

07-08-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, July 8, 2020
Virtual Meeting
Approved Minutes**

For the duration of the COVID19 pandemic, the Planning Board will be meeting electronically under the emergency provisions of RSA 91A. <https://zoom.us/j/92697843243>, or via telephone - dial (301) 715-8592; the meeting ID is 926 9784 3243.

Members & Staff Present:

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Michael Weider, Member (@7:14 PM)
Elizabeth Richter, Member
Richard Snyder, Member
Selectman Chuck Myette, Liaison
Aaron Hume, Alternate Member
Andrew Hadik, Planning Coordinator

Members Absent:

Others Present at Various Times:

Penny Williams
CCTV

Meeting Agenda

7:00 PM – General Business

- 1) Review & approve minutes for the 6/24/20 PB meeting.
- 2) Discuss Southwoods Subdivision letters of credit (LOCs).
- 3) Discuss the discontinuance of the Carlin Street cul-de-sac.
- 4) Discuss and approve the release of 3 LOCs and reduction of the 4th LOC for the Mill Pine Village Subdivision.
- 5) Discuss the Drowne sand pit operations.
- 6) Discuss the second draft of the update of the Municipal Buildings impact fee ordinance.
- 7) FYI, Buchanan Site Plan Review application submitted.
- 8) FYI, SPR application pending for “Miles to Go Coffee Roasters”.
- 9) Review 2019-2020 FY Offsite Improvement Fees accounts spreadsheet.
- 10) Review Impact Fee Expenditures Summary spreadsheet.
- 11) Miscellaneous

Appointments

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None Scheduled

7:15 Public Hearings

None scheduled.

Chair Sullivan opened the meeting at 7:00 PM by reading the meeting preamble and taking roll call. Alternate Aaron Hume was active until Mr. Weider arrived at 7:14 PM and then again when Mr. Snyder departed the meeting at 7:45 PM.

7:00 PM – General Business

1) Review & approve minutes for the 6/24/20 PB meeting.

Chair Sullivan, Ms. Richter and Mr. Snyder recommended edits.

Mr. Snyder motioned to approve the June 24, 2020 minutes as amended. Ms. Richter seconded the motion. A roll call vote was taken Sullivan – aye, Sederquest – aye, Richter – aye, Hume – aye, Snyder – aye, Myette – abstained. The motion passed 5-0-1.

2) Discuss Southwoods Subdivision letters of credit (LOCs).

Mr. Hadik noted the LOC for the Southwoods subdivision was received from Eastern Bank on July 6, 2020. The LOC is a combined amount of \$452,400 for Phases I, II and IV of the subdivision. Chair Sullivan will need to sign off.

Mr. Hadik explained that the original copy of the LOC is being held for safekeeping (along with the Town's other LOCs) by Attorney Bennett at the office of Wadleigh, Starr & Peters. Mr. Hadik shared the LOC on-screen for the Board to see, and noted the submission deadline had been met.

3) Discuss the discontinuance of the Carkin Street cul-de-sac.

Mr. Hadik explained that in 1968 Carkin Street was laid out and approved with a cul-de-sac at the end of the street. (He shared the plan on-screen for the Board to see.) A couple of years later Donna Street was built as a left turn off Carkin Street. The Carkin Street cul-de-sac was never built. For unknown reasons, Lot 5-71 was developed as though the cul-de-sac did not exist.

Mr. Hadik said that the BOS have now received a petition from the two abutters to discontinue the circular portion of the cul-de-sac. The BOS would like to know if the PB is opposed to this discontinuance. He relayed he did not see a reason to oppose the discontinuance (though it should be noted that Lot 5-71 will end up with very short frontage). Also, that the Building Inspector is also not opposed to the discontinuance.

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Mr. Hadik relayed that the Road Agent has two concerns:

- 1) The first concern is that the owner of Lot 5-71 has complained about how the snow piles up on the outside corner of the turn when the snow is plowed. This occurs as the plow truck is making a 90 degree turn from Carlin onto Donna Street. The Road Agent believes a condition of the release should be that the two lot owners will now be responsible for clearing the snow out to the plowed section on the turn.
- 2) The second concern is that the 5-71 property has possibly been purchased for a renovation flip and sale. The discontinuance will add value to the property. He believes a second condition of the release should be that the Town receives some compensation (\$10K?) for the discontinuance, which should go towards the repaving of Carlin & Donna Streets.

