

4-12-23: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, April 12, 2023**

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
Mike Weider, Member
Andrew Hadik, Town Planner
Selectman Chuck Myette, Liaison

Members Absent:

Elizabeth Richter, Member
Richard Snyder, Member
Dana Theokas, Alternate

Guests and Members of the Public Present:

David Haddad, DJ Development of Derry, LLC
Chester PACT

Meeting Agenda

7:00 PM – General Business

1. Review & approve invoices, sign documents etc.
2. Review & approve the minutes of the 3/22/23 PB meeting.
3. Review & approve request from Recreation Director for the release of \$11,283.36 in impact fees to replace Town ballfields fencing.
4. SNHPC – 19 proposed traffic count locations in Chester.
5. Dubai Group - Response to email from Garabedian gravel pit abutter.
6. DJ Development – M&L 5-20 subdivision discussion.
7. Lifestyle Homes - Colby Farm subdivision discussion.

7:15 - Appointments

1. David Haddad, Owner – DJ Development re paving schedule for Southwoods “North” Road and Cul-de-Sac.

7:15 PM – Public Hearings

None scheduled.

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Non-Public Session

None scheduled.

Meeting Minutes

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

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 3/22/23 PB meeting.

Mr. Weider moved to approve the minutes of the 3/22/23 Planning Board meeting as written. Vice Chair Sederquest seconded the motion. A vote was taken. All were in favor. The motion passed 4-0-0.

3. Review & approve request from Recreation for the release of \$11,283.36 in impact fees for replacing Town ballfields fencing.

Mr. Hadik has received a request from Recreation Director Reishus for the release of \$11,283.36 in impact fees for fencing for the Town ballfields at the Town Center. This project was originally in the annual CIP project funding warrant article; however, the Board of Selectmen decided the project cost should be covered by impact fees. There were some questions as to whether the request covers the cost of fencing and backstops as well. Mr. Hadik noted the Board's job tonight is to verify that the request still meets the intent of the original CIP project request. It is up to the Selectmen to review the project and oversee the expenditure of these funds.

The Board discussed if the request fits the intent of the CIP project. Chairman Sullivan stated that while the requested item falls within the category of the CIP item, the accuracy of the request compared to the original CIP request appears to include additional information. Selectman Myette asked if a deposit has been paid.

The Board suggested the Board of Selectmen ask for an updated quote and an explanation of the details of the request.

Vice Chairman Sederquest moved to provide a letter to the Board of Selectmen confirming this request qualifies as a current CIP project expenditure. Chairman Sullivan seconded the motion. A vote was taken. Mr. Weider abstained and Selectman Myette abstained in his role as a Selectman. The motion passed 2-0-2.

4. SNHPC – 19 proposed traffic count locations in Chester.

Mr. Hadik has received a letter from the new traffic engineer for the Southern New Hampshire Planning Commission advising that they are going to conduct traffic counts at 19 locations within Chester. The

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counts will cover the entire Town of Chester at one time, rather than scattered counts at different locations over a multi-year period. Mr. Hadik requested the Chester counts be done during the school year and the engineer verified this will be done.

5. Discuss Dubay Group response to email from Garabedian gravel pit abutter.

Mr. Hadik reported that an abutter is concerned that the material applied to Stowe Road is causing water to back up onto his property. Mr. Hadik had passed this concern on to the Dubay Group who supplied a topographic map showing the abutter's property is lower than the road and the gravel pit lot. The natural flow path of surface water travels across Stowe Road onto the abutter's property, and then southwards off his property. The materials on Stowe Road do not raise the water level on his property. Mr. Hadik will share this information with the abutter.

6. DJ Development – M&L 5-20 subdivision discussion.

Mr. Hadik noted that, at an earlier meeting, the Board approved Mr. Haddad's development on Route 102 (at 78 Raymond Road). Mr. Hadik has since received a copy of a 3-page information request from NH DES Alteration of Terrain Bureau questioning the infiltration basin design at the front of the property on Route 102. They are concerned the water table is too high and the soil is the wrong type to allow for infiltration. There were several other questions related to stormwater management design.

There is also confusion over whether the developer is planning to deed the open space to the Town or retain it. He is concerned that by placing a conservation easement on the property, the installation of trails will be permitted, which he does not want. This issue remains to be settled.

Mr. Hadik noted that if the plans change significantly, then there will need to be another public hearing to approve the amended plans. The Board will have to review and make a decision if another hearing is required.

7. Lifestyle Homes - Colby Farm subdivision discussion.

Mr. Hadik advised the developer contesting the Town in court over the requirement to install fire (*NFPA 13-D*) sprinkler systems on the homes. The developer feels this requirement is illegal per the governing RSA, and redundant because he is already installing a fire cistern.

The Board reviewed the requirement to sprinkler the houses in open space subdivisions, which is governed by the Town's Building Code. While the developer's attorney believes this is illegal, the Town's attorney has explained the Town's Code predates the state's RSA. Also, the cistern is required because the subdivision is located more than half a mile from a water source for firefighting.

The developer has requested permission to commence the construction of the subdivision's infrastructure, while reserving the right to contest the sprinkler requirement. The Board discussed this request and decided to remain silent on this matter.

7:15 PM – Appointments

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1. David Haddad, Owner – DJ Development re paving schedule for Southwoods “North” Road and cul-de-sac.

Mr. Haddad has advised that he plans to pave the final wearing course on Southwoods Drive. Mr. Hadik noted there should be a pre-paving site walk prior to paving to inspect the roads to ensure there are no issues. Mr. Hadik clarified this is the Southwoods “North” Road plus the cul-de-sac. The site walk should include the engineer from DuBois & King, and the Town’s Supervisor of Roads. There are still nine or ten duplexes left to be constructed in this subdivision. Mr. Haddad said he would like the roads accepted by the Town this coming June, and the bonds released.

Mr. Hadik noted that a 2-year maintenance bond is required after acceptance, which would replace the existing road bonds. The Board discussed the history of the bonding on the subdivision and the requirements for the Town to accept the road. Mr. Hadik suggested consulting Jeff Adler of DuBois & King regarding the amount of the bond that would be required for the North and South Roads and the cul-de-sac. The Board discussed who is responsible for maintaining the drainage structure.

The Board clarified that the site walk would be conducted by DuBois & King, although the Supervisor of Roads usually accompanies the engineer. Mr. Hadik will supply Mr. Haddad with a road acceptance checklist.

7:15 PM – Public Hearings

None scheduled

Non-Public Sessions

None scheduled

Future Meeting Dates

- April 26 –
- May 10 – Eversource Conditional Use Permit Hearing

Mr. Weider 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 8:07 p.m.

Respectfully submitted,
Beth Hanggeli, Recording Secretary