

08-05-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester  
Planning Board Meeting  
Wednesday, August 5, 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:**

Evan Sederquest, Vice Chairman (@7:10 PM)  
Elizabeth Richter, Member  
Richard Snyder, Member  
Aaron Hume, Alternate Member  
Selectman Chuck Myette, Liaison  
Andrew Hadik, Planning Coordinator

**Members Absent:**

Brian Sullivan, Chairman  
Mike Weider, Member

**Others Present at Various Times:**

**Meeting Agenda**

**7:00 PM – General Business**

- 1) Review & approve minutes for the 7/22/20 PB meetings.
- 2) Review & approve the PD's request for the release of \$1,677.70 in impact fees for PPE (Taser 60 program).
- 3) FYI, PSNH Right-to-Know Law Request.
- 4) FYI, Mill Pine Village Subdivision Right-to-Know Law Request.
- 5) ZBA variances to Wetlands Setbacks.

**7:15 Public Hearings**

- 1) Continuation of the public hearing for the Site Plan Review Application of Elizabeth Buchanan & Gene Blanchard (Owners) to construct a 6,500 square foot indoor riding arena at 43 Hart Roberts Road in Chester (Map 2 Lot 63-1).

**7:45 - Appointments**

Mark Fougere, Fougere Planning & Development – Discussion about the Board's opinion regarding Workforce Housing for inclusion in a report for the NH Housing Authority.

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Mr. Snyder opened the meeting at 7:01 PM by reading the meeting preamble and taking roll call. Alternate Aaron Hume was designated as the active member for Mr. Weider.

#### 7:00 PM – General Business

##### **1) Review & approve minutes for the 7/22/20 PB meetings.**

Ms. Richter recommended changes to Line 99/100. Vice-Chair Sederquest recommended edits to Line 223 and the adjournment section as Chair Sullivan had left the meeting by then.

***Mr. Hume motioned to approve the July 22, 2020 minutes as amended. Ms. Richter seconded the motion. A roll call vote was taken Hume – aye, Snyder – aye, Richter – aye and Myette – abstain. The motion passed 3-0-1.***

##### **2) Review & approve the PD's request for the release of \$1,677.70 in impact fees for PPE (Taser 60 program).**

Mr. Hadik shared a letter dated July 31, 2020 from Police Chief Berube asking for release of \$1,677.50 for the fourth year's payment of the five-year Taser 60 contract. He noted this is included under the PD's Personal Protective Equipment (PPE) project line in the CIP.

Mr. Hadik shared onscreen the project form with Chief Berube's explanation of the significant cost savings by the program: "In the 2016 / 2017 budget an additional \$1,000 was requested to be added to the weapon replacement plan to include our Taser devices. Our current Taser devices are no longer serviceable by Taser and will need to be cycled out of service. The additional \$1,000 would provide funding for (1) one Taser device, holster, battery, and cartridges purchase per year. In 2017 we purchased a Taser, holster, battery, and enough cartridges for the department with CIP funds. The total amount was \$1,699.21. This is only one Taser. I have contacted Taser and established a lease program under the Taser 60 program. This would provide us 8 new Tasers, holsters, batteries, and cartridges for approximately \$2,000.00 +/- per year. The lease program has an early termination clause built into the agreement that meets the requirements of our multi-year agreements. The lease is for 5 years and we own the Taser devices after the 5-year plan. This plan also includes a warranty on the devices."

***Mr. Snyder motioned to approve the release 1,677.70 from the Police Department impact fees to expend for the fourth year of the Taser 60 program. Ms. Richter seconded the motion. A roll call vote was taken, Snyder – aye, Myette – aye, Richter – aye, Sederquest – aye and Hume – aye. The motion passed unanimously.***

##### **3) FYI, Mill Pine Village Subdivision Right-to-Know Law Request.**

Mr. Hadik shared onscreen a letter from BBG, a company located in Houston, TX, that was forwarded to him as a Right-to-Know Law request concerning the Mill Pine Village subdivision. The letter states they are "a consulting firm acting pursuant to the request of the owners of the subject facility, to conduct an

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investigation of current and historical conditions which could potentially impact the condition of this property. They want the available information at the building/fire/planning and health departments related to potential issues concerning the property, or recent violations within the past year from the date of this letter. Specifically, please conduct a search of files, as they relate to past or present concerns or violations, to include Building Code, Certificate of Occupancy, Environmental, Fire Department, Health Department, and Planning Department.”

Mr. Hadik noted he was unsure of the motivation for the request. Perhaps the request is part of the due diligence work for the refinancing or sale of the property. There was much discussion by the Board.

Mr. Hadik noted that he is not aware of any violations listed above having occurred in the last year. As far as the original Certificate of Occupancy, he believes they may be seeking the original Conditions of Approval for the subdivision (*a terminology issue*).

Mr. Snyder said a Right-to-Know request is not required to obtain this information. Mr. Hadik agreed, and said he will respond to the email address provided in the letter stating that, to the best of his knowledge, there have been no violations for the past year.

#### **4) FYI, PSNH Right-to-Know Law Request.**

Mr. Hadik shared onscreen a Right-to-Know Request Law from a resident of Derry. The individual is seeking information on “all PSNH and/or Eversource permits and/or notifications for all transmission line and/or substation work for the last 5 (?) years (2005 (?) to present.)”

