

5-3-23: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, May 3, 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:

Evan Sederquest, Vice Chairman
Mike Weider, Member
Elizabeth Richter, Member
Richard Snyder, Member
Andrew Hadik, Town Planner

Members Absent:

Brian Sullivan, Chairman
Selectman Chuck Myette, Liaison

Guests and Members of the Public Present:

Rob Tardif, R.A. Tardif Engineering, LLC.
Anthony Bistany, attorney for the Garabedians
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 4/26/23 PB meeting.
3. Discuss proposal for the update of the Master Plan.
4. Colby Farms pre-construction meeting.
5. PB Office closure on Thursday 5/4 & Friday 5/5.

7:15 - Appointments

1. Rob Tardif re: discuss the environmental monitoring program for the Garabedian gravel pit.
2. David Haddad, Owner – DJ Development re: problem with as-builts regarding paving Southwoods South Road and cul-de-sac.

7:15 PM – Public Hearings - None scheduled.

Non-Public Session - None scheduled.

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Meeting Minutes

Vice Chairman Sederquest 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 4/26/23 PB meeting.

Mr. Weider made a motion to approve the minutes of the 4/26/23 Planning Board meeting as written. Ms. Richter seconded the motion. A vote was taken. All were in favor. The motion passed unanimously.

3. Discuss proposal for the update of the Master Plan.

The Board reviewed and approved the revised proposal for the updating of the Town's Master Plan. Mr. Hadik will send the proposal to the Selectboard along with a cover letter requesting the release of funds from the capital reserve fund established for this purpose.

4. Colby Farms pre-construction meeting.

Mr. Hadik reported the Colby Farms pre-construction meeting was held at the beginning of the week. He met with Jim O'Brien, DuBois & King's airport engineer, who also does field inspections, and principals from Busby Construction. They intend to begin clearing, then grubbing the right-of-way, followed by building the drainage infrastructure and the road up to binder course.

Mr. Hadik received an email from the Chester Conservation Commission regarding one of the two lots that comprise Colby Farms (M&L 5-97). There is confusion as to the title / legal ownership of the lot and another lot in the North Woods (M&L 8-16). Mr. Hadik submitted the pertinent information to the developer, Dana Redmond of Lifestyle Homes LLC, and the Board's counsel. It is unclear in the chain of titles where the confusion began in the title descriptions.

The Board agreed that recording this subdivision is on hold until the title issue is resolved; Mr. Hadik will notify Mr. Redmond of this.

5. PB Office closure on Thursday 5/4 & Friday 5/5.

Mr. Hadik will not be in the Planning Board Office on Thursday and Friday, May 4 and 5, 2023.

7:15 PM – Appointments

1. Rob Tardif re: to discuss the environmental monitoring program for the Garabedian gravel pit.

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Mr. Rob Tardif is a civil engineer who retired last year after 30 years with the Department of Environmental Services. He reviewed his work history for the Board. His last position was the head of DES's Subsurface Bureau. He is currently a blast and vibration monitoring consultant and also does wetlands permitting and septic design. He will be doing the environmental monitoring for The Dubai Group for this project.

The Board reviewed the applicable conditions of approval regarding monitoring of the Garabedian gravel pit project.

Mr. Weider asked who selected the ten wells that are being monitored. Mr. Tardif was given the list of wells by The Dubai group's engineer. The Board discussed the requirement of groundwater monitoring wells being installed surrounding the excavation areas to monitor for contaminants due to the proximity of wetlands. Mr. Tardif said that test pits were dug below the final elevation of the pit with no indication of an observed water table, although there is evidence of a perched seasonal high-water table within the upper level.

Mr. Hadik noted the Board's requirement to establish test wells on the perimeter of the excavation to determine what the current water tables are and to make sure there is no drop, which would indicate the wetlands are being dewatered. Mr. Tardif explained that if the wetlands were being dewatered, there will be water seeping from the slopes of the cut. He will speak with the engineer regarding adding additional groundwater monitoring wells as requested.

Ms. Richter asked how he derived his outline. He replied that he reviewed the SWPPP, the groundwater monitoring report, and the Board's conditions.

Mr. Hadik asked if Mr. Tardif will be monitoring for dust suppression, as abutters have expressed concerns regarding silica dust traveling offsite and impairing their health. Mr. Tardif said this will not be a specific area of concern. The contractor is responsible for spraying water for dust suppression. The crushing equipment also has water sprayers. Mr. Weider noted there will be dilution of the dust because of the distance between the site and residences, and that silica dust occurs naturally in the environment. Mr. Snyder clarified that Mr. Tardif's role is not to measure the levels, but to verify the means for controlling proper dust levels, which he agreed was the case.

