

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, January 6, 2020

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

Call to Order

James Corliss called the meeting to order at 7:02 PM.

Seat Alternates

John Pieper was seated in place of Davis Peach

Review of the Minutes

December 16, 2019

Joe Parisi moved to approve the minutes from the December 16, 2019 meeting as presented. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

It was noted at the last meeting the Planning Board had received information from the ZBA regarding some zoning changes. The minutes did not reflect that the board received the information and reviewed it. This will be added to the December 16, 2019 minutes. Parisi will contact the ZBA and notify them that the board will continue to review the information received, but the Planning Board is unable to put together anything to present at Town Meeting this year. McKeon noted that it would be a good idea to have a joint meeting in June or July to discuss some of the items and have it prepared for 2021 Town Meeting.

It was also noted that the Planning Board received three items from the conservation commission and it will be noted that the board reviewed the information provided by the Conservation Commission.

Appointments

Harris Revocable Trust/Sandy Harris Trustee – This is a continuation of an application for a Minor Subdivision review for property located at 190 Route 9A (Map 5N, Lot B4) consisting of approximately 7.75 acres in the Residential Zone.

On 12/31/19 the board received an email from Sandy Harris notifying them she would be requesting a continuance at the January 6, 2020 meeting.

Harris was present at the meeting and stated that she needs more time to get the test pits done. Harris noted that they are scheduled to be done on Friday January 10, 2020 and is requesting the board continue the hearing to the next meeting.

Joe Brodbine moved to continue the hearing for the Harris Revocable Trust minor subdivision to January 20, 2020 at 7:30 in the Town Office Building. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.

Headwater Precision, LLC/ Tire Barns Realty – This is an application for a Lot Line Adjustment for property located at Spaulding Hill Road/Route 9 (Map 14C, Lot D22.1 & D22.4) consisting of approximately 4 Acres in the Commercial/Industrial Zone.

Joe Parisi moved that the application is complete enough for review. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Dave Bergeron was present for the applicant. Bergeron noted that proposed Lot Line Adjustment is on the corner of Route 9 and Spaulding Hill. The proposal is to take .85 acres from Tire Barns Realty (Pete's Tire Barn) and add it to Headwater Precision, LLC. Bergeron noted that the Planning Board also has a Major Site Plan application for Headwater Precision, LLC and that application is driving this Lot Line Adjustment as additional acreage is needed to complete the Site Development proposed. Bergeron noted that Tire Barns Realty will continue to have enough acreage on the remaining property. It was noted that Route 9 was not labeled on the plan. Bergeron noted that he will add that to the plan. It was noted that some of the shapes look like diamonds on the plan. Bergeron noted that they are squares that are turned. It was noted that it appeared that some of the monuments are in the middle of Route 9. Bergeron stated that the Right-of-Way on Route 9 is not straight and that is why it appears that way. It was noted that there are no monuments as there will be no boundary changes on a road.

McKeon noted that when Tire Barns Realty was approved, there was concern from abutters and from this board regarding noise. McKeon stated that part of the explanation as to why noise would not be an issue was due to the hill and the trees on the south east side of the Tire Barns Realty property. Bergeron noted that there will be no additional cutting of trees in that area. Bergeron noted that much of the space being transferred is already an open field utilized by Headwater Precision. Corliss noted that Tire Barns Realty has a noise limitation on the property and this will bring that closer to the building as it is 80 dB at the property line. Bergeron noted that the doors are located on the West side of the building and that is where any noise comes from. Pieper noted that he frequently walks up and down Spaulding Hill Road and has never heard any noise from Tire Barns Realty or from Headwater Precision.

Lisa Hines O'Riordan (abutter) noted she lives at 113 Spaulding Hill and asked if there was an expansion being proposed on the property. Corliss noted that this application is just to adjust the Boundary Line, but they are asking to do that because they also have an application in for a Major Site Development. It was noted that the abutters will receive a separate notice for the Site Development Application and will be able to hear about it and ask questions at that public hearing.

John Pieper moved to approve the Boundary Line Adjustment Application for Headwater Precision, LLC/Tire Barns Realty as presented. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Bergeron will deliver the final plans. The board will sign the plans at the next meeting.

Items for Discussion

Election of Officers

Jon McKeon nominated John Koopmann for Secretary of the Board. The nomination was seconded by Joe Parisi and passed unanimously by roll call vote.

