

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, June 20, 2016**

**Present:**, Davis Peach, James Corliss, Joe Parisi, Rolland Vollbehr, John Koopmann and McKeon (7:14) – Sue Lawson-Kelleher (7:19)

**Call to Order**

James Corliss called the meeting to order at 7:03

**Seat Alternates**

Joe Parisi seated in place of Susan Lawson-Kelleher

Lawson-Kelleher arrived at 7:19 and was seated prior to Dead River application after Area 51, Gateway and Larkin discussions were handled.

**Review of the Minutes**

June 6, 2016

*Davis Peach motioned to accept the minutes as amended from June 6, 2016. The motion was seconded by Rolland Vollbehr and passed unanimously.*

**Appointments**

**Dead River Company, Rick Fleming** - This is an application for a Major Site Plan Review of property located at 22 Mill Road (Map 13 Lot E9.1) consisting of approximately 2.27 acres in the Commercial /Industrial Zone.

Chris Baldwin and Kim Weiland were present for the applicant.

Chris Baldwin noted that the lot is a little over 2 acres and currently developed and used as an auto repair facility. The property contains a leach field that has a gravel packed parking area and the back of the lot is sloped and vegetated. The lot also contains an unoccupied building. The proposal is for a new bulk plant for fuels and propane. There will be 2 onsite employees that will use the existing building. The property will be home for approximately 8-10 delivery trucks. A truck washing station is proposed onsite. The trucks will be washed and fueled daily. There will be one entrance and one exit to the property assuring that the large delivery trucks will never have to back up. Large areas of the current gravel area will be grassed to reduce the impervious surface by 4%.

A containment vessel will house the tanks and collect rain water. The vessel will have a valve which can be opened to drain. It was noted that one of the onsite employees will be in charge of inspecting the liquid in the vessel for sheen prior to releasing the valve. If any contamination is found, the vessel will be pumped instead of drained. The valve when opened, will drain through the bottom and go into the ground flowing to an outlet and be lighted to the ground and buffered from there. Lawson-Kelleher noted that there is a brook at the bottom of the slope which will need to be protected. The vessel has a 33,000 gallon holding volume. Kim Weiland noted that the exact same plant was approved and built in Alexandria NH. Specifications on the tanks have not been provided,

the board would like to know the specifications on the tanks. Chris Baldwin will provide the information to the board. There are currently 4 tanks planned with room for one more tank in the future. Chris Baldwin noted that the system for washing trucks has not been finalized to date. The applicant is looking at two options. One option is a reclaiming system and the other is a system to treat and discharge the water onsite. It was noted that there are potentially 10 trucks being washed per day using up to 1,000 gallons of water per truck.

The board reviewed the comments noted from the review for completeness. Chris Baldwin noted that the applicant will need NH DES permits for AST's and the truck wash may also need DES approval. It was noted that when the board reviewed the surface water and drainage plan, it was unclear as to where the water was going and at what rate. Chris Baldwin noted that the water is going the same way it has always gone. Baldwin noted that the site is pretty flat and therefore water is shed in all directions with the majority going over the back of the property. Baldwin noted that currently the site has approximately 50,000 square feet of impervious surface and the applicant is looking to reduce that by adding the grassed areas which will catch some water and also rain water will be collected in the containment vessel and will not run off as it previously had. The board noted that although rain water will be caught in the containment vessel, it will eventually be released onto the property. Lawson-Kelleher noted that this is not enough information for the board. Due to the type of development and the slop, she believes the board needs more information about the surface water and drainage. McKeon noted that the Land Development Regulations require pre and post drainage calculations and vectors, which are not shown on the plans. It was noted that the board is not just looking for the calculations, but where the water is going and what the rates are as well. The board previously did not locate waste disposal systems, which the applicant pointed out to the board. Drawing S-2 and S-4 need to have elevations added. Baldwin will add the elevations. Parisi noted that because the applicant has indicated they have established another site in NH, he would like someone from that area to be contacted for a reference. Kim Weiland noted that the applicant can provide pictures and the board is welcome to visit the site. Peach noted that he knows the assistant fire chief in Alexandria and will contact him regarding their experience with the site. The board received an email from Twin State Truck (Abutter), they were unable to make the meeting, but are concerned about a shared well for the two properties. They are looking to know what the daily demand will be for the business. McKeon noted that if it is a community well, they have different regulations. Chris Baldwin noted that the applicant is still looking into the well issue and has begun looking into drilling their own well. They will continue to research this issue. The Chesterfield Police Department noted they have no objections to the application. The Chesterfield Highway Department noted they have no comments at this time. The Chesterfield Fire and Rescue Department provided a letter and Steve Dumont is present at the meeting. Steve Dumont noted that he is present at the meeting in place of Chief Rick Cooper as he had another meeting to attend. Dumont noted that in looking over the plan, the fire department has a number of concerns. Dumont noted that the location of the property poses an issue of getting water to the site. In the event of a fire or explosion, multiple water supplies would be necessary. Dumont noted that depending on the season, water supply could be limited. Dumont noted that he looked over some case studies from sites comparable to the proposed site and hundreds of thousands of gallons of water are necessary to cool these tanks. Dumont noted that Route 9 would have to be shut down if there was an emergency at the site. An emergency at this site has the potential to exhaust the fire department, police department and the mutual aid available to Chesterfield. Dumont noted that one case in Pennsylvania required over 11 hours, 720,000 gallons of water and 49 different fire departments. Dumont noted that Chesterfield is a volunteer department and there is no set time on how fast they can respond to an emergency and each tanker only holds 1,000 gallons water. Mutual aid would be needed for trucking of water to the site. It was noted that the application includes a water cannon. However the cannon does not have its own supply of water. The cannon is rated to 500 gallons per

