

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, December 19, 2016

Present:, Davis Peach, James Corliss, Joe Parisi, John Koopmann Joe Brodbine, Rolland Vollbehr and Jon McKeon

Call to Order

James Corliss called the meeting to order at 7:02

Seat Alternates

Joe Parisi in place of Susan Lawson-Kelleher

Joe Brodbine in place of Brad Chesley

Review of the Minutes

December 12, 2016

Rolland Vollbehr motioned to accept the minutes as amended from December 12, 2016. The motion was seconded by John Koopmann 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.

James Corliss noted that there were a few items from the last meeting that were going to be addressed. It was noted that John Koopmann contacted DOT, but has not received a response to date. McKeon noted that one of the important pieces to remember about any road issues is that if the Planning Board does approve a site plan and the State has not weighed in on the project, the Town becomes finically liable for any improvements that are required. Corliss noted that he wanted to make sure that the DOT is only looking at the proposed project at 22 Mill Road as it appears there was mention of a possible additional project on the same road. Koopmann noted that they are only looking at this proposed project's impact even though mention was made of the possibility of another site development on Mill Road.

Corliss noted that there was a request for evaluation of the effect the application will have on property values in the area. Corliss noted that M&N Assessing was contracted to look into the property value questions. M&N looked at the site plan, inspected the property and the abutters properties, it was noted that is was not an appraisal but was done to assist the Planning Board about the potential impact the application would have on the area. The report provided by M&N noted that they believe that the proposed development will have little to no impact. It was noted that this is not a unique situation and similar situations in other towns have created little to no impact on surrounding property values.

Norm VanCor noted that he did contact DES and has not heard back from them. VanCor noted that he has received an email from a subordinate at DES volunteering to come out with one or two other specialists. VanCor will notify Lachenal when such a meeting is scheduled and she will notify the board and post the meeting. Rolland Vollbehr noted that the conservation commission should be notified of the meeting with DES.

It was noted that the Highway, PD and Fire Department were contacted and given the new site plans and use intensity statement for additional review/comments. The highway department had no additional comments. The fire department noted that their position on the project has not changed. The police department wrote a longer response noting that he is concerned with the Route 9/Mill Road intersection. It was noted that Koopmann will drop off a copy of the PD response to the DOT for their review to make sure the Chief's concerns are addressed.

Corliss noted that even though the Fire Chief has not weighed in on the new plans, it is his hope that there are ongoing conversations. Joe Parisi noted that the Fire Chief did weigh in on the new plans. Rick Fleming noted that he is still waiting for the Fire Chief to set up a meeting with the Fire Marshalls office. Fleming noted that Dead River is willing to meet anywhere anytime.

Koopmann noted that the issue of water was an issue for the Fire Department and it seems that it was decided that a cistern is unnecessary with the removal of the LP gas tank. Koopmann noted that several other proposed sites in Town have been required to have cisterns. It was noted that this should be part of the discussion between Dead River, the Fire Department and the State Fire Marshall's office. Rick Fleming noted again that they are willing to discuss this, but have been unable to meet to date. Parisi noted that when he spoke with the Fire Marshall's office they stated they required an invitation by the Town to become engaged with the project. Parisi inquired if James Corliss as the Chairman of the Planning Board could facilitate a meeting. Corliss noted that he had requested the Chief (through email with Steve Dumont) set up a meeting. McKeon noted that Corliss could contact Chief Cooper and ask him if he feels that a request from the Planning Board could assist in scheduling a meeting. Corliss will contact Chief Cooper and see if the board can be of assistance in getting a meeting scheduled.

The meeting was opened to the public for new information.

Jeff Scott noted that the world is not perfect and systems do break down. Scott noted that in Tuesdays paper there is an article about a pipeline contaminating many miles of a river. Scott noted that the board should not approve this application right above a brook.

Norm VanCor noted that he recalls Chief Cooper noting at the last meeting that in his conversations with the Fire Marshall, he would not be able to schedule a meeting until after the first of the year. Corliss noted that the applicant is not aware of any meeting scheduled. VanCor noted that a meeting has not been scheduled, but it was his recollection that the Chief informed everyone that the Fire Marshall's office was very busy and would not be available until after the holidays. Rick Fleming noted that they were supposed to meet right after Thanksgiving originally.

