

01-09-19 These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, January 9, 2019
Municipal Complex
Approved Minutes**

Members Present:

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Richard Snyder, Member
Michael Weider, Member
Aaron Hume, Alternate Member

Members Absent:

Dana Theokas, Alternate Member
Cass Buckley, Ex-Officio

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times:

Ben Clark, Deputy Fire Chief
Jerome Gesel, Chester resident
Eric Mitchell,

Chairman Sullivan opened the meeting at 7:02 pm.

Meeting Agenda

General Business

- Review and sign invoices and time sheets.
- Review and approve minutes for the December 12, 2018 meeting.
- Review and approve revised bond estimates for the Mill Pine Subdivision Phases II-A, II-B, and II-C.
- Chairperson to sign Eversource Conditional Use Permit (CUP).
- Review draft of the updated CIP.

7:05 PM – Appointments

None scheduled.

7:15 PM - Public Hearings

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1. Continuation of the Public Hearing for the application by Mary Gesel, 49 Chester Street, Chester, NH, owner, for site plan review of the multi-use property located at 15 Chester Street (Map 16 Lot 9). The site plan review shall include an ice cream shop, hobby shop, real estate office, two additional apartments, and expansion of parking and snow storage areas to accommodate these businesses.

Future Meeting Dates:

January 23 – PH to adopt updated CIP
January 31 – BOS Meeting – PB Budget Review

Review and approve minutes for December 12, 2018 meeting.

The Board reviewed the minutes from December 12, 2018 meeting.

Mr. Weider made a motion to approve the minutes from December 12, 2018, as presented; Ms. Richter seconded the motion. Motion approved, 4-0-1, Mr. Snyder abstained.

Review and approve revised bond estimates for the Mill Pine Subdivision Phases II-A, II-B, and II-C.

Mr. Hadik and the Board reviewed the bond estimates for the Mill Pine Subdivision Phases II-A, II-B, and II-C.

Mr. Hadik noted that there was no change for the bond estimate for Phase II-D.

Mr. Weider made a motion to accept the bond reductions for Mill Pine Subdivision Phases for II-A, II-B, and II-C, from \$34,483 to \$6250 for Phase II-A, from \$31,700 to \$6250 for Phase II-B, and from \$42,200 to \$6250 for Phase II-C; Vice Chair Sederquest seconded the motion. Motion approved, 5-0-0.

Chester Fire Department – CIP request to make alterations

Deputy Fire Chief Clark joined the Board at the meeting table at 7:12 pm.

Mr. Hadik distributed to the Board a request to alter a Capital Improvement Plan project that had previously been entered for the CIP committee's review from Deputy Fire Chief Ben Clark. The original project was intended to repave the Fire Department's parking lot, as well as, create a direct egress road for fire apparatus to enter Raymond Road (Rte. 102).

In the request, Deputy Fire Chief Ben Clark explains that he would like the Board to "consider creating two projects, one being the emergency egress road which would be submitted this year and the second being repaving the Fire Department's parking lot which would be completed in the future."

Mr. Hadik explained that at the Highway Safety Committee (HSC) meeting they discussed numerous alternatives to the egress road option, such as painting a fire lane on the right side of Murphy Drive. He noted that the committee agreed that this is not a workable option, and the Public would ignore the "fire lane" paint and use the that part of the road.

Mr. Weider said that at the School Board meeting a BOS member made it very clear that the egress road numbers are not accurate; there is no direct quote. Mr. Hadik disputed this, saying the Road Agent had stated this was a direct quote.

Mr. Weider suggested having a police officer at that part of the road for a few weeks. He said that if they go back to using that part of the road after the officer leaves then bring the officer back.

Mr. Hadik noted that the HSC had considered having an officer at the spot, but that it would only work if the officer was present. He also noted the Police Chief's concern as to the cost and lack of funding for an officer.

Mr. Weider said that the road is a public Town road designed to bring people in and out of the school. He said that the problem is that parents are queuing-up an hour and a half early picking up their kids after school. Mr. Weider advised that the rules of the road should be enforced, because the road is designed as a public road and should not be used as a parking lot. He said parents should be parking in the parking lot to get their kids after school.

Deputy Clark explained that the biggest part of the problem is the traffic leaving the school. He said that parents create two lanes exiting, one turning right and one turning left, and a third lane for people entering leaving no room for the Fire Department emergency vehicles to get through to the intersection if needed for a call.

