

These minutes are subject to possible revisions/corrections during their review at a subsequent Planning Board Meeting

**Town of Chester
Planning Board Meeting
Wednesday, August 10, 2016
Municipal Complex
Approved Minutes**

Members Present

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Cass Buckley, Ex-Officio Member

Members Absent:

Richard Snyder, Member
Michael Weider, Member

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Eric Mitchell, Engineer
David Webster, Raymond Road
Christine Szostak, 61 Wason Road
Tom & Leslie Edwards, 51 Wason Road
Patty Murray (Nason,) 18 Wason Road
Dave Mansur, 9 Wason Road
Aaron Mansur, Halls Village Road

Chairman Sullivan called the meeting to order at 7:07 pm.

Agenda

- Review & Sign Invoices
- Review and approve minutes for 7/13/16
- Review draft of updated Recreation Impact Fee
- FYI – new 7-lot Lane Road subdivision
- FYI - Dion M&L 2-49 (Town Farm & Halls Village Road) 3-lot subdivision application
- FYI – Cedar View Estates engineering review contract renewal with DuBois & King
- Subdivision of Regional Impact – Kasher Corp – 25 duplexes (50 units) – Wells Village Road, Sandown

Public Hearings

- Subdivision application by JMJ Properties, LLC (Applicants,) 130A Rockingham Road, Londonderry, NH 03053, for a 4-Lot Subdivision of Map 9, Lot 46 on Wason Road.

- Subdivision application by JMJ Properties, LLC (Applicants,) 130A Rockingham Road, Londonderry, NH 03053, for a 4-Lot Subdivision of Map 9, Lot 47 on Wason Road & Route 102.
- Application by Michael Babin (Applicant,) 241 Sandown Road, Chester NH 03036 for a 4-Lot Subdivision of Map 5, Lot 111 on Old Sandown Road and Route 121-A.

Future Meeting Dates:

- August 24, 2016
- September 7, 2016 – Public hearing for Dion Subdivision
- September 14, 2016
- September 28, 2016

Review and approve minutes for 7/13/16.

The Board reviewed the meeting minutes from 7/13/16. Mr. Sullivan made a motion to accept the July 13, 2016 minutes as presented; Ms. Richter seconded the motion. Motion approved, 4-1 abstain.

Status report on draft of updated Recreation Impact Fee

Mr. Hadik informed the Board he hadn't yet reviewed the draft of the Recreation impact fee in detail because the draft had arrived at end of the afternoon. He had reviewed the impact fee table, however, and advised the impact fee is decreasing slightly, which was expected because there were no longer any Recreation bonds, and the big ball field at Wason Pond had been built. According to Mr. Hadik, once adopted, the fee would decrease from \$1,429 to \$1,387. Mr. Sullivan asked about the alternate 25% fee reduction table in the draft, and Mr. Hadik explained that the Planning Board always adopted the 100% fee tables for all impact fees. Mr. Hadik noted the same 2010 letter listing potential projects was included in this draft of the Recreation impact fee. He believed that since the Recreation CIP has recently been updated, that the letter could be replaced with a more recent list of potential future projects.

New Lane Road Subdivision

Mr. Hadik informed the Board that he has received an inquiry regarding another proposed 7-lot open space subdivision on Lane Road.

Dion M&L 2-49 (Town Farm & Halls Village Road) 3-lot subdivision application

Mr. Hadik said that a number of abutters have contacted the office with several concerns about this proposed subdivision. He displayed a map with the wetlands colored in blue. One house is already under construction. The other two proposed lots are 5-6 acre lots, which are significant sized building lots. Mr. Hadik stated that this is not an approved subdivision yet. One wetlands crossing culvert has been located by the surveyor. It doesn't have a current use permit (CUP) on file with the State. DES approval will have to be obtained for this and one other wetlands crossing. A public hearing is scheduled for Sept. 7, 2016.

Ms. Richter advised she would not be available for the September 14th meeting.

Cedar View Estates (Route 102)

Mr. Hadik advised the Board the engineering review contract for Cedar View Estates has been renewed with DuBois & King. He expects this long dormant subdivision to become active shortly and start construction.

Subdivision of Regional Impact – Kasher Corp 25 duplexes (50 units) – Wells Village Road, Sandown

Mr. Hadik advised the Board that the Sandown Planning Board recently approved a 25 duplex (50-unit) subdivision on Wells Village Road. He believes this is a subdivision of regional impact, with the traffic impacting Wells Village Road and the intersection in the center of Town. Mr. Hadik reported that notices for this subdivision were being mailed to the BOS office, however, no copies were forwarded to the Planning Board. He said he had requested the Board receive copies of all such notices in future. He also advised that the Registry of Deeds would be requiring the Chester Planning Board to sign off on the plan because the property abutted the Town line.

