

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester  
Planning Board Meeting  
Wednesday, August 26, 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  
Mike Weider, Member  
Elizabeth Richter, Member  
Richard Snyder, Member  
Aaron Hume, Alternate Member  
Andrew Hadik, Planning Coordinator

**Members Absent:**

Brian Sullivan, Chairman  
Selectman Chuck Myette, Liaison

**Others Present at Various Times:**

Road Agent Mike Oleson  
Chester CCTV  
Penny Williams  
Elizabeth Buchanan & Gene Blanchard  
Elizabeth LaRocca, Eversource Community Relations Representative  
Jeni Menendez, Eversource Environmental Permitting Specialist  
Matt Flanders, Eversource Siting and Construction Services  
Corinna Reishus & Bill Reishus

**Meeting Agenda**

**7:00 PM – General Business**

- 1) Review & approve minutes for the 8/12/20 PB meeting.
- 2) Discuss Road Agent's request for the release of impact fees for 3 CIP projects in 3 Town quadrants.
- 3) Review & discuss the update for the Library Impact Fee Ordinance. (*Tabled*)

**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

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

in Chester (Map 2 Lot 63-1).

### **7:30 Appointments**

- 1) Meeting with Eversource representatives regarding the gating and reseeding of access roads.
- 2) Conceptual discussion with Bill & Corinna Reishus about the submittal requirements of a site plan review application for a wine tasting facility for Triad Winery.

Vice-Chair Sederquest opened the meeting at 7:00 PM. Mr. Hadik read the meeting preamble and the members announced they were present by roll call. Alternate Aaron Hume was active for Mr. Sullivan.

### **7:00 PM – General Business**

#### **1) Review & approve minutes for the 8/12/20 PB meetings.**

*Mr. Snyder motioned to approve the August 12, 2020 minutes as written. Mr. Richter seconded the motion. A roll call vote was taken Sederquest – aye, Hume – aye, Snyder – aye, Weider – abstain, Richter – aye. The motion passed 4-0-1.*

#### **2) Discuss Road Agent's request for the release of impact fees for 3 CIP projects in 3 Town quadrants.**

Mr. Hadik advised that he had received verbal requests from Mike Oleson, the Road Agent, for the release of Highway impact fees for CIP projects in three of the Town's four quadrants. He listed the three different requests.

Quadrant B – The release of \$22,828 plus accrued interest for upgrading of culverts and the grinding and repaving of sections of Fremont Road.

Quadrant C - The release of \$5,010 plus accrued interest for upgrading of culverts and the grinding and repaving of sections of Harantis Lake Road.

Quadrant D - The release of \$44,562 for surveying, geotechnical testing, and engineering by DuBois & King in preparation for the reconstruction of Halls Village Road. Mr. Hadik noted that the road is in the CIP as a reconstruction project, and that this last request was an inquiry to see if the Board agrees that this request qualifies for the expenditure of impact fees.

Road Agent Oleson spoke about the Halls Village Road reconstruction project. He said surveying will be required to determine the limits of the ROW, and geotechnical testing where the underlying soils are in question. He also noted there are two culverts at the corner that need to be replaced with larger ones. DuBois & King will tell advise if they have to be replaced with a \$450,000 box culvert or something smaller (*two 36" culverts*). He stated that Halls Village Road is a cut-through road (*to bypass Chester Center*) and it is taking a beating.

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

The Board discussed the similarities with the North Pond Road reconstruction project, and agreed on the need for this preliminary surveying and engineering work. The Board also agreed to check with Counsel to verify that this work qualifies for the expenditure of impact fees, and to revisit this request at the next meeting.