Mr. Hadik said that at the HSC meaning they discussed the reasons parents were picking students up and not using the buses; he noted the main reason parents are not having their children ride the bus is because of the long bus ride times, sometimes up to an hour.

The Board discussed, in-depth, solutions to the specific traffic problem created by the three lanes of cars in a road designed to have two lanes of cars, and a Fire Department apparatus trying to get out on a call.

The Board discussed a police officer or crossing guard to direct traffic, painting in a fire lane, a light that stops traffic on Rte. 102, or creating a "Right Turn Only" lane during school hours.

The actual costs of the project were discussed.

Chair Sullivan pointed out that the Planning Board does not dictate policy, which comes from the BOS; he said we can suggest an option such as the "Right Turn Only" lane to the BOS, and then the BOS would decide whether to implement the policy.

The Board agreed, with a consensus, to divide the single project into two separate projects for the Fire Department, keeping them both in the CIP:

Project: \$90,000 (2020 - 2021) – Create a direct emergency egress road to Raymond Road (Rte. 102).
Project: \$175,000 (2020 – 2021) – Pave the Fire Department parking lot (rough estimate).

Chair Sullivan confirmed that Mr. Hadik would inform the BOS of the discussion of the two projects.

Deputy Chief Clark departed the meeting at 7:40 pm.

7:15 PM - Public Hearings

- 1. Continuation of the Public Hearing for the application by Mary Gesel, 49 Chester Street, Chester, NH, owner, for site plan review of the multi-use property located at 15 Chester Street (Map 16 Lot 9). The site plan review shall include an ice cream shop, hobby shop, real estate office, two additional apartments, and expansion of parking and snow storage areas to accommodate these businesses.**

Mr. Snyder made a motion to reopen the Public Hearing for the application by Mary Gesel, 49 Chester Street; Ms. Richter seconded the motion. Motion approved, 5-0-0.

Public Hearing opened at 7:39 pm.

Mr. Mitchell came before the Board at 7:41 pm.

Mr. Mitchell distributed plans to the Board.

Mr. Mitchell addressed the Board reviewing the letter from Mr. Adler (not present), received today, detailing the engineering review.

Mr. Mitchell noted that the first comment in the letter addresses drainage.

Mr. Adler's letter: "1. Their drainage report shows a slight increase in runoff to both the front and rear of the property. Although this increase is very minor, we would recommend that the applicant verify that there are no existing drainage issues in this area which could be impacted by this development."

Mr. Mitchell responded that the drainage currently travels down a paved swale to the Gesel property to the north. He said that although there is a slight increase in runoff, "we verify that there hasn't been any drainage problems or erosion problems".

Mr. Adler's letter: "2. Limited snow storage is provided and the storage shown on parking spaces 1 and 29 is within feet of the property line which is likely to cause issues."

Mr. Mitchell noted that they received a variance from the ZBA to allow them to park within eight feet of the lot line, and to use parking space 1 and 29 for snow storage only, in the winter. He said that they have added to their plan that they would put stakes along the line to prevent snow from being pushed too far.

Mr. Adler's letter: "3. The detail for the wheel stop does not identify the type (model) of construction other than rubber. We would recommend that additional information be provided to assure they function adequately."

Mr. Mitchell said that they added a note on the plans below the diagram indicating that the stop is made of recycled rubber and identifying its source (specifications).

Mr. Adler's letter: "4. We understand that the applicant has applied for a NHDOT driveway permit. We recommend that the permit number be added to the plan set once received."

Mr. Mitchell said that a NHDOT curb-cut permit has been submitted "roughly a month ago," but they haven't gotten it back yet. He said that they told him on Monday that it would be sent out this week. Mr. Mitchell noted that the NHDOT had one response stating that they want the area in front that is currently paved cut out (15' wide), and loamed and seeded, with the only paving being the entrance and exit. Mr. Mitchell said that this needs to be shown on the plans.

Mr. Hadik explained that it has been suggested that the entrance and exit should be one-way for the two drives.

Mr. Mitchell said that the main reason that the two drives have been left in and out, and the way that the NHDOT has approved it, is because the existing entrance and exit are two-way now.

Mr. Hadik noted that the Board has draft conditions of approval.

Mr. Hadik noted that this conditional site plan approval codifies all the businesses at the site that should have been codified when the site plan review should have been completed in 2002.

Mr. Hadik, the Board and Mr. Gesel reviewed all the Conditions of Approval (attached).