Selectman Myette noted that value will be added to the two properties, and wondered if the Town would receive any compensation which could be used for repaving.

Ms. Hoijer indicated Mr. Quintal got a variance from the ZBA last year for short frontage and possibly an equitable waiver for the garage. Ms. Hoijer asked about Mr. Gladu's comments about renumbering Donna Drive, and Mr. Hadik said he spoke to Mr. Bunker, the Building Inspector, who said this was not an issue. Ms. Hoijer indicated the homeowners may need a variance for short frontage if the lot lines are adjusted.

4) Discuss and approve the release of 3 LOCs and reduction of the 4th LOC for the Mill Pine Village Subdivision.

Mr. Hadik explained that the Town is currently holding four LOCs for the Mill Pine Village Subdivision. Three of the LOCs, which are for Phases II-A, II-B & II-C, are each in the amount of \$6,250. These amounts were being retained to cover the cost of the As-Built plan. The fourth LOC, for Phase II-D, is in the amount of \$49,700. This amount also includes \$6,250 for the as-Built plan, and the remainder is for the placement of the final wearing course.

Mr. Hadik reminded the Board that the initial As-Built plan submitted in February, and was reviewed and rejected because additional information was required. Subsequently a revised plan was submitted to DuBois & King, which Scott Bourcier reviewed and approved in a letter dated 3/26/20. However, Mr. Hadik did not receive hardcopies or a PDF of the plan until 7/6/20.

Mr. Hadik noted that because all the requirements for the As-Built plans have now been fulfilled, the Board can vote to release the three \$6,250 LOCs for Phases II-A, II-B & II-C, and amend the LOC for Phase II-D), from \$49,700 to \$43,450. (He shared the 1/8/19 bond reduction letter from DuBois & King on-screen for the Board to see.)

Chair Sullivan motioned to release the three \$6,250 bonds for Phases II-A, II-B & II-C in accordance with the January 8, 2019 DuBois & King bond reduction letter. Mr. Weider seconded the motion. A roll call vote was taken. The motion passed unanimously.

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Chair Sullivan motioned to reduce the \$49,700 bond to \$43,450 for Phase II-D in accordance with the January 8, 2019 DuBois & King bond reduction letter. Mr. Weider seconded the motion. A roll call vote was taken. The motion passed unanimously.

5) Discuss the Drowne sand pit operations.

Mr. Hadik stated he would like to Table this discussion. He needs additional time to research and draft an accurate timeline of events, and make some inquiries with Counsel and NH DES.

Mr. Hadik noted he would like to speak further with Mr. Drowne concerning the 1987 unsigned Restoration Plan. Approximately 17 acres on the site have been disturbed.

Selectman Myette asked how the “per cubic yard tax” was assessed, which is approximately \$0.02 per cubic yard. Mr. Hadik said that was a question for the Assessing Department. He noted that someone at the NH Department of Revenue uses calculations based on measurements obtained from Google Earth to determine volumetric estimates and tax amounts.

6) Discuss the second draft of the update of the Municipal Buildings impact fee ordinance.

Mr. Hadik stated he would like to table this discussion. He said he had supplied additional information; however, he had not received a second draft from SNHPC.

7) FYI, Buchanan Site Plan Review application submitted.

Mr. Hadik advised that a Site Plan Review application has been submitted by the Buchanan’s for a riding arena to be located on their property on Hart Roberts Road. He planning to schedule the public hearing for July 22nd.

8) FYI, SPR application pending for Miles to Go Coffee Roasters.

Mr. Hadik advised that a Site Plan Review application will be submitted by “Miles To Go Coffee Roasters” (Mr. & Mrs. Karjala) to open a commercial coffee roasting operation in the former Chester College basement kitchen located below the former Lane-Powers Administration building at Busche Academy.

