

11--22: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, November 30, 2022**

Approved Minutes

The meetings are broadcast live on Comcast Channel 20, and streamed on Government <https://reflect-chesterctv-from-nh.cablecast.tv/CablecastPublicSite/?channel=1> - click "Watch Now".

Members & Staff Present:

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Richard Snyder, Member
Selectman Chuck Myette, Liaison
Andrew Hadik, Town Planner
Dana Theokas, Alternate (joined at 7:02 p.m.)

Members Absent:

Mike Weider, Member

Guests and Members of the Public Present:

Eric Mitchell, Eric C. Mitchell & Associates
Chester PACT

Meeting Agenda

7:00 PM – General Business

1. Review & approve invoices, sign documents, etc.
2. Review & approve the minutes for 11/16/22 PB meeting.
3. Approve GGB impact fee expenditure request for HVAC upgrades in the Assessing / Planning and Building Inspector offices.
4. Discuss the Shoreland Protection Bureau permit for the Colby Farm Subdivision.

7:15 - Appointments

1. Eric Mitchell of ECM Associates re: Extension request for the Crowley Woods subdivision.

7:15 PM – Public Hearings

1. Continuation of Site Plan Review application by Old Sandown RD, LLC (owner – Paul Garabedian, Jr.) 352 South Broadway Street, Salem NH 03079, for a gravel pit located at 152 Fremont Road in Chester, NH (Map 5, Lot 85).

Non-Public Session

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None scheduled.

Meeting Minutes

Chairman Sullivan called the meeting to order at 7:00 p.m. He announced that Ms. Theokas would be sitting in for Mr. Weider.

7:00 PM – General Business

1. Review & approve invoices, sign documents etc.

Documents and invoices were reviewed and signed. The hourly billing rates invoiced for legal fees on one of the invoices was discussed.

2. Review & approve the minutes for 11/16/22 PB meeting.

Vice Chairman Sederquest moved to approve the minutes of the 11/16/22 Planning Board meeting as written. Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed unanimously.

3. Approve GGB impact fee expenditure request for HVAC upgrades in the Assessing / Planning and Building Inspector offices.

Town Administrator Debra Doda requested a release of \$7,445 from the General Government Building impact fees for the purpose of upgrading the HVAC in the Assessing, Planning, and Building Inspector offices. This project was included in the CIP table. The Board of Selectmen had decided this upgrade should be paid with impact fees and removed it from the 2022 CIP project warrant article. This upgrade has been requested for a number of years as there is a marked temperature difference between the two offices.

Mr. Snyder moved to approve a release of \$7,445 from the General Government Building impact fees for the purpose of upgrading the HVAC system. Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed unanimously.

4. Discuss the Shoreland Protection Bureau permit for the Colby Farm Subdivision

Mr. Hadik reported that despite what the Board was told, a Shoreland Protection Bureau permit was required for this project, and has been applied for and approved. This was due to the impoundment caused by the beavers creating a new stream bank on one side which resulted in moving the shoreland "reference" line. The Board commended the abutters for bringing this to the Board's attention and pursuing the issue.

7:15 PM – Appointments

1. Eric Mitchell of ECM Associates re: Extension request for the Crowley Woods subdivision.

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Mr. Mitchell reported that the developer has not been able to come to a resolution with the Town of Candia regarding improvements to Crowley Road. The Crowley Woods subdivision is a three-phase project. The developer proposed completing the first phase before any improvements to Crowley Road were made; the road improvements would be made during the second phase. The Candia Planning Board considers Crowley Road should be upgraded to an "arterial" road, with over 500 trips/day; however, their design standard exceeds the AASHTO national design standards for this amount of traffic. While the entire project will exceed the housing vehicle trips threshold, the first phase (*of 22 homes*) would not. The existing right-of-way also will not accommodate Candia's required improvements. Crowley Road would have to be widened and resurfaced out to the Chester/Candia Road. Mr. Mitchell requested an extension of the original approval so that they can continue to work with the Town of Candia to resolve this issue.