Al Rydant noted that he sent the board an email today around 3:30 or 4:00. It was noted that the board has not reviewed the email. Rydant noted that it was a long email with a lot of information dealing with traffic, site distance, stopping distances and visibility. Corliss asked what Rydant's expertise in this area is. Rydant noted that he is not an expert, but the information is relevant and a traffic study needs to be conducted. Corliss noted that the Police Chief has weighed in with concerns and the board is in contact with the DOT. Rydant noted that the email talks about a cumulative impact addressing multiple sites in the area. Rydant noted that included in the email are 8 steps to serve as guidelines in identifying cumulative impacts. Rydant noted that it is his belief that the Planning Board should use these steps in all applications, specifically Dead River at this time. Rydant noted that the conceptual consultation earlier this evening concerning Xpress gas has

the potential to add 6 million gallons of compressed natural gas on the site directly across the street from this proposal. Rydant noted that Dead River and Xpress Gas are part of a partnership.

Koopmann asked if it would be appropriate for him to show the email from Rydant to DOT. It was noted that the letter did not come from the Planning Board and the board has not had time to read and digest it, and therefore the board should not forward it along to a State agency, but nothing prevents the author of the email from sharing it.

Nancy Eddy noted that the study done by M&N was not an appraisal. Eddy noted that she has read the information gathered by Professor Rydant and feels that the board is not taking any concerns from the public seriously. Corliss noted that the board was presented with information tonight and the board requires more time to read and digest the information. Eddy asked if the board was considering the information provided by the public. Corliss noted that the board was considering all information available to them.

Cameron O'Brien noted that there have been other businesses that have wanted to build in other towns and the towns decided they did not want them. O'Brien noted that the board should deny the application because the public does not want that business in our town. Corliss noted that the Town has rules and regulations that the Planning Board are bound to follow. O'Brien noted that the system is not working anymore and it needs to be changed. It was noted that in order for the system to be changed, it must go before the Town at a Town Meeting. O'Brien expressed an interest in joining the Planning Board. VanCor noted he should speak with the Town Administrator during business hours and inquire about vacancies on the board.

There were no more questions/comments from the public or the board.

Brodbine moves to continue the hearing on Dead River to January 9, 2017 in the Town Office building at 7:30 PM. The motion was seconded by Parisi and passed unanimously.

Items for Discussion

Conceptual Consultation – 477 Route 63 – Catherine Ji & Andrzej Warminski

No minutes were taken as conceptual consultations are non-binding on either party.

Conceptual Consultation – 19 Mill Road – Xpress Natural Gas/Aaron MacQueen

No minutes were taken as conceptual consultations are non-binding on either party.

Signs

No new developments

Spofford Boat Sales

Letter was resent regular mail

Broadband- Brad Rosco

Corliss noted that he sent an email and stated that it appears that the Town can ignore Zoning if the project is for a purely governmental purpose. It was noted that this project does not seem to follow those guidelines as it would be leasing to outside businesses. It appears the Town needs to follow Zoning Regulations.

Rosco noted that the regulations do not differentiate between towers and wooden poles. Rosco noted that this would require 6 a 6 foot fence and setback requirements. Rosco indicated that a waiver will be required.

McKeon asked if there is a difference between the poles the Town is considering and the Fairpoint and Eversource poles. Rosco noted that according to the Town Regulations, anything with an antenna is a tower. Corliss noted that a waiver is not available from the Planning Board and would need to go before the Zoning Board. McKeon noted that Telecommunications is one of the places that the Planning Board can waive zoning regulations. Rosco noted that on the bottom of page 45 of the Zoning Ordinances 409.8 deals with waivers. It was suggested that NHMA be contacted for guidance in how to move forward Rosco will get in touch with the NHMA.

February Meeting Schedule

Will discuss the schedule for February at the next meeting.

Items for Information

McKeon noted that the Town is currently in litigation with Mark Lanoue regarding his property on Route 9. (Manny’s) It was noted that Manny’s is not doing anything wrong, it is the owner of the site Mark Lanoue that is doing site work. Corliss indicated that he attended a Zoning Board meeting and Mark Lanoue was also in attendance. Corliss noted that Lanoue indicated that there was an application before the Planning Board for changes to the site. Corliss noted that he did speak (as a citizen, not a member of this board) stating that there is no application currently before the Planning Board for this site.

It was noted that Cersosimo was before the Westmoreland Planning Board this evening. The information for their presence there is available if anyone would like to review it.

Other Business

Items for Signature

Minutes – November 21, 2016
ADU regulations to be recommended at Town Meeting.

Adjournment

Vollbehr moves to adjourn at 10:00 Brodbine seconded the motion which passed unanimously.

The next meeting will be held in the Town Offices at 7:30 PM January 9, 2017.

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:

James Corliss, Chairman

Date