Mr. Hadik said the operation will not be open to the public. The only two employees will be Mr. Karjala and his wife. Mr. Hadik said he does not believe this application will require any engineering review, just the proper permitting and inspection by the Building Inspector. The Board agreed.

Mr. Snyder noted the product was excellent coffee. Mr. Hadik agreed. Mr. Karjala had been previously roasting coffee at the Chester General Store. The business will require a commercial use variance from the ZBA, and will also be reviewed by the Technical Review Committee (TRC).

9) Review 2019-2020 FY Offsite Improvement Fees accounts spreadsheet.

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Mr. Hadik shared on-screen the 2019-2020 FY summary spreadsheet of the offsite improvement fees controlled by the Planning Board. He noted that, as approved at the previous meeting, the account balances for the Cedar View Estates (\$8,013.63) and Villages at Chester (\$5,820.02) subdivisions were being released to the Road Agent to be put towards the cost of the wearing course for Mulberry Lane.

Mr. Hadik noted the fees for the units in the Cedar View Estates subdivision are transitioning from offsite improvement fees to impact fees because the 5-year exemption period from ordinance changes has expired. These impact fees will be broken up into seven different fees, to be deposited in seven different accounts.

Mr. Hadik noted that right side of the balance sheet shows the four passbook and cash account balances for cash on deposit with the Town in lieu of LOCs (total balance \$390,248.02).

Mr. Hadik noted that the passbook account (Abdallah Construction, \$3,514.48 for the 4-lot extension off the end of Emerson Road) is in limbo because the builder's company no longer exists. He said he was not sure if the Town could use the funds for work at the end of the Emerson Road cul-de-sac. Ms. Richter asked that if this is because of a bankruptcy, then was the bankruptcy still ongoing or discharged? Mr. Hadik responded that he had no idea about the status of this. He said he would check with Town Counsel to see if the funds can be accessed.

Mr. Snyder logged out of the meeting because of a local power outage.

10) Review Impact Fee Expenditures Summary spreadsheet.

Mr. Hadik shared on-screen the Impact Fee Expenditures Summary spreadsheet. He said that the account balances are as of the June 30, 2020 bank statements. He noted the Fire Department has just over \$17,000 in accrued impact fees that could be put towards FD projects listed in the CIP. The General Government Buildings account has just over \$30,000 that could be put towards any GGB renovation or equipment projects listed in the CIP.

11) Miscellaneous

Mr. Snyder indicated an email was received from Eric Mitchell relative to the Nasr handicapped parking provisions with an attachment from Chief Berube who noted the RSA did not require painting, the sign posting was sufficient. The Planning Board and the Town did not require this. Building Inspector Bunker referenced the ADA requirement. Ms. Hoijer indicated the email has been shared with the ZBA however it has no connection to the variances applied for. If the applicant disagrees with Mr. Bunker's requirement, he would need to file an Administrative Appeal.

Selectman Myette relayed that the Spring Hill Farm Advisory Committee has rented the High Tunnel greenhouse to Mr. and Mrs. Ortins. The Ortins are interested in having a food truck onsite where they will cook and sell the vegetables grown in the greenhouse. The farm's easement allows the growing of crops, processing, and sales. The Ortins are also operating the food truck in Sandown a couple of days

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per week. There was a discussion whether the food truck sales actually qualified as an agricultural activity, if only a portion of the food being sold were the vegetables from the farm.

Adjournment

Ms. Richter motioned to adjourn the meeting at 8:30 PM. Mr. Snyder seconded the motion. A roll call vote was taken, Sullivan – aye, Richter – aye, Snyder – aye, Sederquest – aye, Weider – aye, Hume – aye. The motion passed unanimously.

Future Meeting Dates

- July 22 – Buchanan SPR

(Codes: PH – public hearing, PHC – public hearing continuance, CD – conceptual discussion, HB – Home Business, LLA – Lot-Line Adjustment, SPR – Site Plan Review, SUB – Subdivision, CUP Conditional Use Permit)

Respectfully submitted,

Nancy Hoiijer

Recording Secretary