

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, September 12, 2016**

**Present:**, Davis Peach, James Corliss, Joe Parisi, John Koopmann and Joe Brodbine and Susan Lawson-Kelleher (7:20)

**Call to Order**

James Corliss called the meeting to order at 7:16

**Seat Alternates**

Joe Parisi seated in place of Susan Lawson-Kelleher. Lawson-Kelleher entered the meeting at 7:20 and Joe Parisi was then seated in place of Brad Chesley. (Lawson-Kelleher did not vote on the minutes)

Joe Brodbine seated in place of Rolland Vollbehre

**Review of the Minutes**

August 15, 2016

*Davis Peach motioned to accept the minutes as amended from August 15, 2016. The motion was seconded by Joe Brodbine and passed with Joe Parisi abstaining.*

**Appointments**

**Items for Discussion**

Zoning Ordinance 208.5 A&D

The board received an email from Town Administrator Rick Carrier regarding Zoning Regulation 208.5 A&D and if they are inconsistent. The board reviewed the regulations and noted that they do not find any inconsistency in the regulations.

Lawson-Kelleher noted that it was added for properties such as Tire Warehouse where the side setback is on Route 9.

Lachenal will email Carrier that the board does not find the regulation inconsistent.

Master Plan

Corliss noted that he had received an email from Brad Chesley regarding holding a meeting this Thursday (September 15). This is a tentative date.

Accessory Dwellings

The board held discussion on where to put the definition. The board would like the definition to be added to the purpose and also located in the back with the other definitions.

Joe Parisi noted that while reading through, under standards, it notes detached and that adds some confusion when reading the regulations. It was noted that the word detached in this instance is referring to the base home, not the Accessory Dwelling Unit. After some discussion, the board will leave the word detached as there is no alternative.

A question was raised regarding when the penalty period would start under Failure to Comply. It was noted that the intent was to have it start at the end of the six month period. Joe Parisi noted that the end of the last line (After March 31, 2017) should be deleted. The regulations will go into effect when they are passed and that will be the effective date.

*Joe Parisi moves to remove “after March 31, 2017” from the proposed Failure to Comply regulation. The motion was seconded by Susan Lawson-Kelleher and passed unanimously.*

Davis Peach noted that he has an issue with anyone that has had this in the past now having to change it because of the new rules. Corliss noted the regulations are allowing people to do something they were not previously allowed to do.

Corliss noted that he would like to take a moment to find out if the board is going to go forward with Detached Accessory Dwelling Units. Corliss noted that he received an email from McKeon regarding this issue. McKeon states he agrees with going forward with changes in the regulations regarding attached ADU's. McKeon also notes that he believes the discussion of detached ADU's is a great undertaking and will require more time than the board is afforded prior to Town Meeting in March. McKeon would like to take more time to discuss the pro's and con's of detached ADU's.

Corliss polled the board regarding including detached ADU's as part of the boards effort this year. Lawson-Kelleher noted that it does muddy the water when talking about detached. Lawson-Kelleher noted that if detached accessory dwelling units are to be allowed, they should only be allowed in existing accessory structures. Parisi noted that the board is talking about these regulations out of necessity to be compliant with the law, there is no outcry from the public. Parisi noted that the current proposed regulations will spark talk in Town about detached units and a decision will need to be made. Parisi noted that the board should not make a decision regarding detached at this time, but it should be discussed and dealt with at a later date. Davis Peach noted that there are around 14 meetings between now and Town Meeting and the board has to many other things on its plate at this point to give the proper time/effort to the discussion regarding detached ADU's. Joe Brodbine noted that he would like to wait on the detached and discuss it at a later date. John Koopmann noted that it is a complex issue and the board does need more time.

The polling of the board indicates that the discussion on Detached ADU's will wait. The board will add “Detached Accessory Dwelling Units are not permitted under this regulation”

Parisi noted that he would like to add a definition of Detached Accessory Dwelling Units to the definition portion of the regulations. Susan Lawson-Kelleher noted that she would like to take out the necessity of having a common heated wall. Lawson-Kelleher noted that a unit over a garage may not have a common heated wall, but is a reasonable way to utilize space. Peach asked if the regulation requiring a common heated wall was something that this board added or a requirement from the State. Parisi noted that this issue was brought up because he is looking to define Detached

ADU and if this board is having a hard time, then other people may also get confused. Corliss noted that the definition of attached is tight. Anything that is not attached, would fall under detached.

Lachenal noted that final form will be needed before a public hearing is scheduled. Parisi noted he would like to delegate the form of the regulations and where they go in the Zoning Ordinances to Corliss. Corliss will work on this and get the information to Lachenal for the next meeting.

