

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, September 10, 2018**

**Present:** Joe Brodbine, John Pieper, Roland Vollbehr, Davis Peach, Joe Parisi Jon McKeon, and James Corliss

**Call to Order**

James Corliss called the meeting to order at 7:01

**Seat Alternates**

John Pieper was seated in place of John Koopmann.

**Review of the Minutes**

August 20, 2018

*Roland Vollbehr moves to approve the minutes from the August 20, 2018 meeting as presented. The motion was seconded by John Pieper and passed unanimously.*

**Appointments**

**North Shore Enterprises, LLC** – Application requesting the zoning on PDD #4 be restored back to its original residential status.

Parisi asked how the PDD was originally formed and for what purpose. Corliss noted that the PB formed it originally as the owner put in an application and wanted an ice cream stand. Parisi asked why the zone was not just made ORS or Commercial. McKeon noted that the PDD regulations were adopted 14 years ago to allow an applicant to put something specific in a district where it would not be allowed. This allows the Town to know specifically what will be there and it is not open to everything that would be allowed in a different zone. It was noted that McKeon has consulted with Town Attorneys and if approved, it will need to be updated on the Town Website and also the Zoning Board Regulations in the Town Office will need to be updated.

The hearing was open to the public:

Doug Foster (abutter) asked where the property is located. Corliss noted it is east of Foster's property. Foster noted that they have been over there working for a month and a half and are making it a place to park trailers. Corliss noted that he has not seen activity over there and the Planning Board is not Code Enforcement. The Planning Board is tasked with approving or denying the application to revert the property back to Residential. Foster noted that he wants to know what

they are planning once it is back to Residential. Corliss noted that the residential rules of the Town will apply to the property if approved.

Pete and Nancy Petchek (abutters) asked how many residential buildings are planned. Corliss noted that the lot was previously residential and the request for the PDD came before the board and an ice cream stand was approved for 5.01 acres of that property. The remainder of the property remained residential and now the new owner is requesting that the 5.01 acres be returned to residential status.

McKeon stated that the applicant wants to remove PDD #4 and have the entire parcel residential again.

Foster noted that they have been there with bulldozers flattening things out. Corliss noted that if there are concerns about what is happening on the property, they should be directed to Code Enforcement. Foster noted that he is against making the property residential again. Corliss inquired as to what Foster's concerns were and Foster stated that the majority of the property has always been wetlands and that is why he does not want it to go back to residential. Foster noted he will be against it until he knows what is going to happen on the property.

*Jon McKeon moved to close the public hearing. The motion was seconded by Davis Peach and passed by majority. (No: Corliss, Parisi)*

#### Board Discussion:

McKeon noted that the property was originally residential and this just returns it to residential. McKeon stated that typically residential has less impact than a commercial use would have and he does not see a reason for the Planning Board to deny the application. Peach noted that yes, it was just putting it back to what it was previously.

*Davis Peach moves to restore the Zoning on PDD #4 to its original zoning status of Residential. The motion was seconded by Jon McKeon and passed unanimously.*

#### **Anthony Souza** – Application for a Boundary Line Adjustment for property located at 518 Route 9 (Map 13D, Lots 8&9)

Anthony Souza was present and noted that the house lot is 2.58 acres and the other lot is 7.5 acres and he is trying to make 2 conforming lots. Souza noted that the existing house lot will still be a little short on frontage, but will gain some side setback and acreage. It was noted that the house is located in the front setback. Corliss noted that the application would make the lot more conforming. The board reviewed the plan.

*Joe Brodbine moves that the application is complete enough for review. The motion was seconded by Roland Vollbehr and passed unanimously.*

Brodbine noted that the application seems straight forward.

*Joe Brodbine moves to approve the Boundary Line Application of Anthony Souza for property located at 518 Route 9, Map 13D, Lots 8&9. The motion was seconded by Roland Vollbehr.*

*Board discussion:*

Parisi noted that there should be an accompanying note to note 5 on the plan. McKeon noted that the note is there stating what the regulations are for RA. Parisi noted that the note is not on other drawings and this plan does not meet the regulations. McKeon noted that one of the lots do meet the regulations.

It was noted there is no note 4.

*Davis Peach moves to move the question. The motion was seconded by John Pieper and passed by majority. (no: Parisi)*

*Vote on approval of BLA:*

*Passes by Majority. No: (Parisi)*

The applicant asked if he should have David Mann fix the numbers. The board stated they have approved the plan the way it was presented and nothing should be changed.

The applicant was informed that more plans are needed as required by the regulations and will notify David Mann and get the additional plans to the board.

**Items for Discussion**Conditions met – GS Precision

The board reviewed the plans received from GS Precision. Pieper noted that he believes that the conditional approval should have been unconditional approval to meet zoning. He noted that there is no requirement that the board approve the graphics of the signs. Corliss noted that the board is not requiring a graphic review, but the locate and size of the signs. Parisi noted that the sheets in the package are conflicting: one side view of the building shows no sign attached to the building while another sheet with the same side view shows the attached sign. Seems like there should be a note on the first sheet referencing the other sheet for Sign details.

*Joe Brodbine moves that the condition has been met for the G.S. Precision application. The motion was seconded by Roland Vollbehr and passed by majority. (No: Parisi)*

Sign Ordinances

Corliss noted that he and Peach met a month ago and noted a few simple suggested changes. One of the questions is if the board is going to allow signs in the front setback and if we do, how is that defined.

McKeon noted that there are times and properties that say for example you are selling the house, there is no way to have a sign that is not in the front setback. Brodbine noted that 50 feet is far away for some properties. Parisi asked about why Peach and Corliss wanted to allow the signs to be so big. Corliss noted that he believes that they took that from someplace else. Corliss noted that it sounds like the board does want to allow some signage in the front setback. Corliss noted that the hope is to make a few small changes that the Town will support. Corliss noted that Aldrich had sent

a long sign ordinance draft to the board previously, but it seemed like more than Chesterfield requires. McKeon noted that with the existing ordinance, there should not be a lot of changes. Brodbine noted that there may be other cases that come down and be defined better than this one case. Brodbine noted that it seems easiest to wait for more clarification before making any changes. Corliss noted that the proposed changes are small and it is the duty of the Planning Board to do the best we can to form legal regulations. Brodbine noted that a directional sign is also based on content and therefore cannot be labeled that way. Brodbine noted he believes we are talking about changing our regulations based on one court case and fear that some court in the future may require us to change them.

The board was polled - Continue with the discussion: Corliss, Vollbehr, Peach and McKeon. Leave the regulations alone: Brodbine and Parisi. Neutral: Pieper. Corliss will look at the directional signs.

Capital improvement Plan

Lachenal will get a copy out to the board.  
McKeon last CIP for the Town was done in 2016.

**Items for Information**

**Other Business**

McKeon – seminars available. Lachenal will send this out to the board.

**Items for signature**

Minutes August 6, 2018  
GS. Precision Plans if approved

**Adjournment**

*Roland Vollbehr moves to adjourn at 8:28. The motion was seconded by Joe Brodbine and passed unanimously.*

The next meeting will be held in the Town Offices at 7:30 PM September 17, 2018

Respectfully Submitted by:

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

Approved by:

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**James Corliss, Chair**

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**Date**