

08-28-19 These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester**  
**Planning Board Meeting**  
**Wednesday, August 28, 2019**  
**Municipal Complex**  
**Approved Minutes**

**Members Present:**

Brian Sullivan, Chairman  
Evan Sederquest, Vice Chairman  
Elizabeth Richter, Member  
Richard Snyder, Member  
Michael Weider, Member  
Charles Myette, Ex-Officio

**Members Absent:**

Aaron Hume, Alternate Member  
Dana Theokas, Alternate Member

**Staff Present:**

Andrew Hadik, Planning Coordinator

**Others Present at Various Times:**

Pastor Juan Saa, LifeWay Church  
Jennifer Gage, LifeWay Church  
Bill Rohr, Facilities Manager, Busche Academy

Chairman Sullivan opened the meeting at 7:05 pm.

**Meeting Agenda**

**General Business**

- 1) Review and sign invoices and time sheets.
- 2) Review and approve minutes for August 14, 2019 meeting.
- 3) Review and approve the release of \$5,150 in Recreation Department impact fees requested for the pavilion CIP project to be located on the Wason Pond Conservation and Recreation Area.
- 4) FYI: NHMA 2019 Land Use Law Conference on Saturday 10/5/19.

**7:15 PM – Appointments**

Juan Saa, Pastor – LifeWay Church, for a conceptual discussion regarding Site Plan Review requirements.

### **7:30 PM - Public Hearings**

Proposed amendments to the Town of Chester’s Subdivision and Site Plan Review Regulations:

- Subdivision – grammatical, non-substantive changes to Section 3.2 and 3.3.
- Subdivision – add Subsection 3.2.4 – Technical Review Committee.
- Subdivision – amend Section 3.8 – Approval is No Acceptance of Dedication.
- Subdivision – amend Subsection 4.1.18 – signature block.
- Subdivision – add Section 4.1.25 – Zoning Analysis Table.
- Subdivision – add Section 4.1.26 – Lot Data Table.
- Subdivision – amend Subsection 4.7.6.6 – re: granite curbing
- Subdivision – add Section 4.13 – Permanent Monumentation.
- Site Plan Review – add Subsection 6.1.4 – Technical Review Committee.
- Site Plan Review – amend Subsection 7.2.11 re: Driveway Plans.
- Site Plan Review - amend Subsection 7.10.3.2 and 7.10.3.5 – re: Handicapped Parking.
- Site Plan Review – add Section 7.20 – Permanent Monumentation.
- Driveways – add Subsection 2.1.1 – Temporary Driveway Permits.
- Driveways – amend Subsection 6.1 – Security for Improvements.
- Driveways – amend Subsection 7.1 – grammatical, non-substantive changes.
- Driveways – amend Section 9.4 – grammatical, non-substantive changes.
- Driveways – amend Section 9.12 – length and turnaround for fire apparatus.
- Driveways – amend Section 9.13 – delete second sentence.
- Driveways – add Section 9.15 – permits for certain driveway improvements.
- Building Code – add Subsection 3.1.1 – Water Well Testing.
- Building Code – amend Article 4 – Permit Fee Schedule.

### **Future Meeting Dates:**

- September 4 – PB Budget Review
- September 11 – SPR LifeWay Church, HB Caren Logan
- September 25 – SUB McLean

### **2) Review and approve minutes for August 14, 2019 meeting.**

The Board reviewed the minutes from the August 14, 2019 meeting.

Line 215 was amended to have the word “one” removed.

Mr. Weider made a motion to approve the minutes from August 14, 2019 as amended; Mr. Snyder seconded the motion. Motion approved, 5-0-1, Mr. Weider abstained.

**3) Review and approve the release of \$5,150 in Recreation Department impact fees requested for the pavilion CIP project to be located on the Wason Pond Conservation and Recreation Area.**

Mr. Weider made a motion to approve the release of \$5,150 in Recreation Department impact fees requested for the pavilion CIP project to be located on the Wason Pond Conservation and Recreation Area for the engineering and geotechnical samples; Ms. Richter seconded the motion. Motion approved, 6-0-0.

