

2-23-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester  
Planning Board Meeting  
Wednesday, February 23, 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".**

**Members & Staff Present:**

Brian Sullivan, Chairman  
Evan Sederquest, Vice Chairman (joined at 7:02)  
Elizabeth Richter, Member  
Mike Weider, Member  
Selectman Chuck Myette, Liaison  
Andrew Hadik, Town Planner

**Members & Staff Absent:**

Richard Snyder, Member

**Guests and Members of the Public Present:**

Kevin Scott  
David Veale  
Ted Broadwater  
John Sullivan  
Chester PACT

**Meeting Agenda**

**7:00 PM – General Business**

1. Review & approve invoices, sign documents etc.
2. Review & approve the minutes for the 2/9/22 PB meeting.
3. Report on funding for red-listed bridge projects.
4. FYI, pending GZA Conditional Use Permit (CUP) application from Eversource.
5. High-speed Electric Vehicle charging stations.
6. Lot development plan question.
7. Discuss Planner's invoice authorization limit.

**7:15 PM – Appointments - None scheduled.**

**7:30 PM – Public Hearings**

1. Site Plan Review application of Kevin C. Scott & Annette M. Scott Irrevocable Trust (owner) and Glenn C. Gawrys (operator), for a firewood processing operation located at the property located at 359 Chester Street (Map 4 Lot 29).

**Non-Public Sessions - None scheduled.**

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## Meeting Minutes

Chairman Sullivan called the meeting to order at 7:00 PM.

### 7:00 PM – GENERAL BUSINESS

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

Documents and invoices were reviewed and signed.

#### 2. Review & approve the minutes for the 2/9/22 PB meeting.

*Mr. Weider moved to approve the minutes for the February 9, 2022 meeting as written. Ms. Richter seconded the motion. A vote was taken. All were in favor except Mr. Weider, who abstained. The motion passed 3-0-1.*

#### 3. Red-listed bridges

Mr. Hadik updated the Board on the funding of red-listed bridges. Very little of the federal funding for infrastructure will be going to New Hampshire cities and towns. It will be directed to the State and administered by the New Hampshire DOT.

New Hampshire has two programs for funding bridge reconstruction projects.

The first is the well-known NH funded State Aid Bridge (SAB) program. This program is 80% / 20% matching funding for local bridges. This is the program Mr. Hadik tried to enroll the Hansen Road bridge (# 169/122 - was red-listed in 2016) and the Shepard Home Road culverts crossings (# 170/135) in 2018, both over the Exeter River. At that time the program already had an ~8.5-year backlog list of projects waiting to be funded.

Following up a year later, Mr. Hadik was informed that, because of the extensive backlog of projects, the waiting list had been capped before the Hansen and Shepard Home road projects were added to the list. The list has remained capped ever since then. And, due to pandemic related revenue losses, in 2020 the State legislature reduced this program's funding.

The second program is the federally funded Municipal Off-System Bridge Replacement and Rehabilitation program (MOBRR). This is the program that will receive the federal infrastructure funding. The funding from this program can be spent on bridges on federally funded roads or key bridges that provide access to those federally funded roads, such as Manchester's bridges over the Merrimac River. FYI, Chester has no federally funded roads, therefore, none of the Town's bridges are eligible for federal funding.

However, there are two points of encouraging news.

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First, there are a number of very expensive projects on the State Aid Bridge (SAB) project list that qualify for MOBRR funding. These projects are being move off the SAB project list and are being added to the MOBRR project list. This backlog reduction will hopefully speed up the reopening of the list for additional projects.

Second, as a result of the Infrastructure Investment and Jobs Act (IIJA) funding, NH DOT is reconfiguring some of its annual budget to provide an additional \$6.75 MM/year to the SAB program. Hopefully, this also will reduce the project backlog and speed up the reopening of the list for additional projects.

On Wednesday Mr. Hadik spoke with the point person at NH DOT for the State Aid Bridge (SAB) program and obtained the following information. There are ~233 red-listed bridges across NH. Since the project list was capped, an additional 90 applications have been received, two of which are Chester's. Currently there is only ~\$50 MM in funding planned for the program. (Unsure if this is the amount being proposed for annual funding.) FYI the average bridge project cost is ~\$1.5 MM.