### Spofford Boat Sales

No update

### NH Sustainable Forestry initiative

Brochure shown to the board

Jeff Scott (public) encouraged the board if there was any interest to google them and learn about them before making any decisions.

### Law lecture series

The board was updated on the dates for this year's Law Lecture Series.

### Signs

Peach noted that he must be excused. (9:08)

Joe Parisi worked on the sign ordinance and copies of the proposed changes were provided to the board.

Parisi noted that the recent Supreme Court decision is what provoked changes to the sign ordinances. Parisi noted that ultimately the law will be determined by case law in response to litigation. He noted that he has attempted to modify the Town of Chesterfield sign ordinances to be as business neutral as possible.

Parisi noted that previously the size of signs was different for home businesses and regular businesses. This has been changed to differentiate between businesses in the commercial zone and the residential zone.

The suggested changes are as follows:

## ***401 SIGNS***

**Purpose.** The purpose of this ordinance is to govern the placement and maintenance of signs, promote signs in keeping with the town character, discourage excessive signs by minimizing the number and size of signs, eliminate intrusive sign lighting, be consistent in sign usage within each use district and encourage structurally sound and well-maintained signs in the interest of the health, safety and general welfare of the residents of Chesterfield.

### **401.1 Setbacks**

Business signs, whether erected in a Residential, Rural Agricultural, Village and Spofford Lake District or Commercial/Industrial zone may be erected only on the same premises where the business they advertise is conducted and shall be no closer than fifty (50) feet from any side or rear property line and ten (10) feet from any State or Town ROW. This applies to both permanent and temporary signs.

#### 401.2 Area

- A. Surface Area Per Sign: No business sign erected in a commercial/industrial zone may have a surface area larger than thirty-two (32) square feet per business.
- B. No business sign erected in a Residential, Rural Agricultural, Village and Spofford Lake District may have a surface area larger than six (6) square feet.
- C. Business Signs erected in a commercial zone and intended to be seen from two directions (e.g., back- to-back signs erected perpendicular to a lane of traffic) may have thirty-two (32) square feet of surface area visible to each direction of traffic.
- D. Cumulative Signage: No business in a commercial/industrial zone may have more than a total of sixty-four (64) square feet accumulative of advertising signs intended for exterior viewing (including product and trade signs and disregarding one side of back-to-back signs).
- E. Buildings in a commercial/industrial zone that contain multiple businesses shall have one directory sign for the building business with a square footage no more than 32 Sq. ft. each side. This calculation will be used in the total cumulative signage allowance for each business. Each business would use the 32 ft of directory signage and then combine that with the attached signage for a sum not to exceed sum stated in D. ADA signs are exempt from calculation.
- F. No business in a commercial/industrial zone shall have more than one free standing sign, which is to be included in the total allowable sign coverage under sections A. and D. ADA signs are exempt from calculation.
- G. As part of a site plan review of gas stations, the Planning Board may allow the inclusion of a parent or vendor corporate trademark or logo on one side of the canopy, where it would benefit the public and be expected for the business as determined by the Planning Board. This sign shall not count as part of the total square footage allowed.
- H. In addition to the cumulative business signage, a single open flag no larger than three feet by five feet may be used with no cumulative effect on total signage allowed for businesses either in a residential or commercial/industrial zone.

Parisi noted the changes to 401.2 A through F all are related to the difference between the zones. Parisi noted that 402.1 G is apparently inconsistent with the recent decision, however because it does not pose an issue until/if another gas station comes to town, it should stay as it is for now. Parisi noted that Off premises signs should be universally 180 days. Parisi noted that 401.9 is also in violation, but is it is not clear how to fix this one. Parisi recommends leaving this in place for now and watching for future litigation regarding this issue. Lawson-Kelleher noted that the sign ordinances have changed so much recently the board may want to be careful how many more times they bring it to the Town as they may stop approving them.

Lachenal will make the suggested changes and put it on the next agenda for more discussion.

**Items for Information**

Rumble Strips public forum - September 8, 2016 6:00 PM

Corliss noted he did not attend the meeting, but spoke with someone that was in attendance who informed him that the State is coming to take them out but leaving the middle ones. Town has requested that they take the center out, however the State has indicated they will not be removing the center line rumble strip.

**Other Business**

Board would like Lachenal to write to Dead River and the Fire Chief to check to see if they have gotten together and created their fire safety analysis. And please provide electronic copy for board prior to meeting.

**Items for Signature**

Minutes – August 1, 2016

**Adjournment**

*Parisi moves to adjourn at 9:49 Brodbine seconded the motion which passed unanimously.*

The next meeting will be held in the Town Offices at 7:30 PM September 19, 2016

Respectfully Submitted by:

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

Approved by:

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**James Corliss, Chairman**

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**Date**