

7-13-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester  
Planning Board Meeting  
Wednesday, July 13, 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  
Richard Snyder, Member  
Mike Weider, Member  
Andrew Hadik, Town Planner

**Members & Staff Absent:**

Elizabeth Richter, Member  
Selectman Chuck Myette, Liaison

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

Jason Franklin, Surveyor, Franklin Associates  
Jason Lopez, Keach-Nordstrom Associates  
Dana Redmond, Owner, Lifestyle Homes of Chester  
Ryan Redmond, Lifestyle Homes of Chester  
Victor Chouinard, Chairman, Chester Conservation Commission  
Suzanne Rieter, Abutter  
Manette Pacheco, Abutter  
Heidi Lutz, Abutter  
Howard Dmytro, Abutter  
and other residents unknown to the Recording Secretary  
Chester PACT

**Meeting Agenda**

**7:00 PM – General Business**

1. Review & approve invoices, sign documents etc.
2. Review & approve the minutes for the 6/22/22 PB meeting.
3. Discuss signature requirements for lot-line adjustment plats.
4. Discuss plat for site plan review.

**7:15 PM – Appointments**

None scheduled.

**7:15 PM – Public Hearings**

7-13-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

1. Subdivision application by David W. Rand (Owner), 12 Ledge Road, Chester, for a single-lot subdivision of Map 5 Lot 40, to create one new lot on Rt. 102 in Chester.
2. Subdivision application by Lifestyle Homes of Chester, LLC (Owner), 3 Myles Drive Derry, NH 03038, for an 11-lot subdivision (aka Colby Farm) located at 181 Haverhill Road in Chester, NH (Map 15 Lot 18 & Map 5 Lot 97).

#### **Non-Public Session**

RSA 91 A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person other than a member of this Board.

#### **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 6/22/22 PB meeting.**

*Vice Chairman Sederquest moved to approve the minutes for the June 22, 2022 meeting as written. Mr. Snyder seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.*

##### **3. Discuss signature requirements for lot-line adjustment plats**

Mr. Hadik explained that typically, when a plan and mylar for a lot-line adjustment is received for recording, there are two signatory lines for both owners. However, a plat was just received without the signature lines. The Board agreed these lines are required and the plan and mylar need to be amended to add them.

##### **4. Discuss plat for site plan review**

Mr. Hadik received an application for a site plan review (SPR). A daycare and school currently located within a home located in Chester is being relocated into a recently-built building on the same lot, however, this building is located just across the town line in Sandown. The applicant is therefore required to apply to the Towns of Chester and Sandown for an SPR.

The Board reviewed the plan and determined that while many of the required details are on the plan, there is some essential information missing (i.e., lot setback lines). The Board agreed the plan needs to better reflect what is occurring, and the site development should be in conformance with current zoning. If there is a pre-existing condition such as the driveway being located in the side setback, then the applicant could apply to the ZBA for an "Equitable Waiver".

7-13-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

The Board further discussed the need for SPR. If an expansion or a change of use is being proposed, then a SPR would be required. As this is not the case, the Board recommended the applicant request a waiver from Site Plan Review, as the property is in Sandown, with only the access being in Chester. Upon further discussion, the Board pondered whether the abutters should be noticed for a public hearing because the increase in students and additional traffic. The Board then requested Mr. Hadik to contact Attorney Bennett for advice on how to proceed.

#### **7:15 PM – Appointments**

None scheduled.

#### **7:15 PM – Public Hearings**

- 1. Subdivision application by David W. Rand (Owner), 12 Ledge Road, Chester, for a single-lot subdivision of Map 5 Lot 40, to create one new lot on Rt. 102 in Chester.**

***Mr. Weider moved to open the public hearing on the subdivision application by David Rand, 12 Ledge Road, Chester, for a single-lot subdivision of Map 5 Lot 40. Mr. Snyder seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

Surveyor Jason Franklin of Franklin Associates, representing Mr. Rand, requested a continuance until August 3, 2022.

***Mr. Snyder moved to continue the subdivision application for David Rand, 12 Ledge Road, Chester, for a single-lot subdivision of Map 5 Lot 40. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

- 2. Subdivision application by Lifestyle Homes of Chester, LLC (Owner), 3 Myles Drive Derry, NH 03038, for an 11-lot subdivision (aka Colby Farm) located at 181 Haverhill Road in Chester, NH (Map 15 Lot 18 & Map 5 Lot 97).**

***Mr. Snyder moved to accept the application by Lifestyle Homes of Chester for an 11-lot subdivision (aka Colby Farm) located at 181 Haverhill Road (Map 15 Lot 18 & Map 5 Lot 97). Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

***Mr. Snyder moved to open the public hearing on the subdivision application by Lifestyle Homes for an 11-lot subdivision (aka Colby Farm) located at 181 Haverhill Road (Map 15 Lot 18 & Map 5 Lot 97). Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

Mr. Jason Lopez of Keach-Nordstrom Associates presented the subdivision application for Colby Farms to the Board. The property consists of two parcels with an existing home, totaling 36.6 acres. As the property abuts the Exeter River, there is a required 250-foot buffer, which the developer will protect from impacts. The wetlands have been surveyed and located; there are no wetland impacts. All lots will be served by individual wells and septic systems. The developer has applied for a DOT roadway permit.