Originally the plan was to reopen the SAB project list to new applications in 2029. However, now the plan is to solicit reapplications from all across the state later in 2022. The list of projects is expected to be prioritized and finalized some time in 2024, with the intent of commencing construction on the first of these projects in 2026 (as part of NH's 2024-2034 Ten Year Infrastructure Plan - TIP).

#### Proposed Action Plan for Chester

1. Mr. Hadik proposed refreshing and resubmitting the applications to the SAB. It is beneficial that both bridges have been red listed. The DOT will consider the state of structures and the number of people they serve when reprioritizing the list. These bridges are located in a portion of Chester that is part of the greater Boston Urbanized Area (Boston UZA), which might give them greater priority, and they cross the Exeter River, which is designated by the governor and state legislature for special protection.

2. Fund and complete the preliminary engineering for the Hansen and Shepard Home road bridges. The Board of Selectmen has already budgeted for some of this expense.

3. Obtain accurate cost estimates for both bridge projects.

4. Fund the capital reserve account for the 20% cost-share for both of these projects.

Goal - To be ready when Chester's two projects come up on the list. Apparently, often times there are towns who are unprepared for when it is their project's turns, and so the towns who are prepared get moved ahead of these unprepared towns. Chester should not risk being unprepared.

Mr. Hadik stressed the importance of maintaining a long-term view regarding these projects. Although the applications do not require engineering cost information, having those costs for the 2024 ranking will help. Mr. Weider suggested involving DuBois & King now, to put these projects on their schedule so that the information will be available in the future. Selectman Myette voiced his concern that if the project is not funded by the State, the Town will have to cover the cost of DuBois & King's engineering.

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Mr. Weider noted that hiring a Supervisor of Roads will be beneficial, as this individual will be able to monitor projects like this over the long term.

Mr. Hadik also stated that the final rules for spending ARPA funding now clearly allow projects such as the Cole Road culvert replacement project. The interim rules were not clear about this.

Mr. Hadik noted that the underside of the bridge on Fremont Road over the Exeter River is showing a leakage pattern and the asphalt is cracked on the top. Applying a wearing course might substantially extend the life of the bridge. Selectman Myette noted that the CIP could be used as a planning tool in instances like this and that the Board of Selectmen is discussing this issue.

#### **4. FYI, pending GZA Conditional Use Permit (CUP) application from Eversource.**

Mr. Hadik reported that the GZA will be submitting a CUP application from Eversource for temporary impact to wetlands. They hope to be on the agenda at the beginning of April. Mr. Weider wondered when Eversource would be completing their Chester projects.

#### **5. High-speed Electric Vehicle (EV) charging stations.**

Mr. Hadik said all planning commissions in New Hampshire have been asked to work collectively for a plan to implement high-speed EV charging stations. The plan will be funded by the VW Diesel Emissions settlement. He has been invited to be on SNHPC's steering committee to discuss locations to install these stations. There will only be a few meetings.

#### **6. Lot development plan question.**

Mr. Hadik displayed the current plan for the locations for a proposed home and septic system on Pulpit Rock Road. The Building Inspector has asked why the Board is allowing a plan that differs from what was originally recorded. The Board discussed that for subdivision applications, they only require conceptual layouts to be shown on the plans. The developer need only show that everything will fit within the construction envelope (*inside the setbacks*); this does not bind the developer to a specific layout. Selectman Myette pointed out the only requirement is that the new septic location test pit pass a witnessed perk test.

#### **7. Discuss Planner's invoice authorization limit.**

The Board authorized the Town Planner's invoice authorization limit be increased to \$500 per expenditure.

**7:15 PM – Appointments** - None scheduled.

**7:30 PM – Public Hearings**

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**1. Site Plan Review application of Kevin C. Scott & Annette M. Scott Irrevocable Trust (owner) and Glenn C. Gawrys (operator), for a firewood processing operation located at the property located at 359 Chester Street (Map 4 Lot 29).**

Mr. Hadik relayed he reviewed the application, and it is complete and ready for acceptance.

