

TOWN OF CHESTERFIELD, NH
PLANNING BOARD
Monday, July 20, 2020

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-929-205-6009 and password 861 1240 3299 or by going to the following website address:

<https://us02web.zoom.us/j/86112403299>

b) *Providing public notice of the necessary information for accessing the meeting;*

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the Town of Chesterfield website at: <https://chesterfield.nh.gov/>.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; If anybody has a problem, please call 603-499-6534 or email at: tricia.lachenal@nhchesterfield.com.

d) *Adjourning the meeting if the public is unable to access the meeting.*

In the event the public is unable to access the meeting; we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Present: Jon McKeon, James Corliss, John Koopmann, Joe Parisi , Joe Brodbine Roland Vollbehr and Jeanny Aldrich

Call to Order

James Corliss called the meeting to order at 7:00 PM.

Seat Alternates

Review of the Minutes

July 6, 2020

Joe Brodbine moved to approve the minutes from the July 6, 2020 meeting as presented. The motion was seconded by John Koopmann and passed unanimously by roll call vote.

Appointments

Scenic Road – The purpose of this hearing will be to consider the request of EVERSOURCE for cutting down and trimming trees on Gulf Road. The Town has designated Gulf Road as a scenic road and pursuant to RSA 231:158 II a public hearing is required Town of Chesterfield.

Dane D’Arcangelo was present for Eversource.

Corliss noted that Gulf Road has been designated a Scenic Road, which means that the power company must come to the Planning Board to request permission to cut/remove trees.

Dane D’Arcangelo noted that he is an Arborist with Eversources and noted that some tree trimming and the removal of two (2) trees is necessary for service at 40 Gulf Road. D’Arcangelo noted that currently this property is fed by an inadequate underground wire that goes under another homeowners property. D’Arcangelo noted that this project will require erection of poles with wires to feed the property. D’Arcangelo noted that in order to accomplish this, tree trimming will need to be done. D’Arcangelo noted that it will be 10 feet to the side of the primary (top wire on the pole), 15 feet above and 10 feet below. Field staff designed it in a way to minimize tree cutting. D’Arcangelo noted that there will be 2 small trees cut down. One is an 8 inch elm and one is a 6 inch oak tree. D’Arcangelo noted that a map was supplied to the Town, which he showed on his screen.

Brodbine noted that the map has Orchard Road placement wrong. Brodbine noted that it does not affect the trimming and the two (2) trees are labeled and appear to be where they are on the map. McKeon asked if the landowners have been noticed. D’Arcangelo noted that they do need permission from the landowners. McKeon noted that the Town does prefer to give second permission, not first. McKeon stated that the Town does not want to give permission for something the landowners do not want. McKeon asked if Lord had looked at the proposal. Aldrich noted that Lord has not seen it and is on vacation.

Brodbine asked if the Planning Board has a say if the overhead wires are erected on a Scenic Road or if the Board only is talking about the tree removal/trimming. Corliss noted that he his not sure. Brodbine noted that currently there are no overhead wires in that area. Brodbine noted that the 2 trees they are taking down will not be noticed, but the overhead wires will be noticeable. D’Arcangelo noted that the conduit in place to 40 Gulf Road was put in a long time ago and is not up to current safety standards. D’Arcangelo noted the overhead wires will need to be extended to reach the property.

The hearing was opened to the public:

Mr. Maibusch noted that if the adjacent property owners do not have an issue, he cannot see why the Town would have any issue with the proposal.

Parisi asked if there is a reason that the wires need to cross the road so many times instead of staying on one side. D’Arcangelo noted that the decision on how to place the poles and wires is made by field tech. D’Arcangelo noted that it crosses the road to reduce the amount of tree trimming necessary.

Corliss – PB and property owners – ends overhead wires here – crosses 4 times in wooded areas – I do not see a big change in the vista in that area and reliable power is important.

John Koopmann moved to approve the Scenic Road tree trimming project as proposed by Eversource in their July 6, 2020 letter. The motion was seconded by Jeanny Aldrich.

Discussion:

Jeff Scott asked if it would be prudent to hold the vote to the next meeting so the board can go out and look at the trees and possibly have the wires on one side of the road. Brodbine noted that he did go out and look and if it was all on one side of the road, it would considerably increase the trimming necessary and he would vote against the project. Aldrich noted she went out and looked. Koopmann noted that the purpose of this is to keep the road as scenic as possible and he would defer to the specialists in order to best accomplish that task.

