

TOWN OF CHESTERFIELD, NH
PLANNING BOARD
MINUTES

Monday, December 17, 2012

Present: Brad Chesley, Chair, Jon McKeon, Selectmen's representative, James Corliss, Bob Del Sesto, and Roland Vollbehrr, John Koopmann, and Susan Lawson-Kelleher

Call to Order

Chesley called the meeting to order at 7:11 PM

Review of the Minutes

December 3, 2012

Lawson-Kelleher motioned to accept the December 3, 2012 minutes as amended. Corliss seconded the motion which passed unanimously.

Appointments

- **Cersosimo Industries** - This is a continuation of a public hearing on an application for a Minor Site Plan of property located at River Road (Map 1, Lot B2) consisting of approximately 17.75 acres in the Residential zone and 17 acres in the R/A zone. This is a public meeting and it may end in an approval or denial of the application.

Del Sesto recused himself from the appointment.

Andrew Geffert was present for Cersosimo.

The board was provided with information from Westmoreland (provided by Lawson-Kelleher). Geffert provided the board with a color copy of the report done by Holden for the Westmoreland side of the pit.

Lawson-Kelleher noted again that on the approved plan there is a 200,000 square foot reclamation limit which is not on this plan.

McKeon noted that he would like to know about the standing water issue. McKeon noted that the issue is about safety and 155-E states that there will be no standing water. Geffert noted that the bottom of the pit is acting as a temporary storm water pond, collecting and holding water. The board discussed 155-e and standing water. McKeon noted where the "pond" was located during his site visit. Geffert noted that Cersosimo has attempted to put the boards concern to rest, has said that standing water will be drained within 7 days. The board is in agreement that 7 days will work.

Lawson-Kelleher noted that Westmoreland has a note on the plan about inspection of the sediment ponds and there is not one on here. Chesley suggested that the board have the same statement that Westmoreland added to their plan. Geffert noted that the AOT permit states weekly and after every half inch of rain. It was noted that there is no requirement to document the tests.

The board discussed the AOT plan and the need for the pond wording to be on our plan. The consensus of the board is that it should be on the plan. Geffert will put it on the plan.

Geffert noted that they did not put the 200,000 square foot restriction on the new plan because it does not give them enough room to operate in the pit and then expand out to one of the boundaries and get to the edge of the pit to start reclaiming. McKeon asked about the proposed amount. Geffert would like to use the current AOT site limit for the whole pit. It was noted that 155-E notes that within 12 months of depletion or 24 months of non-use the open area of the pit needs to be reclaimed and stabilized. McKeon noted that erosion could be an issue. Geffert noted that the AOT does not allow for runoff from the site. Lawson-Kelleher noted that as long as there are adequate erosion control measures, she does not have a problem with 27 acres open. McKeon noted it is just easier for the applicant with more land to be open. Corliss asked if there was an adverse impact on the Town if the whole 27 acres was to be allowed to be open. Chesley asked the board if they are comfortable with 27 acres: James stated he is comfortable with it. Lawson-Kelleher noted as long as there is a note to the stating that after 12 months of non-use is temporarily reclaimed, she is fine with it. Vollbehre agrees with Lawson-Kelleher, Koopmann stated that he is opposed to the full 27 acres right now, and he will be thinking about it more. McKeon noted that he is opposed to the full 27 acres; he noted that he is not opposed to talking of an expansion, but the full 27 acres is too much. Brad noted that he agrees with Jon, that such an increase is a big jump. Geffert will take that back to his boss and get back to the board.

Traffic report – Chesley noted that the applicant had indicated 20-30 trucks per hour at peak time. The board talked about the current condition of the road. It was noted that the plan the board is looking at, does not have the traffic note on it. Geffert will add this plan. It was noted that currently there is no limit on number of trucks. The board discussed the current plan in place. Back loading was addressed and Cersosimo admitted they backhaul. The Board sees this as significantly affecting the condition of the road.

