

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, August 21, 2017**

**Present:** James Corliss, John Pieper, Joe Brodbine, John Koopmann, Rolland Vollbehr, Richard Aldrich and Jon McKeon

**Call to Order**

James Corliss called the meeting to order at 7:00

**Seat Alternates**

John Pieper was seated in place of Joe Parisi

**Review of the Minutes**

August 7, 2017

*Rolland Vollbehr motioned to accept the minutes amended from August 7, 2017. The motion was seconded by Joe Brodbine and passed unanimously.*

**Appointments**

**Mark Lanoue** – This is an application for a Major Site Plan Review of property located at 1763 Route 9 (Map 10A, Lot A5) consisting of approximately 4.17 acres in the office/retail/services district.

Jon McKeon recused himself and yielded his seat to Norm VanCor.

Corliss inquired if the applicant brought the information requested at the last meeting. Mark Lanoue noted that he would be recording the meeting because his attorney could not be present. Lanoue noted that a comment was made at the last meeting regarding tires being used as fill. Lanoue provided the board with pictures noting that there are no tires. Corliss stated that he saw broken pipe and what looked to be tire shred when he visited the site. Lanoue noted that the fill came from the Exit 3 bridge project and there were no shredded tires. Lanoue provided the board with a new use intensity statement. Lanoue noted he has been in touch with the State regarding the tank and it has been certified and approved by the State. Lanoue handed out copies of a letter from NHDES. Lanoue also provided the board with copies of a letter he wrote addressing a comment made at the last meeting about needing a turning lane.

Corliss noted that it appears that there is clay on top of the fill. Lanoue noted that he is not sure where that came from. He stated he was out of town and the pile appeared there while he was gone. Lanoue stated that someone came down last week and indicated they were told by someone from the Town they could dump fill there. Lanoue noted he turned this person away and did not allow him to dump there. Corliss asked how much fill was placed on the site. Lanoue noted that over a couple years there has been maybe 25,000 yards. Lanoue noted that he is just guessing with that number and is not sure of the exact amount. Corliss asked who cut the trees. Lanoue noted that he cut the trees (with help). Lanoue noted that he filled out a form with the Town Administrator Rick

Carrier. Corliss noted that there should be a reported number of trees removed. Lanoue noted that yes, he filled out the necessary paperwork with the Town. It was noted that the fill was not compacted. Lanoue noted that Chet Greenwood (former Code Enforcement officer) was on the property years ago and told him that he did not need a permit for fill. Lanoue noted that he asked Rick Carrier and Carrier noted that there is no permit for fill. Lanoue noted that Rick indicated that you can fill up to 40% of your property without approval. Lanoue noted that several months later Chet Greenwood stopped by and told him to put up a fence. Lanoue noted that people are saying he did things illegally, but he did ask Town officials how to go about putting fill on the property and was told there were no permits required. Lanoue noted that if he cannot ask the Code Enforcement Officer and the Town Administrator, then he does not know who he should have asked.

Corliss noted that the Planning Board needs to find out what the site was and then look and see what the proposal looks like. Corliss noted that previous conversations and interactions do not play a part in this process.

Corliss noted that there are some questions left over from the last meeting. Corliss noted that the engineer did not have the 10 and 50 year storm numbers at the previous meeting, but was going to provide them tonight. Ron Bell indicated that his son was bringing that information with him to the meeting, but has not yet arrived. (Note: Son never arrived)

Ron Bell gave the board new plans with a revision date of 8/21/17. Bell noted that the board previously asked what date the picture on the front page was and that picture was taken on 9/8/14. Bell noted that some changes were made to sheet 2. Bell noted that the dumpster was moved to the rear along the 30 foot set back line where 3 display parking spaces were located. Those parking spaces have been moved to the east side.

It was noted that the retail space requires 21 parking spaces and 4 for the automotive portion for a total of 25 required spaces. Bell noted that there is a total of 11 on the site and they are requesting a waiver for the remaining required spaces. Corliss indicated that they will need to make a request in writing and justify their request. Lanoue noted that it is noted in the use intensity statement due to lack of business, that many parking spaces will not be needed.

