

1-5-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, January 5, 2022**

Approved Minutes

(The meetings are broadcast live on Channel 20, and available on the Town's cable TV streaming service - go to <http://www.vod.chesterctv.com> and click "Watch Now". If you would like to participate via the Zoom teleconferencing utility, please go to <https://zoom.us/j/92697843243>, or you may participate via telephone - dial **301-715-8592**; the meeting ID is **926 9784 3243**.)

Members & Staff Present:

Evan Sederquest, Vice Chairman
Richard Snyder, Member
Mike Weider, Member
Elizabeth Richter, Member
Selectman Chuck Myette, Liaison (attended remotely)
Andrew Hadik, Town Planner

Members & Staff Absent:

Brian Sullivan, Chairman

Guests and Members of the Public Present:

Earl Sandford – Sandford Surveying and Engineering
Kevin Scott
David Scott
Martha Scott Chazanoff
Chester PACT

Meeting Agenda

7:00 PM – General Business

1. Review & approve invoices, sign documents etc.
2. Review & approve the minutes for the 12/15/21 PB meeting.
3. Review & approve the release of \$4,989.00 in GGB impact fees for replacement of a server.
4. Review & discuss draft zoning amendment for Educational Institutions.
5. Discuss scope of Scott/Gawry Firewood Processing SPR.
6. Remote v. In-Person meeting attendance.
7. Eliminating waste of paper.
8. Garabedian Gravel Pit Site Plan Review.

7:15 PM – Appointments

None scheduled.

7:30 PM – Public Hearings

1. Application by Kevin, David & Theodore Scott & Martha Scott Chazanoff, Owners of Map 1 Lots 84 & 84-1, for a 5-Lot Subdivision located between Route 102 and East Derry Road in Chester, NH.

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2. Proposed zoning amendments for the 2022 Town Elections ballot.

- a. Proposed zoning amendment to Article 2: Definitions – To add a clarifying definition of “Impervious Surfaces” as referenced in Table 1.
- b. Proposed zoning amendment to Article 2: Definitions – To amend the definitions of various sign types for clarification and easier understanding.
- c. Proposed zoning amendment to Article 5.5.3.12 – Bed and Breakfasts - To amend Section 5.3.3.12 – Bed & Breakfasts by adding a prohibition against the conversion of detached structures into Bed & Breakfasts.
- d. Proposed zoning amendments to Article 5.7.8 – Buffers & Setbacks -To mitigate excessive impacts to wetlands and their buffers/setbacks by driveway crossings.
- e. Proposed zoning amendments to Article 11.2 – Zoning Board of Adjustment - Organization - To increase the number of appointed Alternate Members on the Zoning Board of Adjustment from three (3) to five (5) alternate members.

Non-Public Meetings

None scheduled

Meeting Minutes

Vice Chairman Sederquest called the meeting to order at 7:04 PM.

7:00 PM – GENERAL BUSINESS

1. Review & approve invoices, sign documents, etc.

A time sheet was reviewed and signed.

2. Review & approve the minutes for the 12/15/21 PB meeting.

Mr. Snyder moved to approve the minutes for the December 15, 2021 meeting as written. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

3. Review & approve the release of \$4,989.00 in GGB impact fees for replacement of a server.

Mr. Hadik presented a request for the release of GGB impact fees.

Mr. Weider moved to approve the release of \$4,989 in GGB impact fees as set forth in Quote #1349 from Block 5 Technologies for replacement of a server. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

4. Review & discuss draft zoning amendment for Educational Institutions.

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Mr. Hadik said there will be a Public Hearing on January 26, 2022 for a zoning amendment requested by Building Inspector Bunker. He has asked that the definition of Educational Institutions be amended. This is to differentiate commercial from publicly funded, and the referenced RSA needs to be updated. A definition of Post-Secondary Educational Institutions is being added as well. This has been reviewed and approved by Attorney Steve Bennett and Mr. Bunker. Mr. Weider questioned the reasoning for this change. The Board had much discussion, and requested Mr. Hadik seek further explanation from Attorney Bennett.

Mr. Snyder moved to take the zoning amendment to amend the definition of Educational Institutions to public hearing on January 26th. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

5. Remote vs. In-person meeting attendance.

Mr. Hadik reported that remote meetings have not been reauthorized by the State's legislature. The original emergency order has expired and has not been brought back. Therefore, Board members attending remotely are not authorized to vote.

6. Discuss scope of Scott/Gawry Firewood Processing SPR.

The Board discussed Mr. David Veale's email to Mr. Hadik regarding the Special Exception granted to Mr. Kevin Scott by the ZBA. As an abutter, Mr. Veale is concerned regarding the scope of the operation and its impact on his property. Mr. Hadik suggested that, as there is currently only one acre cleared and there are no plans to expand, a SPR should be conducted but does not need to be complex, such as not needing a stormwater drainage plan design or an engineering review. Any abutter concerns can be addressed by the Board in the conditions of approval as part of the SPR approval process. The Board concurred.

