-Kelleher noted that that issue had been discussed at the last meeting. Corliss noted that the report states that the reviewer does not anticipate an additional 9 wells negatively affecting the water supply.

Disilva stated that nobody came over and knocked on the doors of the abutters. If they had, they would know that all the houses already in that area experience water problems. Corliss noted that each well is different, meaning that they are not all feeding off the same aquifer. Disilva noted that she hoped this community would

not want to negatively affect the residents currently living here, or to have nine families move in and have no water for any of the families. Marshall inquired as to how old the data is that was used. The board was unsure.

It was stated that many abutters have indicated they will sell their homes and move out of Chesterfield if the development is approved. Lawson-Kelleher noted that the board has done what was asked by the abutters, they had an expert come out and check into the well water issues, and the board can not now just ignore the report because it does not state what the abutters were hoping it would. Lawson-Kelleher noted that there are soil maps available at the USDA office in Walpole. Disilva noted that on all sides of the proposed subdivision, there are water problems; she noted it is not logical to assume that this field will not experience the same thing. She noted an example of neighbors doing work to their house causing her to lose her water. Corliss noted that he spoke with Jeff Cushing and Jeff had stated that the problem in that area is the soft rock. It does not transmit water well, and nobody can tell.

Corliss will contact Envirostrategies and ask them to be present at the next meeting to discuss with the board and the abutters the process they used and how they came to their conclusions.

Lachenal will email the report from Envirostrategies to the abutters who provided email addresses.

Corliss stated that the Envirostrategies report concludes that they do not anticipate substantial negative impacts of the proposed development in regard to the stated concerns of erosion, slope stability and water supply, with the exception of the proposed location of the stormwater swale. Hitchcock noted that it has been moved and is now a bigger bowl.

Corliss noted that the erosion in the gullies has not been address to his satisfaction. Chesley asked if DES was only requiring the removal of the hazardous materials. Hanson stated that yes; they were only requiring them to remove the hazardous materials.

Hanson noted that he believes that he should be all set. He has done everything the board has asked of him. He noted that the Envirostrategies report states that he will not be creating more runoff or erosion than is occurring now. Hanson noted that the project will probably help. McKeon asked if the applicant has an erosion mitigation plan. Corliss noted he was hoping to see some understanding of the issues with the two ravines and a plan to deal with it. Hanson stated that he believes the reports do not state that he needs a plan. If they wanted a plan, they should have been more specific. Hanson noted that if the board wanted a plan, they should have asked for one sooner. Corliss noted that he has mentioned this several times in the past months since the application was submitted. Lawson-Kelleher noted that is the reason she suggested the applicant talk to the USDA back in November.

Lawson-Kelleher stated that vegetation should be planted.

Hanson noted that he read the reports and the subdivision regulations. He believes that they have met all the conditions and the planning board has not specifically asked for more information.

McKeon noted that he would like to have a plan in place for the ravines and also for the trimming as suggested in the report. McKeon noted that the removal of

debris from the gully has not been included in the bond. Chesley noted that debris removal and seeding of the gullies need to be added to the bond estimate. McKeon noted that the applicant needs to make sure they have a comprehensive plan regarding the controlling erosion on the gullies. The bond information provided will be adjusted to include debris removal and seeding of the gullies. It was noted that the bond estimates provided at this meeting by SVE and Higher Designs were very close to the same amount. Hitchcock stated they are fine using Higher Designs estimates.

Hanson noted he would like Hitchcock to be able to speak with Enviorstrategies to get an idea of what specifically they would recommend. Chesley noted that Hitchcock could speak with them through email and Lachenal.

Hanson noted that he though that not increasing the runoff was good. Lawson-Kelleher noted that although the subdivision proposal may not increase the problems, it does not solve the issues currently present on the land.

The board noted they have received a bill from Higher Designs for \$2025.00. The board authorized Lachenal to pay the bill from the Planning Board Technical Fee's line and bill Tim Hanson for reimbursement.

*McKeon motioned to continue the hearing to April 2, 2012 at 7:30 PM.  
Lawson-Kelleher seconded the motion which passed unanimously.*

- **Charles A Donahue, Trustee of the Charles A. Donahue Revocable Trust of 1988** – Continuation of an application for a Lot Line Adjustment, an application for a Major Subdivision, and an application for Major Site Development of property located on Rote 63 (Map 12A, Lot A-2) consisting of approximately 75.66 acres in the Residential zone. It may be followed by a review to grant or deny approval of the applications.

The board pointed out that the Boundary Line Adjustment was approved at the previous meeting.