***Ms. Richter motioned to approve release of impact fees in the amount of \$22,828 plus accrued interest for the upgrading culverts, and the grinding and repaving sections of Fremont Road, \$5,010 plus accrued interest for the upgrading culverts, and the grinding and repaving sections of Harantis Lake Road. Mr. Snyder seconded the motion. A roll call vote was taken, Weider – aye, Hume – aye, Richter – aye, Sederquest – aye and Snyder – aye. The motion passed 6-0-0.***

**3) Review & discuss the update for the Library Impact Fee Ordinance - Tabled**

### **7:15 - Public Hearings**

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

***Mr. Snyder motioned to reopen the Site Plan Application of Elizabeth Buchanan & Gene Blanchard to construct a 6,500 square foot indoor riding arena at 43 Hart Roberts Road. Ms. Richter seconded the motion. A roll call vote was taken Hume – aye, Sederquest – aye, Richter – aye, Snyder – aye and Weider – aye. The motion passed 6-0-0.***

Mr. Hadik shared onscreen the August 21, 2020 final review letter from Scott Bourcier of DuBois & King who had reviewed the updated design plan and stormwater management drainage report. Mr. Snyder noted it was a “clean” review letter.

Mr. Hadik shared onscreen the draft Conditions of Approval and reviewed them with the Board.

Mr. Hadik updated the plan revision date of August 3, 2020. He noted there are no employees or hours of operation listed, or onsite parking requirements because this is a private and not a commercial facility. He reviewed the project-specific conditions:

1. A post-construction letter shall be submitted by a licensed surveyor certifying that the infrastructure and components of the stormwater management system have been constructed in accordance with the above-referenced plan. The use of the arena shall not commence until the letter is submitted.

2. The infrastructure and components of the stormwater management system, as depicted on the above-referenced plan, shall not be altered without written consent by the Planning Board.

3. The infrastructure and components of the stormwater management system, as depicted on the above-referenced plan, shall always be maintained to be fully functioning.

4. Use of the riding arena for commercial purposes will require additional approvals and permits.

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Hadik also referenced the Zoning Board of Adjustment's conditions of approval, inspection, compliance with 155-A, and the other "boiler-plate" conditions.

Mrs. & Mr. Buchanan asked if there were a problem with the culverts (*on Halls Village Road*)? Mr. Snyder explained the Road Agent was just talking about the culverts. Mr. Hadik noted these are a pair of 24" culverts which are at capacity and are likely to be replaced with two 36" culverts. He said these culverts have nothing to do with the applicant's Site Plan.

Vice-Chair Sederquest closed the hearing to the public for deliberations at 7:26 PM.

***Mr. Snyder motioned to close the public hearing for deliberations. Ms. Richter seconded the motion. A roll call vote was taken, Weider – aye, Hume – aye, Richter – aye, Sederquest – aye and Snyder – aye. The motion passed 6-0-0.***

***Mr. Snyder motioned to approve the Site Plan Review application for Elizabeth Buchanan and Gene Blanchard for a 6,500' indoor riding arena at 43 Hart Roberts Road, Map/Lot 002-063-001, subject to the conditions as reviewed and amended tonight. Ms. Richter seconded the motion. A roll call vote was taken, Weider – abstain, Hume – aye, Richter – aye, Sederquest – aye and Snyder – aye. The motion passed 5-0-1.***

#### **7:30 – Appointments**

##### **1) Meeting with Eversource representatives regarding the gating and reseeding of access roads.**

Eversource representatives Elizabeth LaRocca (Community Relations Representative), Jeni Menendez (Environmental Permitting Specialist) and Matt Flanders (Siting and Construction Services) introduced themselves to the Board.

Ms. Menendez opened a PowerPoint presentation onscreen and Ms. LaRocca began the discussion.

Ms. LaRocca noted that no trespassing signs were purchased for posting the powerline ROWs, however, their attorney is concerned with the loss of statutory protection. Mr. Weider asked if there were case law to support this opinion.

Ms. LaRocca noted Eversource is willing to install gates to prevent illegal access by ORVs and ATVs, but they are relentless. She showed the example of a landowner who gave permission to put a gate in and (posting photo) showed where they went around the gate creating even more environmental impact.

Mr. Weider noted the Town does not have the resources to police the powerlines. He noted Eversource's access roads has created an attractive nuisance. He said people (*violators*) need more visual impact, such as signs stating violators will be prosecuted, referencing the RSAs, and the penalties, as is done around Lake Massabesic and by Tower Pond.

Ms. Richter asked about serious enforcement and surveillance cameras. Word needs to get out this is no joke and will be enforced and prosecuted. If Eversource objects to signage, then this is not

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

acceptable in the Town's point of view. Ms. LaRocca asked about the Town assisting with putting up signs about its ordinance. There was further discussion about enforcement issues.