7. Eliminating waste of paper.

The Board discussed ways to eliminate printing documents for each meeting and thus wasting paper. Members could bring their personal laptops or tablets to the meetings and access the necessary documents via Wi-Fi in the Town Offices, which is secured with a firewall. Mr. Hadik was requested to contact the SAU to see if they have any used Chrome books or iPads the Board could use.

8. Garabedian Gravel Pit Site Plan Review.

Mr. Hadik reported the applicant is required to have an Alteration of Terrain (AoT) permit, so there will need to be a drainage plan. He has not received the redraft of the SWPPP permit, so he will contact The Dubay Group to find out the status of the work they are doing. He has not received updated plans or an application for SPR. Jeff Adler does not recommend phasing the bond for

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Fremont Road, as it will create a situation where the project will always be in the red. The Planning Board has done all they can to move the process forward; the next step must be taken by the applicant.

7:15 PM – Appointments - None scheduled.

7:30 PM – Public Hearings

1. **Application by Kevin, David & Theodore Scott & Martha Scott Chazanoff, Owners of Map 1 Lots 84 & 84-1, for a 5-Lot Subdivision located between Route 102 and East Derry Road in Chester, NH.**

Mr. Snyder moved to accept the application and open the public hearing. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

Mr. Earl Sandford appeared before the Board representing the Scott family and presented the proposed development. The two original lots are being combined and then subdivided into five new lots of at least two acres each. Mr. Snyder reported that the ZBA granted variances for one shared driveway and another driveway in the structural setback to a small wetland.

Selectman Myette asked if the highway embankments at the end of the driveways accessed from Route 102 will impair their sightlines. Mr. Sandford said the NHDOT requires they be shaved back for one of the driveways, but not all of them. After some discussion, the Board agreed Mr. Hadik will add this to the conditions of approval to include all of the driveways off Rte. 102. Mr. Sandford will also add notes to one of the plan sheets regarding reducing the embankments for each permit application for the driveways accessed from Route 102.

Mr. Hadik noted that when he drafted the deed restrictions, he took into consideration the issues that have been experienced over last several years in the Lincoln Lane and other subdivisions regarding setbacks and buffers. He noted a State subdivision permit is needed to complete the conditions of approval. Also, the conditions have been reviewed by Attorney Bennett, who made a few formatting changes.

Mr. Snyder moved to close the public hearing. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

Ms. Richter moved to approve the application as amended, subject to the conditions being met. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor except Mr. Snyder, who abstained as he voted as a member of the ZBA, and Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 3-0-2.

2. **Proposed zoning amendments for the 2022 Town Elections ballot:**

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- a. Proposed zoning amendment to Article 2: Definitions – To add a clarifying definition of “Impervious Surfaces” as referenced in Table 1.
- b. Proposed zoning amendment to Article 2: Definitions – To amend the definitions of various sign types for clarity and understanding.
- c. Proposed zoning amendment to Article 5.5.3.12 – Bed and Breakfasts - To amend Section 5.3.3.12 – Bed & Breakfasts by adding a prohibition against the conversion of detached structures into Bed & Breakfasts.
- d. Proposed zoning amendments to Article 5.7.8 – Buffers & Setbacks -To mitigate excessive impacts to wetlands and their buffers/setbacks by driveway crossings.
- e. Proposed zoning amendments to Article 11.2 – Zoning Board of Adjustment - Organization - To increase the Number of Appointed Alternate Members on the Zoning Board of Adjustment from Three (3) to Five (5) alternate members.

Mr. Snyder moved to put the proposed zoning amendments for the 2022 Town Elections ballot on the ballot. The amendments are: Proposed zoning amendment to Article 2: Definitions – To add a clarifying definition of “Impervious Surfaces” as referenced in Table 1; proposed zoning amendment to Article 2: Definitions – To amend the definitions of various sign types; proposed zoning amendment to Article 5.5.3.12 – Bed and Breakfasts - To amend Section 5.3.3.12 – Bed & Breakfasts by adding a prohibition against the conversion of detached structures into Bed & Breakfasts; proposed zoning amendments to Article 5.7.8 – Buffers & Setbacks -To mitigate excessive impacts to wetlands and their buffers/setbacks by driveway crossings; and proposed zoning amendments to Article 11.2 – Zoning Board of Adjustment - Organization - To increase the Number of Appointed Alternate Members on the Zoning Board of Adjustment from Three (3) to Five (5) alternate members. Mr. Weider seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

Mr. Weider moved to close the public hearing. Ms. Richter seconded the motion. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

Non-Public Meetings - None scheduled.

Future Meeting Dates

- January 12 – PH MacLean SUB,
- January 26 – PH One Zoning Amendment

A motion was made by Ms. Richter and seconded by Mr. Weider to adjourn the meeting. A vote was taken. All were in favor except Selectman Myette, who abstained as he was not authorized to vote due to attending the meeting remotely. The motion passed 4-0-1.

The meeting was adjourned at 8:31 PM.

*Respectfully submitted,
Beth Hanggeli, Recording Secretary*