minute which would mean a tanker truck would need to be there with more water every two minutes. This would require continual dumping and the time it takes to receive mutual aid needs to be accounted for to know how effective a response could be to an emergency located at this site. Stubb Thomas noted that there is a well across the street that should be retested as it was very lucrative when previously tested.

Corliss asked if the Fire Department was for or against this project. Dumont noted that he does not feel he can answer that question and the board should speak with Chief Rick Cooper for that answer.

Lawson-Kelleher asked if it would be helpful for the fire department if there was a large quantity of water on site. Dumont noted that depending on where it was located, that would require a truck to be placed in the hot zone.

Code Enforcement has noted they would like a 3rd party review. Dumont noted the State fire marshal will be looking at the project and there is no need for a 3rd party review.

Kim Weiland asked how the Osterman Propane place in town has addressed the issues noted by the fire department. The applicant is welcome to look over any plans in town.

The fire department letter will be provided to the applicant by Lachenal.

Parisi noted that previously this land had an application and there was a concern regarding traffic on Mill Road. It was noted that a restriction on traffic coming from the site and heading down Mill road instead of directly to Route 9 should be prohibited. Chris Baldwin noted he has no problem with restricting truck traffic to directly access and leave the site via Route 9 end of Mill road, unless for some reason that intersection is blocked and for trucks making deliveries on Mill Road. It was noted this should be added to the use intensity statement.

Lawson-Kelleher noted that the tanks are 36 feet high and additional screening may be necessary as this site is close to residential properties. It was noted that while it may be impractical to screen the tanks completely, there are things that can be done to soften the impact. It was noted that a landscaping plan is required by the regulations and is not included in the application. Parisi noted there is no lighting plan in the package. Chris Baldwin noted that there are 5 spots that will be lighted and all are downcast cut off lighting. A lighting plan will be provided to the board.

*Davis Peach moves to continue the public hearing on Dead River Company to July 18, 2016 at 7:30 in the Town Office Building. The motion was seconded by Rolland Vollbehr and passed unanimously.*

## **Items for Discussion**

Jim Phippard - Area 51 and Gateway Preserve

### Area 51

Jim Phippard noted that the project was reviewed by the State Fire Marshal and they required the applicant to change the location of the fire pump. The signed plans indicate the fire pump will be located under the concrete floor. The Fire Marshal has indicated it needs to be located outside the footprint of the building. The fire pump has been moved to outside the building as indicated on the new plans. This change requires the walkway to be extended and a light to be located by the door. The light is directed straight down. The other change is the location of the propane tank which is now underground and noted on the plan.

*Davis Peach moves to accept the change presented as a minor change. Rolland Vollbehr seconds the motion which passes unanimously.*

The board was provided new copies of the plans which will be signed this evening.

### Gateway

Jim Phippard noted that the owners of Gateway Preserve would like to add a sign. The sign would be located south of the driveway. It will have 2 granite posts each 9 feet high and the sign is 4x6 and double sided. The sign is 12 feet from the right-of-way. The sign is not illuminated. The board reviewed the sign regulations in the Zoning Ordinances.

*Parisi moves to accept the change presented as a minor change. The motion was seconded by Davis Peach and passed unanimously.*

### Jim Larkin - Larkin Way - replacement bond

Jim Larkin noted that he has a bond to present to the board. Larkin noted that the road was asphalted last Tuesday and the stone shoulder is going in by hand. Larkin noted that the shoulder has not been completed to date. The original bond expires July 13th.