Mr. Hadik noted the request is likely from an individual who believes that work done by Eversource has affected the water level in his basement. Ms. Richter questioned the relevance of the request because the property is located far into Derry and nowhere near the Derry/Chester town line.

There was some Board discussion. Mr. Hadik said the footings for the newer and taller steel transmission posts were drilled into bedrock. The holes were approximately 4’- 5’ in diameter.

Mr. Hadik noted that filling the request is going to take up some time because of the large volumes of files on the transmission line work. The Board discussed allowing the individual to come and review the files.

#### **5) ZBA variances to Wetlands Setbacks**

Mr. Hadik noted the Building Inspector is concerned about the number of variances the ZBA is granting for wetland setbacks. Mr. Hadik said he himself had concerns with one of the variances that was granted.

Mr. Snyder stated that at least two ZBA members go out and look at the property before the meetings and report on what they see. He said that most of these wetlands have low value, and are small encroachments like for a small shed. The ZBA takes these variances seriously. They ask where the water

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runoff goes. Mr. Snyder noted it is always helpful when the Conservation Commission weighs in with their concerns.

Ms. Richter indicated there is no question that the setbacks and buffers protect wetlands.

#### 7:15 - Public Hearings

**1. Site Plan Review Application of Elizabeth Buchanan & Gene Blanchard (Owners) to construct a 6,500 square foot riding arena located at 43 Hart Roberts Road in Chester (Map 2 Lot 63-1).**

*Ms. Richter motioned to open the public hearing. Mr. Hume seconded the motion. A roll call vote was taken, Sederquest – aye, Hume – aye, Snyder – aye, Myette – aye and Richter – aye. The motion passed unanimously.*

Mr. Hadik noted this hearing was being continued from two weeks ago. An initial review letter was received from DuBois & King referencing eighteen items of concern. The applicants engineer subsequently submitted a revised plan and drainage report. The second review letter from DuBois & King only referenced two concerns. One concern was about the rate of infiltration and the need for some testing.

During the perk test, ledge was encountered. As a result, the stormwater management system must be redesigned, and the drainage report must be amended. The applicant therefore submitted a request for a continuance via email to the August 12<sup>th</sup> meeting.

*Mr. Snyder motioned to continue the public hearing for Map 2 Lot 63-1 of Elizabeth Buchanan & Gene Blanchard to August 12, 2020 at 7:45 PM. Ms. Richter seconded the motion. A roll call vote was taken, Sederquest – aye, Hume – aye, Snyder – aye, Myette – aye and Richter – aye. The motion passed unanimously.*

#### 7:45 – Appointments

**Mark Fougere, Fougere Planning & Development – Discussion about the Board’s opinion regarding Workforce Housing for inclusion in a report for the NH Housing Authority.**

Mr. Fougere stated he is working on a ten-year retrospective of the status of Workforce Housing in NH, which was passed by the Legislature in 2010. The NH Housing Authority has engaged him to look at how communities are dealing with the statute. Mr. Fougere will be conducting ten case studies, including one on Chester. Mr. Fougere noted Chester is known for the Shaker Heights court case.

Mr. Fougere noted that Chester successfully adopted an Age-Friendly Subdivision ordinance, and proposed a Workforce Housing zoning amendment this past spring which did not pass.

Mr. Snyder noted the Planning Board has never been prejudiced against Workforce Housing, but struggles with how to provide it by crafting ordinances the Town would be receptive to.

Mr. Hadik noted he hopes the Board will try again this spring and do more advertising so people will understand that Workforce Housing is **not** Low-Income or Section 8 Housing. Workforce Housing has

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very generous income and price limits compared to the other two housing types. He said that Workforce Housing is housing for people like firemen, police officers, nurses etc., and middle-class folks who are starting out in their careers.

Selectman Myette stated Chester does not have a lot of business to employ people. Developers need an incentive to build workforce housing, otherwise the only solution is to force a percentage of housing to be Workforce Housing.

Mr. Fougere noted Chester's median income is \$100,000/yr. He is not sure Workforce Housing can be mandated. Mr. Hadik noted the Assistant Tax Assessor recently reported that the average sale price of homes in Chester over the last 6 months was \$467,000. The value of homes in the \$300,000 to \$450,00 category are experiencing the greatest price increases.

Mr. Hadik noted there have been no new subdivisions for around 2.5-3 years. The last approved subdivision was Crowley Woods. Most of the home building has been occurring in the subdivisions that were previously approved well before the recession.

Mr. Snyder said that education is an important component to passing new ordinances. Not having housing for workers is a big barrier to the success of business in New Hampshire.

Mr. Hadik reviewed Shaker Heights and Oak Hill I and II subdivisions. The greatest challenge is preserving the status of income-restricted units for 15-30 years. It would be easier if the units were registered at the State level, and that all real estate transactions involving these units would be vetted by the state to ensure they stay in that category. Mr. Hadik frequently gets calls from realtors who do not understand income-related deed restrictions. Mr. Snyder noted that Mr. Hadik is not required to provide a legal interpretation of the documents for them.

### Adjournment

***Ms. Richter motioned to adjourn the meeting at 8:15 PM. Mr. Snyder seconded the motion. A roll call vote was taken, Richter – aye, Snyder – aye, Sederquest – aye, Hume – aye, Myette - aye. The motion passed unanimously.***

### Future Meeting Dates

- August 12 – Anderson LLA
- August 26 –
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***(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,

Daniel Hoijer

Recording Secretary