It was noted that Cersosimo currently does not have a reclamation bond. The Planning Board needs to make a recommendation to the BOS. Geffert noted that they have proposed a small reclamation bond due to limitation on open area. He is aware that it will need to be bigger if the amount of acceptable open square footage is raised. It was noted that the applicant has stated that it is about \$1,000 per acre for reclamation.

McKeon noted that the Emergency hour's statement is not on the plan. Geffert noted it is included in the use intensity statement. The board reviewed the note, it was found to be acceptable and Geffert will add it to the plan.

No comments or questions from the public.

Geffert will bring in a new set of plans at the next meeting. The board will work on getting a list together to email to Geffert.

Lawson-Kelleher motioned to continue the hearing on Cersosimo to January 7, 2013 at the Town Office Building at 7:30. James seconds the motion which passes unanimously.

Items for Discussion

- Saba – Review file, draft letter
Chesley provided board with a draft letter. The board discussed additions to the letter.

Del Sesto would like to include a reference to the regulation regarding separate loading and unloading. Del Sesto noted that after the change in zoning, (from grandfathered to commercial) Saba needs to comply with the commercial regulations. McKeon noted he is not sure that we currently have the authority to require that. Lawson-Kelleher noted that she does not believe that we can go back and make them change after the fact. Lawson-Kelleher noted that the board should have a conceptual consultation to begin discussions. The board made changes to the letter.

Del Sesto motioned to accept the letter as read and changed. Koopmann seconded the motion which passed by majority. (No: Lawson-Kelleher)

Lachenal will get letter to Chesley for signature and send to Saba.

- Donahue Submittals regarding conditional approval
The board was provided submittals from Dave Bergeron. Bergeron briefly went over the contents of the submittals. The board will review. The cover letter is from Baroff Professional Association and is a direct response to Attorney Rattigan's previous letter. The board will let Rattigan know we would like him to look over the information as it is a response to his previous letter.
- McKeon – Information from conference – McKeon provided information to Lachenal. Copies will be made for the board.
McKeon noted that the board should pay special attention to Conflicts and disqualification procedures, responsibilities etc. Rules of procedure need to be followed. It was noted that there are copies of the board's rules of procedure in each board members binder, and the board should re-familiarize themselves with them.
- January 2013 meeting schedule – *Corliss moves to move the second meeting to the 28th, Lawson-Kelleher seconded the motion which passed unanimously.*
- Phillip A. Crowley – No objections – Lachenal will notify Rick Carrier.

Brad and Jon recuse themselves from discussion. James assumed the chair.

- Kwader – Engineers invoice received.
Lawson Keller motion to pay the Invoice and bill the applicant. Rolland seconded the motion which passed unanimously.

The board received a request from the Board of Selectmen (through the Town Administrator) asking for a recommendation on an issuance of a building permit on Pinnacle Springs Extension.

Rolland motioned that the Planning Board recommend to the Board of Selectmen issue a building permit to Mr. Kwader on Pinnacle Springs Extension, contingent upon the terms of any final subdivision approval, recording of the plan if approved, providing any roadwork recommended by the Town's engineer occurs, and an executed waiver of liability has been filed with the registry prior to the issuance of the permit. Lawson-Kelleher seconded the motion which passes unanimously.

Rolland motioned to notify abutters of hearing to discuss the conditions of approval involving Kwader on January 7, 2013 at the Town Offices at 7:30 PM, seconded by Koopmann the motion which passes by majority with Del Sesto abstaining.

Items for Information

- Request for Project Review by the NH Division of Historical Resources – The board looked it over. A copy was provided to Vollbehr to bring to the Historical Society meeting.
- Town and City – November/December 2012

Items for Signature

- Approved/Amended November 19, 2012 minutes.

Adjournment

Lawson-Kelleher motioned to adjourn at 11:15 PM, Koopmann seconded the motion which passed unanimously.

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:

Brad Chesley, Chairman

Date