Regarding surface water monitoring and downstream turbidity, Mr. Tardif noted this would only occur after a significant rain event or if the detention pond fills to where water flows out of the overflow. He said it is unlikely that the detention pond will ever maintain standing water. Water for dust suppression will most likely be taken from Towle Brook. The DES requirement is that as long as no more than 20,000 gallons a day is withdrawn, no state approvals are needed. Mr. Tardif does believe they will draw far less than that quantity of water on a daily basis. He said surface water monitoring will be done visually. The developer proposes to construct temporary sedimentation basins in addition to the detention pond, so significant stormwater flows should end up in one of these basins, thus mitigating sedimentation concerns. He will monitor this weekly.

Mr. Snyder asked regarding the expected monitoring frequency, and Mr. Tardif said the SWPPP indicates the monitoring will be done weekly. The groundwater monitoring is performed prior to, monthly during blasting, and two months after blasting. The weekly inspections will be performed during construction or excavation activities. Mr. Hadik asked if this is dictated by a specific rain event and Mr. Tardif said it is

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weekly and/or. There is also a threshold in the SWPPP on rain events and significant snowmelt that triggers inspections. He believes there are rain gauges on the site to measure rain events.

Mr. Hadik said he would like The Dubai Group to submit Mr. Tardif's monitoring proposal to DuBois & King, so they can review to ensure that it covers the Board's conditions of approval for this project.

Mr. Tardif will send certified letters to the ten property owners whose wells are being monitored to explain when and why the monitoring is occurring, and requesting approval or denial of his accessing their property. If a homeowner decides not to participate, another will be selected to replace them. Samples will be taken from outside faucets. Although the permit requires the water being run for 30 minutes, to cycle the water through the pressure tank, he believes 10 to 15 minutes is adequate. Either the state lab or a local lab will do the testing.

Mr. Snyder asked how Mr. Tardif will communicate with the Board if there are issues or questions. He will give the Town a weekly report. Mr. Hadik will supply a mailing list that includes the Building Inspector and the Planning Board. Mr. Tardif invited Board members to join him as he performs monitoring activities.

2. David Haddad, Owner – DJ Development re: problem with as-builts regarding paving Southwoods South Road and cul-de-sac.

Mr. Haddad explained that he followed the requirements to pave the road as he understood them, including having the Town Supervisor of Roads, James Piper, perform a walk-through. He then found out that the as-builts did not include the necessary information about the subsurface utilities. He noted that on his conditions of approval, it said as-builts needed to be done. However, he thought this covered only the Town-owned portion of the road (Southwoods Road) and not Granite Lane, as it will be a private road.

Mr. Snyder said he did not think the Board required as-builts on private roads. Mr. Hadik pointed out that the Board required as-builts for the roads in Mill Pine Village, which were private. The Board noted the Town cares about private roads for drainage and safety issues and as-builts are not expensive to create.

Mr. Hadik said the as-builts help the engineer complete the certification letter that a subdivision is according to plan. He noted the approval for Southwoods North and South Roads likely pre-dated the requirement for as-builts, as it was approved in 2005.

The Board agreed in order to recommend roads for approval by the Board of Selectmen, as-builts are required. The Board discussed why as-builts would be needed for private roads and said they would be useful to property owners in the future. However, the Board would not be able to confirm the information on the plan is accurate, were a property owner want to use it.

Mr. Haddad asked about his timeframe to supply the documents required for road acceptance. Mr. Hadik noted the last Wednesday in May is the latest date the information can be reviewed by the Board and the roads recommended for acceptance at the Selectboard meeting in June. Mr. Haddad said everything he can control is completed and will be inspected on Friday, and DuBois & King will provide a

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letter stating everything is done. He will request The Dubay Group complete the as-builts as soon as possible.

The Board noted it would not be ideal for a developer to retain the plans, as they might retire or go out of business. Mr. Hadik noted the example of Chesterbrook Estates, where the community water lines ran under the road as did the septic lines, and no one knew how to find them. Having as-builts would have helped in this instance.

Future Meeting Dates

- May 10 – Eversource H141 & R193 CUP hearing,
- May 24 –

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

The meeting was adjourned at 8:38 p.m.

Respectfully submitted,
Beth Hanggeli, Recording Secretary