Ms. LaRocca mentioned upcoming maintenance projects in August, October, and additional structures on Line 373 in March 2021. She mentioned the addition of lighting arrestors and fiber optic cables.

Mr. Weider noted his concern that when the project was presented, it was to replace wood poles with steel (*poles with grounding*), and now it is communication cables to enhance the whole system. The intent could have been clearer then that this was a five-year expansion. It would have been nice to know two and a half years ago. Ms. LaRocca acknowledged Mr. Weider's concern, saying that recent changes to federal regulations are driving these upgrades.

## **2. Conceptual discussion with Triad Winery regarding Site Plan Review.**

The Board had a conceptual discussion with Bill & Corinna Reishus about the submittal requirements of a site plan review application for a wine tasting facility for Triad Winery.

Mr. Hadik shared onscreen the plat by Gregsak & Sons, Inc. for Map 12 Lot 1, 413 Lane Road. He pointed out the proposed 10'x12' building for wine tasting and the proposed gravel parking area on the 2.2-acre lot. He noted a graphic scale bar will need to be added as well as the distances of the lot setbacks. Mr. Hadik also shared onscreen the architectural rendering of the building.

Mr. Snyder said he would like to hear more about the proposed use and purpose. Mrs. Reishus said the purpose would be selling wine to the public after tasting. Mrs. Reishus noted they are a federally licensed winery, as well as state approved, for wine production in their basement. The seating will be outside the small building. Five tastings will cost \$5. The customers will buy wine and then leave. The bottles cannot be opened on the premises.

Visitors can only purchase a maximum of 5 ounces for tasting per visit. Grape vines will be grown out back, but will take 3-5 years (*to mature*) before they produce grapes. Mr. Reishus noted events are not his thing, the goal is to sell (wine). Grapes are used from NH, NY, and CT. There will be agritourism tours to show the tasting building seasonally, not year-round, on the weekends, not seven days a week. The hours of operation will be on Friday afternoons, and Saturdays and Sundays, from Noon to 5:00 or 6:00 pm.

Mrs. Reishus noted she had received conditional approval as a home occupation. Mr. Hadik noted they were given a denial for commercial occupancy permit. Mr. Snyder asked why they thought they initially needed a variance?

Mrs. Reishus said the Building Inspector had an older book of statutes. In September of 2019, the RSA changed, and the Building Inspector did not have that. She said that this activity falls under agritourism. As an analogy, Mrs. Reishus explained how the Folsom Sugar House produces and sells maple syrup even though no maple sap is collected on the property.

Mr. Hadik asked if the plat that is being submitted satisfied the Board's requirements for this project. The Board agreed.

08-26-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Ms. Richter asked about the additional impervious surface coverage. Mr. Hadik noted they would still be well under the 15% coverage limit. Mr. Reishus said there were no wetlands that he was aware of, and he would not pave the parking lot. Mr. Hadik noted a stream crossing a way down the road west of the lot. He said he did not think this project needed engineering review by DuBois & King. Mr. Hadik noted the case of Kerry's Dance Center which had more impervious surface (22%+) and did not require engineering review. The Board agreed.

#### **Solar Facility**

Mr. Hadik noted a consultant had called asking about the feasibility of building a 25-acre solar facility. Mr. Hadik had advised that a commercial facility might be feasible, however, obtaining relief from the ZBA would likely be required.

Mr. Hadik said they discussed certain issues and objections to such a facility. He said that he had learned 2 interesting facts; that the solar panels would be on monopoles so that the panels could move throughout the day to follow the arc of the sun, and that the panels now have a dark matte finish to minimize the amount of reflected sunlight.

#### **Next meeting:**

Mr. Hadik advised that Chairman Sullivan would like to have the next PB meeting at the Town's Municipal Offices either next week or the week after.

#### **Adjournment**

***Ms. Richter motioned to adjourn the meeting at 8:42 PM. Mr. Snyder seconded the motion. A roll call vote was taken Richter – aye, Snyder – aye, Sederquest – aye, Hume – aye, Weider - aye. The motion passed unanimously 5-0-0.***

#### **Future Meeting Dates**

- September 2–
- September 9 –
- September 23 –

***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