

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, October 19, 2015

Present: Brad Chesley John Koopmann, Joe Parisi, Davis Peach and Jon McKeon.

Call to Order

Chesley, as acting Chair, called the meeting to order at 7:06

Seat Alternates

Joe Parisi seated for Rolland Vollbehr

Review of the Minutes

October 5, 2015

Jon McKeon motioned to accept the minutes as presented from October 5, 2015. The motion was seconded by John Koopmann and passed unanimously.

Appointments

Paul Saba/ Big Deal – This is a continuation of an application for a Site Development review for property located at 1474 Route 9 (Map 11A, Lot B1) in the Commercial Industrial Zone.

Paul Saba and Tim Sampson present. Sampson provided 11X17 plans and a revision summary to the board. The board reviewed the revision summary and the plans.

McKeon asked if the plans indicate proposed changes or if the changes came about while the build was happening on the last project. Sampson indicated that everting noted on the plans is currently existing with the exception of the bridge. Sampson noted that all of the changes have happened over time.

McKeon asked if the board saw the lot as a conforming lot, noting that the board should start with that question. McKeon noted that if the lot is non-conforming, then the Planning Board has no authority to approve/deny the application. The board discussed the lot and if it is a conforming or non-conforming lot. McKeon noted that the building is in the 50 foot setback. Parisi noted that this board has approved changes to this property in the past. McKeon noted that previous mistakes do not bind the board to continue to make mistakes. Peach noted that the changes proposed are not with the building in the area that is in the setback and therefore it does not matter and the board can make a decision on the application. Koopmann asked how you deal with a non-conforming lot. McKeon noted that Zoning Regulation 501.3 deals with non-conforming lots. Koopmann noted that from a legal standpoint, it should go before the zoning board. Parisi noted that the applicant has been before the board with other changes and they were not sent to the zoning board. Chesley noted that the “proposed changes” have already been done. McKeon read 503.1 which states: Expansion of non-conforming parts of buildings or structures is not allowed. Those parts of any building or structure which are conforming may be expanded provided the expansion is conforming and the use is not changed. For Example, if a non-conforming building encroaches into a yard area established by this ordinance, the bulk of the building within the yard area shall not be expanded at all, either

vertically or horizontally, within such yard area. McKeon noted that if you look at this application, the proposed expansion is not in the setback. The board will move forward with review of the application as the majority of the board does not believe the applicant must get zoning board approval. Parisi noted that in the future, any changes need to go before the zoning board prior to the planning board and also before the changes are made.

Sampson noted that the changes as stated on the revision summary:

Parking space realigned to the west of the gas pumps, existing flagpole now documented on the plan, concrete pad to the east of the gas pumps was removed from the drawings, the propane tank on the southwest corner has been removed and is now shown to the south of the building, the A/C condenser and generator to the west of the building are now labelled, The parking spaces along the north side of the building have been revised to document the existing striping, two air pumps and one vacuum machine have been added to the drawings at the south edge of the parking lot, The deck, bridge, retaining wall and walkway to the south of the building are now shown on the drawings, the loading zone is now labelled as no parking zone with additional wall mounted signage stating "Loading Zone, No Parking" signs, dumpsters have been relocated from the west side of the building to the east side of the building, the parking area to the east of the building shows the existing condition which is different from the previously submitted plan, a small rock outcropping has been removed and regraded to create a safe access point to Route 9 from the parking area, a parking lot light pole and base which was relocated is now properly documented, revised grading has been documented in the eastern parking area and the steep slope to the south of the regrade is now noted on the drawings.

Koopmann asked how many of the changes have been approved by the building inspector. Saba noted that all of the changes have gone through the building inspector. McKeon noted that there is no screening around the dumpsters. Saba noted that there is currently no screening, but it he was planning on screening them in and will do so. Parisi asked if code enforcement was following the construction of the deck. Saba noted that the building inspector has issued a building permit for the deck and has been included in the process of building the deck. Paris noted that normally, the Planning Board approves a plan and then code enforcement makes sure that the site conforms to the plans. Paris noted that a statement from Code enforcement stating that this plan depicts what is currently on site would be helpful.

Chesley opened the hearing to comments/questions from the public.

Jeff Scott asked if the application was just for additional parking. Sampson noted that a letter from Code Enforcement requested an updated drawing, and he did not want to change the name of the drawing because he was updating it, that is why the plan is titled in that manner.

There were no more questions/comments from the public.