7-13-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Weider questioned if Road Agent Oleson was aware of this closed drainage system, as the Town tries to avoid them due to the need to rent the equipment to clean and maintain it. Mr. Hadik said Mr. Oleson was aware of this system.

Each lot is over one acre. There will be 23 acres of open space that will be deeded to the Town, which will be contiguous to the Lincoln Lane subdivision open space. The developer intends to sell and renovate the existing house to a three-bedroom house or remove it and construct a three-bedroom house in its place to meet density requirements. Mr. Hadik said the number of bedrooms intended for each lot needs to be noted on the plan for tracking purposes.

The review letters received from DuBois & King had a number of items flagged. A response letter has been submitted. The only items that still need to be addressed are related to the stormwater runoff mitigation design. Mr. Lopez said they hoped for a conditional approval this evening, but Mr. Hadik explained the Board does not grant conditional approvals if drainage and stormwater mitigation design issues are still to be resolved.

Mr. Victor Chouinard, Chairman of the Chester Conservation Commission, shared the concerns of the Commission. If the open space is going to be deeded to the Town and if there are restrictions in the deed, the developer needs to meet with the Commission to discuss these. Also, if the developer would like input into the conservation easement that will go on the open space, they will need to meet with the Commission. The Commission is concerned regarding encroachment onto the open space, so they would also like the back corners of the lots to be pinned with iron rods, so the Commission can replace the boundary signs if/when they disappear. Mr. Lopez said this will be done. Mr. Hadik noted the signs have to be installed before any site work commences.

Ms. Suzanne Rieter, abutting property owner, expressed her concerns about the potential for chemical pollutants in the stormwater runoff impacting the wetlands (letter attached). Mr. Lopez explained the design and intent of the drainage system in response to Ms. Rieter's concerns.

Ms. Manette Pacheco, abutting property owner, questioned the location of the lots and expressed her concern that the new residents would trespass on her horse farm. She also asked regarding the impact of the development on the groundwater table and Mr. Lopez explained that water is a public resource and wise public use is needed to protect it. Ms. Pacheco asked regarding the style of homes being built and Mr. Dana Redman described what is being planned.

Ms. Heidi Lutz, abutting property owner, asked regarding the size of the homes being built and if fencing will be installed. Mr. Lopez explained the planned location of houses and that there is an open space between the subdivision and her property. They are not requiring fencing.

Mr. Howard Dmytro, abutting property owner, expressed his concern about the wells and septic systems being installed and their impact on the water table as well as the increased number of cars accessing the subdivision. He stated the subdivision is an oversaturation of the area and would like to see fewer houses being constructed.

Mr. Snyder explained the concept of an open space subdivision and how it restricts the number of homes. Mr. Hadik explained the difference in groundwater recharge potential and runoff potential between a conventional grid subdivision and an open space subdivision.

7-13-22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Weider asked regarding locating the proposed fire cistern inside the conservation easement, as any maintenance or changes to the structure will need to be approved by a third party monitoring the easement. Mr. Lopez explained this location was requested by the Fire Chief and Code Enforcement Official. Mr. Hadik suggested the right-of-way boundary be expanded to encompass the fire cistern to exclude it from the open space. Mr. Lopez agreed.

***Mr. Weider moved to continue the public hearing to August 3, 2022. Mr. Snyder seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

#### **Non-Public Meetings**

A non-public hearing was scheduled under RSA 91 A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person other than a member of this Board.

***Mr. Snyder made a motion to go into a non-public session under RSA 91 A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person other than a member of this Board. Mr. Weider seconded the motion. A roll call vote was taken. Sederquest – aye, Snyder – aye, Weider – aye, Sullivan – aye. The motion passed 4-0-0.***

The Planning Board went into non-public session at 8:19 pm.

The Planning Board came out of non-public session at 8:32 pm.

***Mr. Snyder moved to come out of non-public. Mr. Weider seconded the motion. A roll call vote was taken. Sederquest – aye, Snyder – aye, Sullivan – aye, Weider – aye. The motion passed 4-0-0.***

***Mr. Weider moved to seal the minutes of the second non-public session until such time the Board determines that release of the minutes will not render the proposed action ineffective. Mr. Snyder seconded the motion. A roll call vote was taken. Sederquest – aye, Snyder – aye, Sullivan – aye, Weider – aye. The motion passed 4-0-0.***

#### **Future Meeting Dates**

- July 27 – Nate Miller, SNHPC re review remaining draft impact fees

***Mr. Weider moved to adjourn the meeting. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.***

The meeting was adjourned at 8:34 pm.

Respectfully submitted,  
Beth Hanggeli, Recording Secretary