**4) FYI: NHMA 2019 Land Use Law Conference on Saturday 10/5/19.**

Mr. Hadik noted and reviewed the October 5, 2019 NHMA 2019 Land Use Law Conference with the Board.

**7:15 PM – Appointments**

**Juan Saa, Pastor – LifeWay Church, for a conceptual discussion regarding Site Plan Review requirements.**

Pastor Saa and Ms. Gage joined the Board at the meeting table at 7:18 pm.

Mr. Hadik explained to the Board that Pastor Saa and Ms. Gage are in attendance for a conceptual discussion regarding Site Plan Review requirements for use of the cafeteria & classroom building at Busche Academy (formerly the Wadleigh Library of CCNE). He reviewed the floor and site plans that were distributed.

Mr. Hadik said that there are no changes being proposed to anything pre-existing; the site plan was Board approved within the last two years.

Mr. Hadik noted that he, Pastor Saa, and Ms. Gage have discussed this with the Building Inspector (not present). Mr. Hadik said that it is his and the Building Inspector's opinion that no new site plan is necessary; the functions are not a "change of use" for the space.

Pastor Saa said that some of the classrooms would be used for child care during the meetings.

The Planning Board, Mr. Hadik, Pastor Saa, and Ms. Gage discussed the specifics of the use, and whether this is a "change of use."

Mr. Rohr noted that he is present to speak on behalf of the school, and that Busche Academy will have a contract with the Church, and they "don't have a problem" with their use of the school.

Mr. Hadik said that Pastor Saa will be going before the Technical Review Committee (TRC) on Monday, September 9, 2019.

Pastor Saa and Ms. Gage departed the meeting at 7:31 pm.

### **7:30 PM - Public Hearings**

#### **Proposed amendments to the Town of Chester's Subdivision and Site Plan Review Regulations:**

- **Subdivision – grammatical, non-substantive changes to Section 3.2 and 3.3.**
- **Subdivision – add Subsection 3.2.4 – Technical Review Committee.**
- **Subdivision – amend Section 3.8 – Approval is No Acceptance of Dedication.**
- **Subdivision – amend Subsection 4.1.18 – signature block.**
- **Subdivision – add Section 4.1.25 – Zoning Analysis Table.**
- **Subdivision – add Section 4.1.26 – Lot Data Table.**
- **Subdivision – amend Subsection 4.7.6.6 – re: granite curbing**
- **Subdivision – add Section 4.13 – Permanent Monumentation.**
- **Site Plan Review – add Subsection 6.1.4 – Technical Review Committee.**
- **Site Plan Review – amend Subsection 7.2.11 re: Driveway Plans.**
- **Site Plan Review - amend Subsection 7.10.3.2 and 7.10.3.5 – re: Handicapped Parking.**
- **Site Plan Review – add Section 7.20 – Permanent Monumentation.**
- **Driveways – add Subsection 2.1.1 – Temporary Driveway Permits.**
- **Driveways – amend Subsection 6.1 – Security for Improvements.**
- **Driveways – amend Subsection 7.1 – grammatical, non-substantive changes.**
- **Driveways – amend Section 9.4 – grammatical, non-substantive changes.**
- **Driveways – amend Section 9.12 – length and turnaround for fire apparatus.**
- **Driveways – amend Section 9.13 – delete second sentence.**
- **Driveways – add Section 9.15 – permits for certain driveway improvements.**
- **Building Code – add Subsection 3.1.1 – Water Well Testing.**
- **Building Code – amend Article 4 – Permit Fee Schedule.**

Mr. Snyder made a motion to open the Public Hearing, Ms. Richter seconded the motion. Motion approved at 8:31 pm.

The Public Hearing was opened at 8:32 pm.