Charlie Donahue and Dave Bergeron were present.

Bergeron provided the board with a handout explaining how the application meets the open space requirements.

Bergeron provided the board with Two (2) copies of a draft of Declaration of Condominium. He explained the difference between some common areas and open space as outlined in the declaration.

Bergeron explained that he spoke with Jeff Chickering, the Fire Chief of Chesterfield and Chickering is satisfied with the fire pond. It will be a 50,000 Gallon pond and it will be the responsibility of the association. McKeon asked how the Town will be assured of the maintenance of the pond. Bergeron stated that it will be spelled out in the agreement.

Bergeron noted that the applicant has not decided how the road will be built, and is considering accomplishing it in phases. McKeon noted that there will still be a bond needed, but it may be able to be based upon how the phases are set up. The bond is a 3 year bond requirement.

The board discussed some questions regarding the buffer between the proposed homes and Route 63. Bergeron noted that due to the set back requirements, the homes were as far back as they could go. He noted that from the edge of the road

to the edge of the right of way is 20 feet, and the buffer is an additional 50 feet. Bergeron also pointed out the elevation. Route 63 is at a lower elevation and therefore it will be harder to see the homes.

Corliss asked about the snowmobile trail that currently runs through the property. Bergeron pointed out that the “trail” is a logging road and is indicated on the plans. The development will make this trail disappear. Donahue noted that he has spoken with some of the snowmobilers and they have expressed concern as they need this connection through this property as an essential part of corridor 5. Donahue stated that he does want to help them and is planning on making their trail go through a part of the property further back, away from the proposed development. They have not set anything up to date because they would like the snowmobilers to have a say in where the trail ends up.

The board will do a site visit at the Donahue property on Monday March 19, 2012 at 6PM. The applicant will have the centerline of the road staked out so that the board can have an idea of where things will be.

## Items for Discussion

- New Hampshire State Liquor Store Alteration of Terrain Permit – The board reviewed the ALT. McKeon noted that the State had come before the Selectboard and presented plans and the board had requested that once things were in place, they come before the Planning Board, however we could not make it a requirement. It was noted that they had moved the parking lot into the front of the building, for safety reasons. There is also no truck parking as proposed previously.
- Monroe Muffler/Tire Warehouse Site Development Application – Review for completeness.  
The board reviewed the application for Site Development. Tire Warehouse is owned by Monroe Muffler and they are proposing adding an area for tire alignment. The board noted that the plans provided were not sufficient size. They are requesting plans that are 22x36. The board also noted the following missing items:  
Regulation 403.3A - the plans appear to be missing height elevations  
Regulation 401 F - There is no location or key for the abutters.  
Regulation 401 G - The acreage is not listed  
Regulation 401J - There is no revision blocks  
Regulation 401 K - The block for signature needs to be on all pages.  
Lachenal will contact the applicant with the missing items.
- Cersosimo Industries – The board previously asked McKeon and Lawson-Kelleher to look over the additional information provided by Cersosimo. Lawson-Kelleher noted there is no use intensity statement revision. McKeon noted that they claim nothing is changing, however there never has been a use intensity statement, therefore they cannot claim to be using an old one.  
Lawson-Kellher noted that we do not have a drainage report. We have the AOT plan, but the applicant claims it is not part of the application, therefore the board cannot use the information contained. She noted that they cannot have it both ways. There was mention of a statement on the plan stating that the plan is “subject to

amendments from future AOT permits”. It was the consensus of the board that this statement does not belong on the plan.

Lawson-Kelleher noted that they need to submit a full complete application. They need to look at the regulations and submit all of the materials dictated by the Town’s regulations. It was noted that even if the pit was grandfathered, it would be subject to regulations. Corliss noted that according to RSA 676:17 the board can fine them \$275.00 per day after receiving a certified letter for non-compliance. Vollbehr asked if the state could help. McKeon noted that the Town does have good resources with the State, however he believes we should wait to call on them. McKeon noted that our attorney needs to send a letter with a list of items and a deadline for the information. Lawson-Kelleher will look over application and get list together to be sent to Rattigan. The deadline will depend on what our attorney has to say.

### **Items for Information**

- NHDES Newsletter – The Source
- DOT Driveway Permit
- Town and City – Feb 2012

### **Items for Signature**

#### **Adjournment**

*Koopmann motioned to adjourn at 8:11 PM, Corliss seconded the motion which passed unanimously.*

Respectfully Submitted by:

**Patricia Lachenal**

**Planning Board Secretary**

Approved by:

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**Brad Chesley, Chairman**

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**Date**