***Mr. Weider moved to accept the application of Kevin C. Scott & Annette M. Scott Irrevocable Trust (owner) and Glenn C. Gawrys (operator), for a firewood processing operation located at the property located at 359 Chester Street (Map 4 Lot 29) and open the public hearing. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 5-0-0.***

Mr. Kevin Scott presented the application to allow Mr. Gawrys to continue to transport 35 grapple-loads of log-length wood per year onto the site and process it for firewood, which will equal approximately 250 cords of wood. He said Mr. Gawrys has not processed wood for approximately six weeks. He described the property and the equipment on the property. There are no buildings on the property.

Mr. Scott asked for a definition of a firewood processing operation, which the Board identified as a commercial versus a personal operation. The nearest home is over 2,000 feet away.

The Board reviewed the conditions of approval. It will operate from 7 AM until 6 PM Monday through Saturday, with deliveries allowed at other times. A small amount of equipment will be stored onsite. No fuel shall be stored onsite. Mr. Scott said the total amount processed will average about one cord of wood a day. The processing area is approximately one acre in size and will be delineated. There will be no expansion of this area without approval from the Board. There shall be no onsite firewood sales. The Board discussed how to monitor the number of truckloads, since a limit has been established.

Mr. David Veale, member of the public, voiced his concerns regarding sanitation facilities, fuel storage, and fire protection. The runoff from the property runs into the wetlands around his property and onto his property. He requested a Porta Potty be located onsite. He is also concerned about fuel seeping into his water supply, and how the abutters will be protected in case of a forest fire.

The Board discussed his concerns. They noted that the conditions of approval address these issues. Mr. Scott noted there is a locked gate at the bottom of the road and the property is posted. Mr. Hadik recommended including a requirement for an annual inspection of the property by the Fire Department to assess the fire risk.

Mr. Ted Broadwater voiced his concerns regarding the burning of brush. The Board noted that any burning will require permits approved by the Fire Department, which would not be issued if there is no water source available. He is also concerned about the number of trucks accessing the property and that the activity on the property be monitored. He requested signs be posted for safety reasons regarding truck traffic. The Board said the DOT is responsible for posting a state road, and there will only be one log truck every week or two accessing the property. Mr. Broadwater is concerned that the driveway application is for a residence, not a business. Mr. Scott noted he explicitly described the

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operation on his DOT driveway application form. The Board stressed that one of the requirements is that the DOT issue this permit before the operation can commence.

Mr. John Sullivan expressed his dismay that Mr. Scott had originally promised nothing would happen on this property after the cell tower was erected, but then a few years ago it was disclosed there were plans to include this property as part of an abutting development. The Board expressed that these are personal concerns that are not relevant to this specific application. They also emphasized that abutters should approach the Building Inspector for code enforcement if they have concerns about the operation in the future.

***Mr. Weider moved to close public comment and the public hearing. Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed 5-0-0.***

Mr. Hadik reviewed the changes to the conditions of approval, which included establishing specific hours of processing; identification of equipment stored onsite; no fuel being stored onsite; initial inspections being performed by the Building Inspector and the Fire Chief to establish a baseline for annual inspections; requiring a spill pan be utilized under equipment fuel tanks when refueling; and that delineation markers be placed on the periphery of the processing area for the purpose of monitoring against expansion.

A waiver request was reviewed regarding the requirement of an established engineered plan.

***Ms. Richter moved to grant the applicant's request for a waiver from the requirements of Article 7 governing site plan review as set forth on page 6 of the application for Lot 29. Mr. Weider seconded the motion. A vote was taken. All were in favor. The motion passed 5-0-0.***

***Mr. Weider moved to approve the conditions of approval as amended. Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed 5-0-0.***

#### **Future Meeting Dates**

- March 2 –
- March 9 –
- March 23 –

***Ms. Richter moved to adjourn the meeting. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 5-0-0.***

The meeting was adjourned at 9:16 PM.

Respectfully submitted,

Beth Hanggeli, Recording Secretary