Chair Sullivan made note that no Public was present for the hearing.

The Board reviewed the Subdivision grammatical changes, amendments, and adoptions.

**Mr. Weider made a motion to adopt grammatical changes to Section 3.2 and 3.3., amendments to Section 3.8 - Approval is No Acceptance of Dedication, Subsection 4.1.18 –**

**signature block, and Subsection 4.7.6.6 – re: granite curbing, and additions to Subsection 3.2.4 - Technical Review Committee, Section 4.1.25 – Zoning Analysis Table, Section 4.1.26 - Lot Data Table, and Section 4.13 - Permanent Monumentation; Ms. Richter seconded the motion. Motion approved, 6-0-0.**

The Board reviewed the Site Plan Review grammatical changes, amendments, and adoptions.

**Mr. Weider made a motion to add Subsection 6.1.4 – Technical Review Committee, amend Subsection 7.2.11 re: Driveway Plans and Subsection 7.10.3.2 and 7.10.3.5 – re: Handicapped Parking, and add Section 7.20 – Permanent Monumentation; Ms. Richter seconded the motion. Motion approved, 6-0-0.**

The Board reviewed the Building Code addition and amendment.

The Board had much discussion reviewing the “Building Code – Other Fees – Tent,” and what specific tents will require permits.

Chairman Sullivan said that although there is some good intent, if the Town accepts a fee for a permit to erect a tent the Town may be putting itself at risk.

Chairman Sullivan suggested Mr. Hadik check with Counsel and PRIMEX (the Town’s insurance carrier) to see if having a fee and inspections for tents on private property might make Town liable if an incident occurred after the inspection.

Mr. Weider said that he disagrees with charging a fee to tax paying residents to allow them to erect a tent on their own property.

**Mr. Weider made a motion to add Subsection 3.1.1 – Water Well Testing and to amend Article 4 – Permit Fee Schedule, with the removal of all references to tents from Article 4 – Other Fees; Ms. Richter seconded the motion. Motion approved, 6-0-0.**

The Board discussed the proposed amendments to Driveway Regulations.

The Board had much discussion about the Driveway Regulations.

**Mr. Snyder made a motion to adopt the addition to Subsection 2.1.1 – Temporary Driveway Permits, amendments to Subsection 6.1 – Security for Improvements, Subsection 7.1 – grammatical, non-substantive changes, Section 9.4 – grammatical, non-substantive changes, Section 9.12 – length and turnaround for fire apparatus, Section 9.13 – delete second sentence, and addition to Section 9.15 – permits for certain driveway improvements; Ms. Richter seconded the motion. Motion approved, 5-1-0, Mr. Weider voted no.**

**Non-Public Meeting**

210

211 **RSA 91 A:3, II (a) – Employee Matters and RSA 91 A:3, II(c) - Reputation**

212

213 Chair Sullivan made a motion to enter Non-Public session under RSA 91 A:3, II(a), and RSA 91 A:3,  
214 II(c); Mr. Snyder seconded the motion. Motion to enter Non-Public session approved by  
215 unanimous roll call vote, 6-0-0.

216

217 Non-Public session entered at 8:38 pm.

218

219 Mr. Snyder made a motion to leave Non-Public session; Ms. Richter seconded the motion. Motion  
220 approved, 6-0-0.

221

222 The Board came out of Non-Public session at 9:13 pm.

223

224 Mr. Snyder made a motion to seal the Non-Public minutes indefinitely; Ms. Richter seconded the  
225 motion. Motion to seal the minutes was approved by a unanimous roll call vote, 6-0-0.

226

227 **Adjournment**

228

229 Ms. Richter made a motion to adjourn the meeting; Mr. Weider seconded the motion. Motion  
230 approved, 6-0-0.

231

232 The meeting was adjourned at 9:13 pm.

233 Respectfully submitted,

234

235 C. Molly Qualters

236 Recording Secretary