Peach moves to close the public portion of the hearing. The motion was seconded by McKeon and passed unanimously.

Board Discussion:

Parisi noted that he would like to have Code Enforcement present to state that the plan is how the lot currently is set up. McKeon noted that if this plan is approved, the lot would need to match the plans.

Peach moves to accept the plan for the exterior seating, the bridge and the walkway. The motion fails without a second.

McKeon noted that the lot coverage has not changed.

Chesley asked the applicants representative to address the board regarding the lot coverage.

Sampson noted that the 900 additional square footage of the deck did not change the calculation.

Peach noted that there are waiver requests that should be dealt with.

The board discussed the waiver requests. The board agreed that a full lighting study is not necessary. The board agreed that a waiver should be granted for showing structures on adjacent properties. The applicant requested a waiver from producing a full surface water drainage management plan. Parisi noted that the drainage would be different with the addition of the deck, but he was not sure of how different. The board agreed that a full surface water drainage management plan was not necessary. The board agreed that a waiver should be given for all existing utilities, drainage facilities and on site disposal facilities. The board agreed that the applicant did not need to show all heights of existing walls and fences.

Peach moves to accept all of the five (5) waivers requested on the use intensity statement dated September 14, 2015. The motion was seconded by Koopmann and passed unanimously.

Parisi noted he would be most comfortable if Code Enforcement was present to discuss his role and approval of the changes. Chesley noted that Code Enforcement reviewed the plans and did not have any comments except that the dumpster location was missing.

McKeon moves to approve the Paul Saba/Big Deal Site Development Application for property located at 1474 Route 9 with the following conditions:

Fencing detail for dumpster on site waste location

Revised plan and as-built drawing (remove red cloud areas)

Submitted lighting fixtures as installed

The motion was seconded by Peach and passed by Majority. (No: Parisi)

Grace Community Evangelical Free Church – This is an application for a Major Site Development review for property located at 49 Old Swanzey Road (Map 10, Lot B 1.1) consisting of approximately 28.2 acres in the Rural/Agricultural zone.

Dave Bergeron was presenting for Grace Community Evangelical Free Church.

Bergeron noted that the application is to add a classroom building for additional space. The church needs additional Sunday school classrooms. Bergeron noted that the classes are currently happening in the building and they have run out of space. Bergeron noted this is not bringing more people into the church, just creating more space for the current congregation. The proposal is to put a modular building with two (2) classrooms on the North side of the building in the existing parking lot. The building will be white vinyl to match the church. The building will be in the parking lot and therefore will not increase lot coverage. There is no plumbing or sewer planned for the building, only electrical and heat. The proposal includes some stone infiltration which will be able to completely store any runoff and therefore there will be no increase in run off from the project. Bergeron noted that an abutter had inquired as to an increase in the septic. Bergeron noted that in the future, the church will be looking at expansion of the building and in preparation for that, they have been monitoring their water usage. Bergeron noted that the current system is designed for 1,000 gallons a day and the max usage to date has been 400 gallons in a day. McKeon inquired as to

ADA accessibility. Bergeron noted that churches are exempt from the requirement, however if Code Enforcement would like to see it, there is room for a ramp. Bergeron noted that the building is not used at night and therefore there is only one light on the pathway, which is an existing parking lot light and also the doors are required to have lights on the outside.

Chesley opened the hearing to the public. There were no questions or comments from the public.

Peach moves to close the public hearing. The motion was seconded by Koopmann and passed unanimously.

Board discussion:

Koopmann moves to approve the proposed Major Site Plan Development for Grace Community Evangelical Free Church as presented. The motion was seconded by Peach and passed unanimously.

Items for Discussion

Area 51 – Jim Phippard

Lachenal received a bill from FLS and has received a reimbursement check from Brickstone Land Use Consultants. Lachenal will request a check and pay the bill.

Master Plan Update –

Chesley noted that they are still on schedule. The goals and vision statements are happening now. The chapters will be before the board before long.

Items for Information

Other Business

Joe Parisi and John Koopmann signed up for 3 more years.

Dragon speak was mentioned as an idea. The board discussed the use and the need.

Items for Signature

Brad Chesley signed the minutes from October 5, 2015

Adjournment

Parisi moves to adjourn at 9:30. McKeon seconds the motion which passes unanimously.

The next meeting will be held in the Town Offices at 7:30 PM November 2, 2015

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:

James Corliss, Chairman

Date