The motion passed by majority. (Yes: Vollbehr, Koopmann, Brodbine, McKeon, Aldrich and Corliss.) (No: Parisi)

Proposed Zoning Amendments - A Public Hearing will take place to review and vote on proposed amendments to Chesterfield Zoning Regulations 207.2:3d, 207.2:3g and Appendix B.

Corliss noted that the Planning Board had a recent ADU application which caused some internal board discussion about what the ordinance meant and the board decided that some clarity with the regulation would help future applications.

The Planning Board at its previous meeting voted to hold a public hearing on the following proposed change to Chesterfield Zoning Regulation 207.2 3g:

Existing

207.2 3 g. adequate off-street parking shall be provided.

Proposed

207.2 3 g. Adequate off-street parking shall be provided. At least 1 additional parking spot for each ADU bedroom added.

Corliss noted that he has been wondering if a 2 bedroom house that currently has 10 parking spaces wants to add an ADU would be required to have 11 parking spots according to the proposed wording of the regulation. Corliss noted that he does not believe that is the intent, but it may cause some additional questions for future applications. Brodbine noted that there is a baseline in the regulations for the amount of required parking spaces and therefore it should be clear. Corliss noted that he believes it will require some interpretation and the board is hoping not to have to interpret the regulations.

Corliss suggested the following change to the proposed Zoning Regulation 207.2 3g:

207.2 3 g. Adequate off-street parking shall be provided. In addition to the parking required for the existing structure, at least one additional parking spot for each ADU bedroom added shall be provided.

James Corliss moved to amend the wording to the proposed amendment to the Chesterfield Zoning Ordinance 207.2 3g as follows:

207.2 3 g. Adequate off-street parking shall be provided. In addition to the parking required for the existing structure, at least one additional parking spot for each ADU bedroom added shall be provided. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Jon McKeon moved to continue the public hearing on amendment of Zoning Ordinance 207.2 3g to August 6, 2020 at 7:30 PM via Zoom. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Corliss noted that at the last ADU review, the Planning Board was having some issues with the appropriate way to measure and therefore an amendment to the regulation is necessary. The following is the existing and proposed wording for 207.2 3d:

Existing

207.2 3 d. An accessory dwelling unit shall have an area of no less than 300 square feet and no greater than 800 square feet measured by the outside dimension of the exterior wall or the interior dimension of a common wall. An attached accessory dwelling unit shall occupy no more than 30% of the total heated, above grade floor area of the total dwelling unit, including the accessory dwelling unit.

Proposed

207.2 3 d. An accessory dwelling unit shall have a total area of no less than 300 square feet and no greater than 800 square feet of floor space measured by the outside dimension of the exterior wall and the interior dimension of common walls including all floors of the ADU that contains living space. An attached accessory dwelling unit shall occupy no more than 30% of the total heated area of all floors of the total dwelling unit, including the accessory dwelling unit.

The meeting was opened to the public and there were no comments/questions.

Joe Brodbine moved to amend Chesterfield Zoning Regulation 207.2 3d as follows:

207.2 3 d. An accessory dwelling unit shall have a total area of no less than 300 square feet and no greater than 800 square feet of floor space measured by the outside dimension of the exterior wall and the interior dimension of common walls including all floors of the ADU that contains living space. An attached accessory dwelling unit shall occupy no more than 30% of the total heated area of all floors of the total dwelling unit, including the accessory dwelling unit.

The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.

Appendix B

Corliss noted that the Town wants to apply a comprehensive Shoreland Protection Act to areas that are not necessarily around the Shoreline in Town and notes that the act should not be in our regulations as it is a fluid document. McKeon noted that the RSA should be referenced so that applicants know where to go, but the Shoreland Protection Act does get updated and the specific wording should not be placed in the Zoning Regulations. It was noted that Appendix B is located in the Table of Contents on page 5 and page 16. The board would like "see Appendix B" to be removed from the wording in the table of contents, page 5 and page 16. The board would like the correct title of RSA 483-B to be used when referencing the RSA.