Joe Brodbine nominated Joe Parisi for Vice-Chair of the Board. The nomination was seconded by Roland Vollbehr and passed by roll call vote with one abstention. (Abstain: Parisi)

Joe Parisi nominated James Corliss for Chair of the Board. The nomination was seconded by Roland Vollbehr and passed unanimously by roll call vote.

January 20, 2020 Holiday Schedule

The board noted that there is a lot on the schedule for the Planning Board and decided to pay Lachenal double time to attend the meeting on the holiday January 20, 2020.

Review for completeness- Headwater Precision- Major Site Plan

The board reviewed the application for completeness noting the following:

The spelling of Headwater is different. In some places it is Headwater and other it is Headwaters. It was noted that the certification on the plan will need to be signed before the Planning Board signs it.

John McKeon moved to schedule a public hearing for Headwater Precision Major Site Plan application for January 20, 2020. The motion was seconded by Roland Vollbehr and passed unanimously.

Review for completeness – 9A, LLC – Major Subdivision

The board reviewed the application for completeness noting the following:

The regulations call for existing and new street names. The applicant would like the name to be John's way. McKeon noted that naming of roads is subject to the approval of E911.

It was noted that there are monuments noted on some pages, however they should be added to page C-1. Phippard noted he will add them to C-1. Corliss noted that the regulation calls for them on one side of the street, but they are on both sides of the street in the application. McKeon noted that the regulations are a minimum and the applicant can do both sides if he chooses. It was noted that the only driveways shown are existing. Corliss noted that the Deeds will need to be seen, maybe as a condition of approval. There was talk about a homeowners association. Phippard noted that this is not a condominium and that there is no homeowners association needed for a cluster subdivision. It was noted that the septic information would be included in the deeding of the properties.

Page N1 has a reference to Grace Church that should be removed.

It was noted that the existing conditions plan (S1) shows the wetlands and that will be located in the common area and remain undisturbed. McKeon noted that the utility plan says utilities will be buried, but it may need more information. McKeon noted there is no generator location on the plans. It was noted that the well protected radius is not shown. The construction cost estimate is not listed. Phippard asked if the construction cost estimate should include the cost of demolition.

McKeon was not sure, and will get back to Lachenal with that information to provide to the applicant. It was noted that there is no mention of a road bond. Phippard noted that being a private road, he assumed there was no need for a road bond. McKeon noted that even private roads require a road bond until complete. McKeon noted that the Town would be held responsible to finish the road if the applicant did not finish it and therefore a bond is required. Phippard will provide that for the Planning Board.

Phippard noted that the applicant is not in a big hurry and with the current Planning Board schedule, they would be happy to schedule the hearing on the first meeting in February.

Joe Parisi moved to schedule the public hearing on the Major Subdivision application for Nine A, LLC for February 3, 2020 at 7:30 at the Town Office Building. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Parisi noted that he did see the Notice of Decision from the Zoning Board and noticed a difference in the acreage. Phippard noted he is aware of the difference and it is due to adding a larger open space. Parisi noted it should be mentioned somewhere in the application. Phippard noted he believed it was in the narrative, but will take a look.

Steep Slopes

It was noted that the board began the discussion on the proposed Spofford Lake Watershed Steep Slope Overlay District at the last meeting.

Corliss noted that at this point everyone should have looked over the proposed regulations and marked up their copies. Corliss noted he would like to go over each individuals comments.

Corliss noted that the board previously skipped 210.2a, but there are maps now. Corliss noted that it will be a PDF file that will contain layers that are able to be turned on and off. Corliss noted there is no specific date on them and would like to remove the reference to a date from 210.2a. Corliss noted that 210.6 includes a note about 6% that should be removed. Corliss noted that 210.8a(2) also has a note that should be removed and would like a copy to the Planning Board to be added. McKeon noted 210.3 should include who pays for it and at whose direction. McKeon noted it should be at the direction of the Planning Board and the cost should be borne by the applicant. Wording was added to 210.3. McKeon noted the same issue question with 210.4a(2). The board would like to leave 210.4a(2) and not change it. Mckeon noted that 210.7e should not include the wording recommended, as it should be required. Corliss noted that it was intended as a suggestion on how to help comply with the regulations and not a requirement. The board will leave it as presented. McKeon noted that 210.7g(1) should be finished grading.

Brodbine had no suggestions that have not already been addressed.

Pieper noted that there is a reference to the master plan, but there is nothing in the Master Plant that puts Sofford Lake District and Steep Slopes together. Parisi noted that the reference to the Master Plan is referencing the criticality of protecting the lake and this regulation was designed to protect the lake. Pieper noted that 210.9 is a heading with no regulations. The board will remove that.