Mr. Mitchell said they understand the Towns will work together regarding mutual aid, as will the bus companies. The issues cited are the width of the road and the amount of traffic on the road. The road is posted at 25 MPH, although traffic studies show that most vehicles are traveling at 39 MPH. He cited studies that show that traffic calming occurs when there is increased traffic.

Mr. Snyder asked regarding a violation of the 1,800-foot road length limit for roads with a single point of access in the Chester portion of the project. Mr. Hadik clarified that this request is to extend the original conditions of approval, which include a requirement that a plan be filed detailing the improvements to Crowley Road required and approved by the Town of Candia. Mr. Mitchell said they will take that into consideration when planning the number of houses to be built. Mr. Hadik pointed out that if the developer decides to only complete the first phase, this will require holding another Public Hearing and re-noticing all abutters to be able to amend the original conditions of approval. Mr. Mitchell said they do not plan to only complete the first phase.

Mr. Snyder moved to extend the Tanglewood Estates subdivision application, Tax Map 11, Lots 11-30 and 11-30-7, Crowley Road, Candia and Chester, New Hampshire, for a period of one year from its current expiration date of December 5, 2022. Vice Chairman Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed unanimously.

7:15 PM – Public Hearings

1. Continuation of Site Plan Review application by Old Sandown RD, LLC (owner – Paul Garabedian, Jr.) 352 South Broadway Street, Salem NH 03079, for a gravel pit located at 152 Fremont Road in Chester, NH (Map 5, Lot 85).

Mr. Snyder moved to reopen the Public Hearing for the Site Plan Review application by Old Sandown RD, LLC (owner – Paul Garabedian, Jr.) 352 South Broadway Street, Salem NH 03079, for a gravel pit located at 152 Fremont Road in Chester, NH (Map 5, Lot 85). Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed unanimously.

Selectman Myette recused himself from this discussion.

Mr. Hadik received an email from the applicant's attorney requesting that the Board continue the Public Hearing scheduled for November 30, 2022, in order to allow Mr. Garabedian time to collect additional information in support of this application. He asked that the Public Hearing be placed on the agenda of

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the December 14, 2022, meeting. He also stated that they are waiving the 65-day time period contained in RSA 676:4, I(c)(1) until January 25, 2023. They have received copies of the draft Conditions of Approval (COA), which are now 10.5 pages long.

Mr. Hadik emailed the applicant's engineer a list of information needed (from the draft CoA), but has received no response. He also suggested the parties speak on the telephone to review the draft CoA, but has received no response.

Mr. Snyder suggested the Board review the CoA and consider how they would like the blanks to be filled in, to expedite the review process on December 14th. Mr. Hadik agreed, noting that it would be cumbersome and time-consuming to discuss all 54 points noted in the COA in a single meeting.

The Board discussed the benefit of Attorney Bennett attending the next meeting and Mr. Hadik said Attorney Bennett was scheduled to do so. The Board agreed it would be beneficial to meet with Attorney Bennett before December 14, and proposed holding a "non-meeting with Counsel" on December 12th. Mr. Hadik will schedule this meeting.

Mr. Snyder moved to grant the request to extend the Public Hearing process to January 25, 2023 and to continue the Site Plan Review application by Old Sandown RD, LLC (owner – Paul Garabedian, Jr.) 352 South Broadway Street, Salem NH 03079, for a gravel pit located at 152 Fremont Road in Chester, NH (Map 5, Lot 85) to December 14, 2022. Ms. Theokas seconded the motion. A vote was taken. All were in favor except Selectman Myette, who recused himself from the vote. The motion was approved 5-0-0.

Non-Public Sessions

None scheduled

Future Meeting Dates

- December 7 –
- December 14 – Capital Improvements Plan PH, Garabedian Gravel Pit CPH

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

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,
Beth Hanggeli, Recording Secretary