Koopmann noted that on the east side of the building there are 2 or 3 large bay doors and they have parking spaces directly in front of them. Lanoue noted that the bay doors are located on the NW side of the building. The doors that were previously on the east, are sealed off and are no longer doors.

Corliss noted that there are walkway and space requirements for parking areas. Bell noted he has not looked at those requirements. It was noted that there are requirements for loading and unloading as well. It was noted that Land Development Regulation 610.5 talks about parking, circulation. Loading and pedestrian safety.

VanCor noted that there is a storage container that is not shown on the plan. Lanoue noted that is not located on this property. It was noted that the container is owned by Manny's but is located on the abutting property. Corliss noted if it is in the setback, it cannot be left there. Lanoue asked if neither property owner have an issue with its location, can they apply for a waiver. Corliss stated that this board cannot approve that location. An application would have to be made to the Zoning Board of Adjustment.

Corliss noted that Lanoue will need to work on complying with the flow, loading and unloading and number of parking spaces as well as sidewalks. Corliss noted that walkways under the regulations require pavement, so if you want gravel, you will need to explain why it makes sense.

Corliss noted that the applicant should look at Fire Safety and the comments made by Steve Dumont. Lanoue noted that Dumont was out at the property last Saturday. Lanoue noted that Dumont was confused as to why he was there as he already gave his comments to the board a month ago. Corliss noted that the plans have been modified since that time. Lanoue noted that he did mention the dumpster needing to be moved and required some cement blocks to be placed in front

of the propane tanks. Lanoue noted that Dumont stated it was not necessary for him to write something else up as he had already done it once. VanCor noted that he was hoping there would be a report done before this meeting noting that Dumont did make comments. VanCor will follow up with Dumont and have him send a report to Lachenal. Bell noted that he can put the wheel paths on the plans for the Town Fire Trucks.

It was noted that there are propane tanks at the back of the building that will be added to the plans along with the cement barriers as required by the Fire Department.

Vollbehr would like the location of the doors to be added to the plans. Koopmann noted that there is a 75 foot setback and asked if new parking can be placed in the front setback. Corliss noted that new parking could not be placed in the setback. Lanoue noted that there is no new parking there, the parking Koopmann is referring to is existing.

Corliss noted that Lanoue was going to provide the board with the name of the State representative regarding the holding tank. Lanoue noted that he provided the board with a letter from DES and his name is Mitchell Locker. Lanoue noted that they have no information on any certified installation process. Lanoue noted that it is a wash bay and when it is pumped, it will be tested. Corliss asked if Lanoue had applied to the Town for a permit. Lanoue indicated he has filled out a permit, but is unsure of the fee. There is no indication of a fee amount for a tank. The board instructed Lanoue to speak with Rod Parsons in the Code/Building office. It was noted that the tank cover is not H2O and it cannot have cars parking or driving over it. The board is requesting documentation on the tank and installation.

Koopmann asked if the septic system is set to deal with 2 businesses and all of the employees.

Lanoue noted that the existing tank has not been looked at. It was noted that the location of the tank is known, but nothing else. Bell noted that the pipe from the tank runs out the east side, but he is not sure where it goes.

It was noted that there is still no indication of where they are going to plow and store snow. Lanoue noted it should have been added. It will be pushed through to the North side of the property.

Bell noted that the storm water will be cleaned up a bit before the next meeting. Bell noted he did pre and post for the site and ran two areas. Bell noted that sheet 1 divided into two major offsite flows to the northeast and the north. Bell noted that with the fill, it levels and there is very little increase in runoff. Pieper noted that he is concerned with the size of the swale compared to the amount of water.

McKeon noted that the Planning Board regulations require 10 and 50 year storms.

VanCor noted that he measured from the top of the bank to the toe of the slope and it measures 27.1 feet, which is inconsistent with what is indicated on the plan. Bell noted that the numbers are not what exists now as the board indicated they wanted to know what was there before the fill. Those light contours are the best guess of what was there before the fill. Bell indicated he could do a third sheet - one pre, one existing and one proposed.

