

TOWN OF CHESTERFIELD, NH
PLANNING BOARD
Monday, October 5, 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 meeting Id: 821 4046 0686 and passcode 904724 or

<https://us02web.zoom.us/j/82140460686>

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: Roland Vollbehr, James Corliss, Jon McKeon, Jeanny Aldrich, Joe Parisi. and Joe Brodbine

Call to Order

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

Seat Alternates

Aldrich noted that she is seeking people to become alternates on the Planning Board.

Review of the Minutes

September 14, 2020

Joe Brodbine moved to approve the minutes from the September 14, 2020 meeting as amended. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Appointments

Items for Discussion

Corliss noted that he was asked at the last meeting to do some research on campers to assist code enforcement. Corliss noted that he did send an email to the Town Attorney and received an answer back. Corliss noted that he contacted Dumont and will be getting with him tomorrow to go over the response from the Attorney. Corliss noted that he will forward the response to Lachenal to provide to the board.

Corliss noted that the question was if someone could put an RV on unimproved land off of a forested road and leave it there. Corliss noted that under our regulations it appears that can be done for 10 consecutive days for no more than 30 in one year. It was noted that regulation 408 and 207 both address this issue but are not the same. It is noted in the email that it has been a long-standing rule of statutory and ordinance interpretation that when a conflict exists between two ordinance provisions, the later, more recently adopted ordinance provision will control, especially when the more recently adopted ordinance provision deals with the subject matter in a specific way and the earlier enactment deals with it in a general fashion.

Corliss noted that the board did not allow for longer storage than that on property that is unoccupied. Corliss will discuss the findings with Dumont tomorrow.

Jim Phippard-email question – 9A, LLC

Phippard sent an email to Lachenal asking her to forward to the board for discussion at the next meeting. Corliss read the email:

Good Morning Tricia,

A question has come up about road bonding. We are building a private road into the property to provide access to the five house lots. Since the road is private I do not believe a bond is required. The Chesterfield Land Development regulations call for a bond for all new road construction which will be held until the Town accepts the completed road. We are not asking the Town to accept the road, therefore a bond should not be required. In the Planning Board approval, a bond was not required. Please ask the Planning Board at the Oct. 05 meeting to confirm that a bond is not required for a private road. I have a conflict on Oct. 05 so I will not be able to attend the meeting.

Corliss noted that Mr. Phippard's email states that he does not believe a bond should be required. Corliss noted that the Planning Board did not specifically request a bond in the Notice of Decision. McKeon noted that the Planning Board should have a bond for the road until it is completed. McKeon noted that there is an RSA that states if a Planning Board approves the development and the developer fails to complete the road, the Town is liable for completion of the road because it was approved by the Town. Corliss noted that he was curious if everything had to be completed before the lots were sold and then the Town would not have that liability. Aldrich noted that the road must be built to Town regulations and inspected by our road department. Aldrich noted that Land Development Regulation 702 and 704 address this issue.

McKeon noted that it may be simpler if the Planning Board ask the Board of Selectmen to notify the developer that a bond is necessary for the construction of the road. The Board of Selectmen and the developer can come to an agreement on what the bond amount should be and once the road is in, the Board of Selectmen will look at relieving the bond. Corliss will send something out to the Board of Selectmen.

Review for Completeness – Adam Lempel – subdivision Split Oak Circle

The board reviewed the application for subdivision for completeness noting the following:

Monuments are missing (700.5)

The date is not complete as it only contains the year and month.

There are no low points noted on the plan.

There is no test pit data.

Joe Parisi moved to schedule a public hearing on the application for October 19, 2020 at 7:30 PM via zoom. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.

Review for Completeness – Ben Wyatt – Subdivision Crowningshield Road

The board reviewed the application for subdivision for completeness noting the following:

Parisi noted that the plan is not clear and he does not know what the project is attempting to accomplish. Ben Wyatt was in the audience and noted that he would like to subdivide a large piece of property into 3 smaller parcels. Wyatt noted that there is frontage on Crowningshield Road for one lot and the other two have frontage on Route 63. The board looked over the plan. Wyatt noted that one of the parcels was sold today and the abutter will need to be updated. Corliss noted that people looking at the application should be able to tell what the intent is and the board is having trouble seeing what the intent is. It was noted that there properties on the plan that have contour lines and boundaries and are not part of the subdivision plan. Corliss noted that the only information on the plan should be the property to be subdivided to avoid confusion.

The board discussed continuing on with the checklist or deem the application not complete enough for review.

James Corliss moved the application is not complete enough for review. The motion was seconded by Jon McKeon and passed by majority by roll call vote. (No: Aldrich and Brodbine) (Yes: Vollbehr, McKeon, Parisi and Corliss).

Review for Completeness – Cassin/Ricci – Subdivision – Farr Road

The board reviewed the subdivision application for completeness noting the following:

Monuments are missing (700.5)

The Shoreland and Subdivision Permits need to be noted on the plan.

The date is not complete as it only contains the year and month.

There are no low points noted on the plan.

There is no test pit data.

Planning Board October 5, 2020

McKeon noted that before the public hearing , the board should go over Land Development Regulation 602.1, A1 and A2.

Joe Parisi moved to schedule a public hearing on the application for October 19, 2020 at 7:30 PM via Zoom. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Items for Information

Other Business

Aldrich noted that the board should have received information on the Land Use conference in October. Aldrich noted that the deadline is within the week and you must pick your classes.

Corliss noted that there have been questions about why the Town has not approved permeable pavers as part of town regulations. Corliss noted the from his point of view after speaking with a manufacturer and a representative, nobody can explain a way that the Town can approve the use of permeable pavers in a residential setting and be able to ensure that the permeability is that of the underlying ground and will maintain that permeability over time. Corliss noted that all systems seem to require maintenances and there is not a mechanism in place for residential settings to assure that the maintenance is done, and the permeability remains intact.

Items for signature

Adjournment

Jeanny Aldrich moved to adjourn at 8:22 P.M. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.

The next meeting will be held virtually at 7:00 PM October 19, 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

22OCT2020

Date