Parisi asked if 203.6b,c is defined by the Shoreland Protection Act and should be removed, or is it independent of the Shoreland Protection Act. McKeon noted it was set up from the Shoreland Protection act, but it has changed now. Parisi noted that his concern is if there is a difference between that State and local regulations it creates confusion for applicants. McKeon noted that applicants must abide by Federal, State and Local regulations. Parisi noted that he would like to

take it out if it is directly from the Shoreland Protection Act and if not, then it should state that they must also abide by the State so that it is clearly stated that both are in play.

The board would like Appendix B removed from the Zoning Regulations, removed from the Table of Contents, removed from 203.6 (page 5) and removed from 209.1 (page 16). The board would like 203.6 and 209.1 to be updated with the proper name of RSA 483B. Lachenal will make the suggested changes, send to the board and put on the website for the public.

James Corliss moved to continue the public hearing on Amending the Zoning Ordinances Appendix B to August 3, 2020 at 7:30 PM. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Brodbine noted that 203.6C, has a typo. Brodbine noted it states "portable" and should be potable. The board noted that is a typo that should be fixed with the next printing of the book. It was noted that a public hearing is not needed to correct typos.

Items for Discussion

GSP – Dave Bergeron – Conceptual

Conceptual consultations are non-binding on either party and no minutes are taken.

Copper Cannon - Conceptual

Conceptual consultations are non-binding on either party and no minutes are taken.

Items for Information

Aldrich noted that the Selectmen are working on a Public-Right-Of-Way regulation with Town Council. Aldrich noted that a few towns are doing it to make sure that they are able to regulate right of ways in regard to telecommunications. Aldrich noted that she will keep the Planning Board updated as to the progress. Corliss asked what the intent was for the regulation. Aldrich noted that the intent is the ability for the town to maintain the ability to regulate our property.

Aldrich noted that the Governor extended the State of Emergency on the 17th for another 21 days, so the board will be able to continue with Virtual meetings.

Other Business

Rob Hitchcock noted that they expect an approval on the septic for FedEx tomorrow. Hitchcock noted that the plans will need to be reviewed from someone on the board and he would like to get them signed as soon as possible as they have a clearing contractor ready to go at the end of the week.

Corliss shared the FedEx notice of decision. The notice of decision had two (2) items required. State Septic and approved AOT. Hitchcock noted that he sent the approved AOT today. Corliss noted that the letter received from DES meets the condition of the approved AOT permit. Corliss noted that if the septic approval was here tonight and there were no changes to the board, the plans could be signed.

Hitchcock noted that there are no above ground changes. Hitchcock noted that they had to revise the number of orifices in the under drain pipe and the pipe had to be wrapped in a PVC membrane to make sure that it does not impact the water table and vice versa.

Corliss noted that the board could authorize him to see if the septic approval comes in tomorrow and that the changes to the plan are administrative and authorize him to sign the plans or the board could require the full package to be shown at the next meeting. Koopmann asked if all the changes were subsurface. Hitchcock noted that all the changes are sub-surface and there are no changes to the parking lot, the pavement or the grading. Hitchcock noted that none of the changes affect the Planning Board. Aldrich asked if the amount of water will change. Hitchcock noted that it will be less water now. McKeon noted that the applicant has been asked to put a barrier between the existing site and the proposed work. Hitchcock stated that was the case and they are asking for PVC around and under all sides and filter fabric on the top. The board reviewed the plans with Hitchcock.

Joe Brodbine moved to authorize James Corliss to sign the plans once the septic approval is received and the updated plans are received and reviewed. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.

Items for signature

June 15, 2020 Minutes
Perrin Voluntary Merger

Adjournment

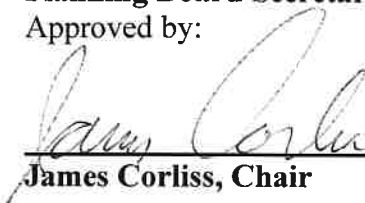
Joe Brodbine moved to adjourn at 8:58 P.M. The motion was seconded by Joe Parisi and passed unanimously by roll call vote.

The next meeting will be held virtually at 7:00 PM August 3, 2020, please see the Town Website calendar (<https://chesterfield.nh.gov/events/>) for the meeting ID.


Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:



James Corliss, Chair



Date