

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, June 3, 2013**

**Present:** Chair Brad Chesley, James Corliss, Joseph Parisi, Rolland Vollbehr, John Koopmann Davis Peach and John McKeon, Selectmen representative.

**Call to Order**

Chesley called the meeting to order at 7:10 PM

**Seat Alternates**

Chesley seated Parisi for Sue Lawson-Kelleher

**Review of the Minutes**

The board reviewed the minutes of May 20, 2013

*Parisi motioned to accept the minutes from May 20, 2013 as presented, Koopmann seconded the motion which passed unanimously.*

**Appointments**

**Dave Nelson** – Conceptual consultation no minutes taken as conceptual are non-binding on either party.

**Saba, Pierre – Gas Station** - This is a continuation of a public hearing on an application for a Major Site Plan review for property located at 85 Route 9, ( Map 14A, Lot 2) consisting of approximately 2.62 acres in the Commercial/Industrial zone. It may be followed by a review to grant or deny approval of the application.

**Present: Pierre Saba, Ronald Bell, and Mark Stewart**

Chesley went over the minutes from the last public hearing, noting that the board wanted the propane tanks removed from the plans as the applicant stated there were to be no propane tanks, the well was to be moved, there was a landscaping change due to one of the species proposed being invasive, the applicant indicated they were going to reduce the size of storage so that they would not need suppression systems, the yield of the well was to be checked, dimensions for the canopy were to be added, erosion control was to be added for both ponds. Bell noted that this had all been done.

Bob Del Sesto (public) asked what the definition of a transport truck for diesel was. Del Sesto noted that the applicant stated that there would be no diesel transport trucks. Bell noted that transport trucks were the 18 wheelers filling up. The applicant noted that the pumps will not be high speed pumps and the big trucks will not be filling up there.

Chesley asked if anyone in the public had any other questions. There were none.

*Peach motioned to close the public hearing portion of the application, Vollbehr seconded the motion which passed unanimously.*

Board discussion on the application:

Vollbehr noted that he is pleased with the application. Corliss noted that he does have some concerns with the proximity of the proposed location to the steep slope. Corliss noted he may like to require a third party review for the drainage portion of the application. Peach noted that he believes that the applicant has responded to all of the boards requests the board has made. Peach noted that if the board was thinking about a 3<sup>rd</sup> party review, he thinks the board should have requested it earlier in the process. Parisi noted that he would like to see a whole set of plans together as the submittal, noting that the board received a few new pages at this meeting, and the rest of the pages are found in older versions.

McKeon noted that there is a spot on the plans on the N/W side of the building were it appears from the information on the plans, drainage will be blocked by a foot of water. Vollebehr asked the applicant for a clarification – Bell noted that there is a clerical error on the plan and the calculation McKeon spoke of should be 102.75, not 104.75. McKeon noted that even with that being fixed, there is not much pitch.

*Chesley motioned to hire a 3<sup>rd</sup> party to review the drainage part of the application submitted by Pierre Saba. McKeon seconded the motion. Parisi offered an amendment to the motion, adding “corrected and compete” Koopmann seconded the amendment, which passed by majority with Vollebehr abstaining.*

Discussion: Does the board want the reviewer to just review the drainage or is there any other questions. There were no additional questions.

The full motion *“To hire a 3<sup>rd</sup> party to review the corrected and complete drainage part of the application submitted by Pierre Saba” passed by majority. (No: Corliss, Vollebehr and McKeon) (Yes: Parisi, Koopmann, Davis and Chesley).*

Stewart will provide the board with two new full corrected set of plans by Friday.

*Parisi motioned to allow the Chairman of the Board, Brad Chesley, to select a third party reviewer for this application. Peach seconded the motion, which passed unanimously.*

*Corliss motions to re-open the public portion of the application, McKeon seconded the motion which passed unanimously.*

*The applicant provided the board with a request to continue the hearing until the July 1, 2013 meeting.*

*Corliss moved to continue the hearing to July 1, 2013 at 7:30 at the Town Office Building. Vollbehr seconded the motion which passed unanimously.*

**Saba, Paul – Big Deal** – This is a public hearing on an application for Minor Site Development review for property located at 1474 Route 9, Map 11A, Lot B1) consisting of approximately 20.8 acres in the Commercial/Industrial Zone. It may be followed by a review to grant or deny approval of the application.

**Present:** Paul Saba, Timothy Sampson and Michael Bentley.

Sampson noted that the application is to add parking on the east side of the building to relieve some of the traffic issues in the front of the store. He noted that it drains off to the east and then south.

Parisi noted that the Use Intensity statement notes that the reasoning for the additional parking is to prevent parking in the no parking zone where people currently park. He noted that he is unclear how parking on the side of the building will accomplish this goal. Saba noted that there is also a proposed loading/unloading zone in the application, which will alleviate the issues with delivery truck parking. Saba noted that he will be sending letters to his vendors and personally notifying drivers of the new loading/unloading area.

Chesley noted that he does not see a walkway/sidewalk between the entrance and the new proposed parking area. Bentley noted that there is no walkway or concrete bumper stops planned due to the fact that if something like that was installed, it would push the rear of the cars into the State of NH right of way and into the flow of traffic. It would also cause issues with snow removal in the winter.

There was discussion on changing the signs, and/or making them larger. Bentley noted that they cannot change the signs as they are required by DOT, and making them larger and or turning them in the other direction is not an option as it will impeded the line of site.