Mr. Gesel and the Board agreed to set the hours of operation for the Restaurant: seven days per week, 7:00 am to 2:00 pm.

For the Planning Board's conditions for the Ice Cream Shop, the conditions are:

- The route to the ADA-accessible portable restroom shall meet ADA requirements:
- There shall be no commercial food preparation equipment.
- The hours of operation were set as: Seasonal, seven days a week from 12:00 pm. to 9:00 pm.

There was much discussion about the placement of an ADA-compliant Porta Potty. Mr. Gesel explained that the only reason he needs the Porta Potty is because he has picnic tables for the ice-cream shop; he said that if he got rid of the picnic tables, he would not have to have the Porta Potty. He said if he moved the picnic tables away from the ice-cream shop, he would not be required to have a Porta Potty. He may still have a Porta Potty, but it could be placed in the back of the building.

The Board asked Mr. Mitchell to design a solution and add it to the plans. Mr. Mitchell said he would try to find a solution for the location of the Porta Potty.

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222 Under Hobby Woodworking Shop, hours of operation were added: seven days per week, 8:00 am to
223 8:00 pm.

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225 Hours of operation for the Realty Office were added: seven days a week, 8:00 to 8:00, and “by
226 appointment”.

227

228 Mr. Weider asked about a vacant 1,100 sq. ft. area on the second floor. He advised that the conditions
229 should include a statement that the vacant area is not to be used for anything other than on-premise
230 storage.

231

232 This condition was also noted for the vacant 1,100 sq. ft. area on the first floor.

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234 Mr. Snyder asked that the Hobby Shop should be identified as the “Hobby Woodworking Shop” on the
235 plans.

236

237 There were no Public comments; no Public were present.

238

239 Mr. Snyder made a motion to grant the following waivers:

- 240 • From Site Plan Regulation 7.10.3 – Parking Lot Requirements, Subsection 7.10.3.6 - A minimum
241 of eight (8) foot wide strips of land shall be provided on at least three (3) sides of the parking lot
242 for the storage of plowed snow. The snow storage area may not encroach on the area required
243 for off-street parking spaces or any fire lanes;
- 244 • From SPR Regulation 7.10.3.3 - No required parking space shall serve more than one use;
- 245 • From SPR Regulation 7.3 - A Storm-Water Management Plan (SMP) shall be prepared for any use
246 that will render more than fifteen (15) percent or ten thousand (10,000) square feet (whichever
247 is greater) of any lot impervious.

248

249 Ms. Richter seconded the motion. Motion approved, 5-0-0.

250

251 Mr. Hadik read the Planning Board conditions.

252

253 There was much discussion about the snow removal conditions.

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255 The Board and Mr. Gesel agreed to remove conditions four and five. Mr. Hadik noted these had been
256 suggested by the Building Inspector.

257

258 Mr. Hadik, the Board, and Mr. Gesel discussed documentation of an easement from the abutting lot
259 related to the nitrogen loading by the septic system, and the flow testing of the septic system. Mr.
260 Gesel assured the Board that the Building Inspector had all this information.

261

Mr. Hadik advised the Board that there should be a condition that the loading and the flow testing of the septic system is on file with the Town building inspector confirming that there are no issues.

Mr. Snyder said that there doesn't need to be a condition, but that the information needs to be confirmed.

The Board agreed to put the requirement in the conditions, which, they noted, would be met if he can provide the documentation of the easement.

Ms. Richter made a motion to close the Public Hearing; Vice Chair Sederquest seconded the motion. Motion approved, 5-0-0.

Mr. Snyder made a motion to approve the site plan conditions of approval as amended; Ms. Richter seconded the motion. Motion approved, 5-0-0.

Mr. Gesel and Mr. Mitchell departed the meeting at 9:20 pm.

Review draft of the updated CIP.

Mr. Weider made a motion to amend the CIP on the PD software line from \$30,000 to \$13,600 and move it to FY 2019-2020; Ms. Richter seconded the motion. Motion approved, 5-0-0.

Mr. Hadik noted that the CIP, in preparation for the public hearing scheduled for January 23rd, is completed by the Planning Board effective tonight, January 9, 2019. He said that he will put the amended copy on the website tomorrow.

Adjournment

Ms. Richter made a motion to adjourn the meeting; Mr. Snyder seconded the motion. Motion approved, 5-0-0.

The meeting was adjourned at 9:27 pm.

Respectfully submitted,

C. Molly Qualters

Recording Secretary