VanCor noted that there should not be anything in the setback and if there is a 27 foot rise and he is attempting to do a 3:1 slope, it will bring it way over from the property line. Bell noted it is about 18 feet currently. Corliss asked if a drainage system can fit and if it will handle the load. Bell noted that he is unsure if he can put a drainage system in the setback.

Bell noted he will do some cross sections and a third sheet indicating what is on the site now.

Pieper noted that at the last hearing a 3<sup>rd</sup> party engineer was mentioned. Corliss noted that we may have to get input from a 3<sup>rd</sup> party engineer, but based on what the applicant is stating now, there are still more changes coming.

VanCor noted that fill is not allowed in the setback according to the definition. The definition reads "placed material". Corliss noted that he would find it hard to say that placing ground on ground is a structure.

McKeon noted that fill is an extension of the parking area because if you take the fill out, the parking lot cannot stand and therefore the fill is a structure. Corliss will look into this and let the board know.

A new cut sheet for the sign was provided.

It was noted that the new sign proposal does not follow the regulations. Corliss read regulation 401.2E. Lanoue will provide new sign proposal.

McKeon asked if the applicant has provided the ZBA decision and map. McKeon noted that there was a site plan presented to the ZBA and that should be used in determining if the ZBA decision is being followed by this board.

Lanoue noted that the original plans submitted to the Planning Board were deemed not complete enough for review.

McKeon noted that the fill coming from the work on I91 is not material you would want used under any structures or pavement.

McKeon encouraged the board to look at 404.5 D7F, 604.1, 604.2 and 605.3. McKeon noted that the board should pay attention to screening buffers required. McKeon noted that there is no lighting shown. Corliss noted that a lighting plan was requested at the last meeting. McKeon noted that he cannot believe there will be cars out there with no lighting. Lanoue noted that the building is in a safe location and he may change his mind and want lighting, but not at this time.

Bell noted that he needs a definitive word on the acceptability of fill in the setback.

*John Pieper moves to continue the hearing to September 18, 2017 at 7:00 PM in the Town Office Building. The motion was seconded by Rolland Vollbehr and passed unanimously.*

## **Items for Discussion**

7:05 Rob Goodere – There were no minutes taken as conceptual consultations are non-binding on either party.

### SWRPC – Watershed Management at Spofford Lake

Volunteers were requested for this board. Lisa has been provided with the names and contact information of the people that expressed interest. There is a kickoff meeting tomorrow at 4Pm here.

### LDR – Plan Scale and Electronic Copy

Corliss noted that there has been some thought about requiring plan scales to be consistent on all pages and to require electronic copies of plans.

Corliss noted that pictures could be taken and then emailed out. Corliss noted he would like to bring them up and look at them. McKeon noted that most drawings are CAD drawing and any others could be brought to Staples.

Corliss noted that M could be added to 401 - All pages to be submitted in PDF form. The board would like to add this to the Land Development Regulations.

Corliss noted that this board can decide if the scale is adequate. Corliss noted that on some applications, it would be easier if the scale was consistent between drawings. Brodbine noted that some applications have a lot of confusion independent of the scale.

It was noted that 401B could be changed to read consistent scale. McKeon noted if it all fits on one page, he does not understand why the scale would be changed. Aldrich noted that many drawings have been submitted by him for various things and the only requirement was to include what the

scale was on the drawing. John Pieper noted that we currently have the option to say it is not adequate and require a change. The board will continue to think about this and go over it again at a later meeting.

September Meeting Schedule

The meeting on Labor Day is cancelled and the next meeting will be September 18<sup>th</sup>.

**Items for Information**

**Other Business**

**Items for Signature**

Minutes 7/17/17

**Adjournment**

*Norm VanCor moves to adjourn at 10:27. John Koopmann seconded the motion which passed unanimously.*

The next meeting will be held in the Town Offices at 7:30 PM September 18, 2017

Respectfully Submitted by:

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

Approved by:

---

**James Corliss, Chairman**

---

**Date**