

12-5-18 These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester**  
**Planning Board Meeting**  
**Wednesday, December 5, 2018**  
**Municipal Complex**  
**Approved Minutes**

**Members Present:**

Evan Sederquest, Vice Chairman  
Richard Snyder, Member  
Aaron Hume, Alternate Member  
Dana Theokas, Alternate Member

**Members Absent:**

Brian Sullivan, Chairman  
Elizabeth Richter, Member  
Michael Weider, Member  
Cass Buckley, Ex-Officio

**Staff Present:**

Andrew Hadik, Planning Coordinator

**Others Present at Various Times:**

None

Vice Chairman Sederquest opened the meeting at 7:03 pm.

Vice Chair Sederquest noted Mr. Hume is the alternate for Ms. Richter, and Ms. Theokas is the alternate for Mr. Weider.

**Meeting Agenda**

**General Business**

- Review and sign invoices and time sheets.
- Review and approve minutes for the November 28, 2018 meeting.
- Review letter from Counsel regarding the legality of an impact fee to help fund PACT.
- Review and approve Chester Fire Department request to release \$2,000 in impact fees for engineering of proposed emergency egress driveway.
- Review PB draft budget.
- Discuss a potential Public Hearing date to adopt the updated CIP.
- FYI: NH Supreme Court Case – Dartmouth vs. City of Hanover Planning Board Site Plan Review

**7:05 PM – Appointments**

None scheduled.

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**7:15 PM - Public Hearings**

None scheduled.

**Future Meeting Dates:**

December 12 – Gesel, Eversource CUP PH, PB Annual Budget, Review draft CIP

January 9 – Review draft CIP

January 23 -

**Review and approve minutes for November 28, 2018 meeting.**

The Board reviewed the minutes from November 28, 2018 meeting.

Line 137 had quotations added around “wants” and “needs.”

Mr. Snyder made a motion to approve the minutes from November 28, 2018, as amended; Mr. Hume seconded the motion. Motion approved, 3-0-1, Mr. Snyder abstained.

**Review letter from Counsel regarding the legality of an impact fee to help fund PACT (no decision required).**

Mr. Hadik reviewed the question of, “May impact fees collected by the Town to be expended for capital improvements for local public access community television?” He distributed the memorandum from Stephen Bennett (not present) that answered the question.

The Board reviewed and discussed the memorandum that answered “no” to the question of collecting impact fees for PACT.

**Review and approve Chester Fire Department request to release \$2,000 in impact fees for engineering of proposed emergency egress driveway.**

Mr. Hadik advised the Board of the bill from Gregsak Engineering, Inc. in the amount of \$2,000.00 for the purpose of designing an Emergency Egress driveway for the Fire Station. He noted the Board had already approved the bill for the surveying earlier this year, and the design was required for the RFP for cost estimates and bids for budgeting in the CIP. The Board reviewed and briefly discussed the bill.

Mr. Snyder made a motion to release \$2,000.00 from the Fire Department impact fees per invoice from Gregsak Engineering, Inc. dated November 26, 2018; Mr. Hume seconded the motion. Motion approved 4-0-0.

**FYI: NH Supreme Court Case – Dartmouth vs. City of Hanover Planning Board Site Plan Review**

Mr. Hadik and the Board reviewed and discussed the NH Supreme Court case: Dartmouth vs. City of Hanover Planning Board Site Plan Review.

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Mr. Hadik noted it, as a cautionary exercise, it should be required reading for all Planning Board and ZBA members.

**Discuss a potential Public Hearing date to adopt the updated CIP.**

Mr. Hadik noted that the CIP update process is almost complete; he is waiting to hear back from SNHPC on when they will be complete with their portion of the process. He expects to have a draft up on the Planning Board website by the end of the month. Mr. Hadik suggested they schedule the public hearing to adopt the update of the CIP on the fourth Wednesday in January (1-23-19).

**Review PB draft budget.**

Mr. Hadik and the Board reviewed each line of the Planning Board budget. Mr. Hadik explained each expense; he specifically noted each "Actual Expense" and budgeted cost for the new budget.

**Other**

Mr. Hadik advised that "as a resident" he emailed the ZBA that he supports allowing "Assisted Living" in Chester's R-1 Residential District. He said everyone needs to be able to live somewhere, including elderly or disabled residents who require such a living arrangement. Currently, Chester does not allow this by zoning, nor does it have any such facilities. He noted that the Town's zoning should be amended "Assisted Living" should be added as a Special Exception to the Town regulations. He also said he believes it is a legal liability to the Town not to allow these.

That said, he noted some concerns with the proposed plan for this facility. These include the small lot size, fire access around the building, limited parking etc. He suggested the proposed facility be evaluated by the Chester's Technical Review Committee (CTRC) to determine the feasibility and potential deficiencies of what is on the plans before the ZBA decides to grant the variance. And if the ZBA sees fit to approve the variance, then the approval should be conditioned on Site Plan Review approval by the Planning Board.

**Adjournment**

Mr. Sullivan made a motion to adjourn the meeting; Ms. Theokas seconded the motion. Motion approved, 4-0-0.

The meeting was adjourned at 8:00 pm.

Respectfully submitted,

C. Molly Qualters

Recording Secretary