It was noted that all of the numbering should be 220, not 210.

James Corliss moved to hold a public hearing for review and voting on the proposed addition to the Chesterfield Zoning Ordinance of Regulations 220 Spofford Lake Watershed Steep Slope Overlay District as amended. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.

A copy of the proposed regulation is attached to these minutes.

Zoning Change discussion

The board received an email containing proposed regulations to be added to the Zoning Regulations.

The regulations are adding to 207 Requirements applicable to all use districts as follows:

207.7 RV's, Travel trailers, & Tents herein referred to as CU (Camping unit)

- A. The purpose of this section is to insure that proper systems are in place to protect health and the public during brief use of a CU on private property and to allow storage of a CU owned by the property owner.
- B. General restrictions
 - 1. CU's occupied or planned to be occupied for more than 10 consecutive days must obtain a permit from code enforcement showing arrangements for an adequate water supply, NHDES approved provisions for waste water disposal and solid waste disposal.
 - 2. CU's may not be occupied for more than 45 days per year without a Planning Board approved site plan.
 - 3. CU's connected to water must have NHDES approved provisions for waste water disposal.
 - 4. A CU may be stored unoccupied on its owner's property or on a property that is rented or leased by the owner of the CU, provided that in each instance, the property contains the CU owner's primary place of residence.
- C. CU's are considered occupied when any of the following are true:
 - 1. They are in use.
 - 2. Not fully collapsed and ready for transport.
 - 3. Connected to any utilities such as electricity, water or sewer (trickle chargers / battery maintainers only for the purpose of battery maintenance are not included).

The board discussed the proposed regulations and have decided not to make any changes.

Jon McKeon moved to hold a public hearing for review and voting on the proposed addition to the Chesterfield Zoning Ordinance of Regulations 207 Requirements Applicable to all Use Districts as presented. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

John Pieper emailed with proposed sign ordinance changes. The changes were unanimously approved by the Economic Development Committee. The proposed changes are as follows:

Proposed: to change Sections 401.1 and 401.6 of the Zoning Ordinance of the Town of Chesterfield, New Hampshire, revised March 16, 2019 as follows:

Current:

401.1 Setbacks

Business and home occupation signs 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.

Proposed:

401.1 Setbacks

Except as noted below, business and home occupation signs 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.

When the premises used for the business have insufficient frontage on any State or Town road to comply with the above, such a business or home occupation may have one (1) sign permanently off-premises, subject to the following regulations and restrictions:

- A) Such a sign shall be no closer than ten (10) feet from any State or Town ROW.
- B) A permit issued by the building inspector shall be required for the placement of an off-premises sign. The fee for each permit shall be as determined by the Selectmen.
- C) Written authorization from the landowner shall be required prior to the issuance of any off-premises sign permit.

Current:

401.6 Billboards

Advertising billboards and permanent off-premises signs are not permitted.

Proposed:

401.6 Billboards

Advertising billboards are not permitted.

Parisi noted that he applauds the effort and intent, however he does not believe it is specific enough and leaves to many questions. McKeon noted that he agrees that the intent is there, however the regulations lack definition in some areas and more work is required before they are implemented.

Pieper noted that the EDC is attempting to bring in new business and keep existing business in Chesterfield and these regulations would help at least two (2) current business owners in Town.

Corliss noted that the board has to follow the time frame and there is not enough time left to create a good defensible language. Parisi asked if either of the two (2) businesses have gone to the ZBA for relief. Pieper noted that neither business has gone to request relief from the ZBA.

Planning Board January 6, 2020

**Items for Information
Other Business**

Items for signature

November 18, 2019 minutes

Adjournment

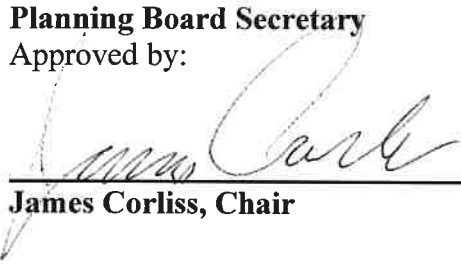
Roland Vollbehr moved to adjourn at 10:32 P.M. The motion was seconded by Jon McKeon and passed unanimously.

The next meeting will be held in the Town Offices at 7:00 PM January 20, 2020

Respectfully Submitted by:

**Patricia Lachenal
Planning Board Secretary**

Approved by:



James Corliss, Chair

3 FEB 2020
Date