Corliss asked about a lighting detail for the proposed light on the east side of the building. Sampson does not have the cut sheet, but noted it is a full cut off light. Corliss noted that he would like to see the

loading/unloading area designated. It is currently in an area that will be marked for parking spots. Saba indicated he will designate the area for loading/unloading only. Corliss noted there are parking spaces in front of the loading/unloading door. Saba noted that if there is a delivery and a car is in the way, the delivery will have to wait for the customer to move.

Parisi asked about a drainage plan. Sampson noted that they had not intended to do a drainage plan because of the small area being disturbed. The board will need a drainage plan.

Chesley asked if the site had been flagged, so the board could see what the plan is. The applicant will have the site flagged and notify Lachenal when it has been done.

McKeon suggested maybe moving the loading/unloading zone to the east side of the parking lot, as trucks will need to back into the parking lot to avoid backing into the travel lane when leaving. Bentley noted that the idea was to make the situation better, as it is not possible to make it perfect.

Vincent Brophey (Abutter) noted that he would like the drainage to go away from the pond. He also noted that people have been hitting the building with their cars, and believes that maybe the applicant should put up some concrete pillars to avoid this issue. Chesley noted that drainage usually goes to a grassy area where it can then be absorbed into the ground.

Chesley noted that there is no measurement from the edge of the pavement to the pond. Sampson noted that he does not have that measurement with him, but will add it.

Del Sesto (public) noted that he believes under the Zoning regulations and LDR the applicant needs to acquire a variance from the Zoning board prior to the Planning Board approving the application. Del Sesto read Zoning Regulation 400, 400.2 and Land Development Regulations 601.1, b and c. Del Sesto noted that he believes that the Zoning regulations say that the Planning Board cannot do what is being asked. Del Sesto noted that the job of the board is safety first, but there are no proposed walkways. Del Sesto noted that the applicant has sufficient land in that area, and the means and could increase that area and designate a separate loading/unloading zone as the regulations call for.

Corliss noted that the property is already a non-conforming use, and the applicant seems to be attempting to become less non-conforming. Corliss noted that the walkway that has been brought up only covers 5 parking spaces, noting that when he shops at home depot, he walks behind many more spaces than 5.

Parisi noted that the parking calculations as stated on the plan do not add up. Sampson will fix.

Bentley noted that this business is a pre existing non-conforming lot. The applicant's intent is to make it better. Del Sesto noted that he believes the property is no longer a non-conforming use as the applicant petitioned to change the zoning, making it now a commercial property.

Chesley noted that the current easements on the property have still not been listed.

The board reviewed the list of waiver requests. The applicant requested a waiver of the application fee, because they paid the application fee prior and did not finish the application process. Lachenal noted they have paid the abutter fees.

*Corliss motioned to accept the waiver request for the application fee. Peach seconded the motion which passed unanimously.*

The applicant requested a waiver from the requirement to show structures on adjacent property.

*Corliss motioned to accept the waiver request requiring the applicant to show structures on adjacent property. Peach seconded the motion, which passed unanimously.*

The applicant requested a waiver from the requirement to produce a full surface water drainage management plan.

*Parisi moved to request a Surface Water Drainage plan for the east side of the property.*

Discussion – The intent of the motion is to include the east side of the property and anything effected by the drainage.

*Vollbehr seconded the motion, which passed by majority (No: Chesley) (Yes: Corliss, Koopmann, Parisi, Vollbehr, Peach and McKeon)*

The applicant requested a waiver for the requirement to show all solid waste collection facilities. The board noted that the applicant has in fact noted the dumpster location on the plan. Sampson noted that the waiver was requested because there are no new solid waste facilities proposed.

The applicant requested a waiver for the requirement to show all existing utilities, drainage facilities, and on site disposal facilities. The board noted that there are some listed on the plan. Sampson noted there are

none on the east side of the building, as none exist unless underground. The board would like that added to the plan.

*Corliss motioned to grant the wavier request on the basis that the applicant indicates there are none located on the east side of the building, underground included. Vollbehr seconds the motion which passes unanimously.*

Sampson will add that wording to the plan.

The applicant requested a waiver for the requirement to show all heights of all existing fences and walls. Bentley noted that this waiver was requested because they are not proposing any.

*Corliss motioned to grand the wavier on the condition that they add a note on the plan indicating that there are no fences or walls. Peach seconded the motion which passed unanimously.*

The board requested the applicant add a statement stating that only one delivery truck will be there at a time. Bentley noted that the applicant could not guarantee something like that. The applicant will tweak the statement.

The applicant noted that he is planting new things all over the property.

*Corliss motioned to continue the public hearing to July 1, 2013 at 7:30 at the Town Office Building. Peach seconded the motion which passed unanimously.*

**Items for Discussion**

Chesley noted that left on the agenda is the review of the Cota application additional submittals.

*Parisi motioned to table the discussion to the work session on June 17, 2013. McKeon seconded the motion which passed unanimously.*

Chesley noted he contacted LGC regarding the abutters fee question the board raised. Using 673:16, the board decided to put this on the agenda for June 17, 2013 for a public notice and vote to accept a new fee.

**Items for Information**

**Other Business**

**Items for Signature**

Amended approved minutes 5/6/13

**Adjournment**

*Corliss motioned to adjourn the meeting at 10:38 PM, Parisi seconded the motion which passed unanimously.*

The next meeting will be held in the Town Offices at 7:30PM June 17, 2013

Respectfully Submitted by:

**Patricia Lachenal**  
**Planning Board Secretary**

Approved by:

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**Brad Chesley, Chairman**

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**Date**