McKeon noted that road acceptance goes through the Board of Selectmen. The Selectmen accept the road and once accepted the maintenance bond may go into effect. McKeon noted that the board will appoint someone to inspect the road to make sure it is in compliance prior to acceptance.

Corliss noted that according to 703.3 the Planning Board looks at the bond after the road is accepted. Larkin noted that the current bond expires prior to the next Planning Board meeting and he is trying to avoid having to get an extension for such a short period of time. McKeon noted that the road still needs to be inspected by a person of the Board of Selectmen's choosing prior to acceptance and there is always potential for other things that need to be addressed. Corliss asked if it would be beneficial for the Planning Board to give the Board of Selectmen the ability to approve the bond if they are satisfied with the road.

*James Corliss moves to authorize the Board of Selectmen to authorize the release of the construction bond and replacement of the maintenance bond on Larkin Way if they are satisfied with the road as built. The motion was seconded by Davis Peach and passed unanimously.*

### Master Plan

Chesley noted that Lisa Murphy from SWRPC has been notified that the board would like an electronic copy prior to printing. Once all is complete an electronic copy will be provided to Lachenal for distribution.

### Accessory Dwellings

The board received notes from Parisi on the draft regulations provided by Corliss.

The first comment addressed purpose and asked what "permitted by a conditional use permit" means. Corliss noted that the original intent is for this board to issue permits for accessory dwelling units until we know what we are doing and then to hand the permit process off to another agency. The second note was regarding definition. Parisi noted that attached and detached should be defined separately to make it easier to parse out the requirements for each.

The third comment was regarding standards. Parisi asked why this only applied to new construction.

Parisi noted that if it currently exists, it should still be held to the regulations. McKeon noted that you cannot go back in time and hold a current building code to post-issuance of a building permit. Parisi noted that he would like to know what standards must be followed if it already physically exists. Corliss noted that the regulations will need to cover existing non-conforming structures and will work on some wording for that. If any board member has any ideas on that wording or content, please send them to Lachenal to forward to Corliss.

The fourth comment is that under 4. C, it should read An attached accessory dwelling...(adding attached)

Also noted in the meeting is that 4. A should indicate permit where special exception is stated. Peach noted that he is not sure about the requirement of twice the lot size for the zone. Chesley noted it seems excessive in some zones. McKeon noted it makes sense in some zones. Peach noted that coverage may be a better way to make sure that crowding does not happen.

### Signs

Parisi provided the board with a spreadsheet noting where limitations are put on signs by our regulations. The board reviewed the information. McKeon will send this document to NH Municipal Association for their review and ask for feedback on where we comply with the new legislation.

### Spofford Boat Sales

Peach noted that he took the file and wrote down what he felt was applicable. Davis noted that the owner of Spofford Boat Sales has not fulfilled the requests made from the planning board to come up with a specific site plan. McKeon noted that the Town is working on cleaning up loose ends and this site is on that list. McKeon noted that both Code Enforcement and the Planning Board have on more than one occasion felt that there was an expansion of this business. McKeon noted that the goal is to document the non-conforming use and show it has not been illegally expanded. McKeon will draft a letter to Doug Foster noting that the board has an open file on this issue and would like to get it resolved. McKeon will bring the letter back to the board for review at the next meeting.

### **Items for Information**

The board received a letter from Donahue, Tucker & Ciandella, PLLC. They are looking to close out old cases and for permission to destroy the files in 10 years.

*Jon McKeon moves to allow Corliss to sign the File Destruction Authorization. The motion was seconded by Susan Lawson-Kelleher and passed unanimously.*

### **Other Business**

Jeff Scott noted that Mark Lanoue received a variance from the Zoning Board and wanted to know if he was required to come before the Planning Board prior to making changes. McKeon noted that Planning Board approval is required before changing a property from the already approved site plan.

### **Items for Signature**

Hadlock BLA Plans

Comptois BLA Plans

The board noted the driveway is now outside the side setback

*Jon McKeon moves to accept that the condition has been met. The motion was seconded by Peach and passed unanimously.*

Minutes – May 16, 2016

**Adjournment**

*Davis moves to adjourn at 9:47 Mckeon seconded the motion which passed unanimously.*

The next meeting will be held in the Town Offices at 7:30 PM July 18, 2016.

Respectfully Submitted by:

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

Approved by:

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**James Corliss, Chairman**

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**Date**