Interstate Route 93 - Exit 4-A

Mr. Hadik received a phone call August 10th from a principal environmental planner with the Louis Berger Group, collecting information on the Exit 4-A proposal. The State is receiving funding to start the Exit 4-A project which will be north of Exit 4. The most likely location proposal (one of eight) is it will be located north of Ash Street, tying into Route 102 at Tsienneto Road. Mr. Hadik was interviewed on how he expected the project would affect Chester, and gave his opinion it will impact Chester by increasing traffic, growth and development pressures.

Conceptual Discussion: Crowley Woods 63-lot Subdivision

Mr. Eric Mitchell was present to come before the Board as the representative for Reggie Morrow, the developer (DAR Builders.) Maps were distributed to the Board for review. Mr. Mitchell mentioned to the Board that the lots are sized at least 1 acre, roads are proposed to be built with Cape Cod curbing with an adjustment to the original plan by moving the road to avoid wetlands, which has resulted in losing a couple lots in the process. Mr. Mitchell wanted to reaffirm that the Board okay with the general design. The Board reviewed the conceptual plan. There will be 63 single family units and approximately 98 acres of open space. There is the application a 10% unit density bonus for allowing public access to the open space. Mr. Buckley questioned the lot frontages – all should have 150+ feet. Mr. Mitchell replied that according to the revisions to the ordinance, if frontages are less than 150 feet, there had to be curbing along the road with a closed drainage system. Mr. Hadik didn't recall that the Board made their mind up about the curbing choice, however, Ms. Richter commented she had reviewed the Cape Cod curbing in the Premier Estates Subdivision, and in her opinion it seems to be holding up well, and still looks in good condition.

Chairman Sullivan asked if the public that had any questions, there were none from the public and no further from the Board.

Public Hearings:

1. Subdivision application by JMJ Properties, LLC (Applicants,) 130A Rockingham Road, Londonderry, NH 03053, for a 4-Lot Subdivision of Map 9, Lot 46 on Wason Road.

2. Subdivision application by JMJ Properties, LLC (Applicants,) 130A Rockingham Road, Londonderry, NH 03053, for a 4-Lot Subdivision of Map 9, Lot 47 on Wason Road & Route 102.

The Board discussed whether to review these subdivisions as separate hearings or combine them because of their proximity and interconnection from the standpoint of drainage issues, and also public comments and concerns. The Board agreed to discuss them simultaneously. The Board reviewed the subdivision applications for lots 9-46 and 9-47. Mr. Hadik opined they were complete enough for acceptance.

Ms. Richter motioned to accept the applications and open the public hearings; Mr. Buckley seconded the motion at 7:46 p.m. Motion approved, 5-0-0.

Mr. Eric Mitchell presented for JEMCO. There are two applications, Lot 9-46 which is 24 acres to be subdivided into 4 lots, and Lot 9-47 which is 14 acres, with an existing house to be razed and also subdivided into 4 lots.

Lot 9-46 is a vacant lot proposed to be subdivided into 4 lots. One proposed lot is over 2 acres, two are 5+ acres and one is almost 12 acres. FYI subdivision lots over 5 acres do not require State approval. There are no wetland impacts proposed with the project. Mr. Mitchell said there are no sight-line issues, and no improvements to Wason Road are required. Topography along Wason Road is relatively flat, however, Lot 9-46-000 slopes upwards at the back (west.) Plans were distributed for review per Mr. Buckley's request.

The Board reviewed sheet #4. There are concerns with abutters concerning drainage, Mr. Mitchell explained that there are two culverts, the runoff for all lots have been modeled, some of which will have infiltration basins, and would result in no net increase in runoff. Chairman Sullivan commented that Jeff made comments that did not seem positive about the drainage report, and there are still unresolved questions. Also there are plan edits which have not yet been reviewed or approved by Jeff. The Board will need to schedule a continuation concerning the drainage report questions. It was mentioned that Jeff said to expect letters concerning these issues by next week. Mr. Mitchell said that they are dealing with drainage report questions, however, there are infiltration basins designed to mitigate the runoff.

Mr. Mitchell said that one issue is the property across street with an 18-inch culvert on the development side of the road which goes across the street, however, they cannot find the outlet. It was noted that there have been some extreme washouts on this property which were documented by the owners. Mr. Mitchell surmised that the culvert may have been installed by the Town and fully functional at one point

169 in time, but someone must have blocked it, and tied in some sort of personal drainage system on their
170 lot. Some pictures show cisterns – wooden box covers that are overflowing with water during a big
171 rainstorm, and smaller, buried drainage pipes. Mr. Mitchell does not believe the culvert has been totally
172 blocked, however, whatever system that is tied into the culvert outlet could be restricting the flow rate
173 of the culvert.

174
175 There was discussion about the infiltration basins proposed on some of the lots. These are designed to
176 mitigate the increase in runoff by the development of the lots. With the soils in this location the
177 infiltration systems are designed to work, however, it was agreed they must be properly maintained.

178
179 Chairman Sullivan requested to look at Lot 9-47 and then move on to public comments. There were no
180 waivers requested for either Lot 9-46 or Lot 9-47 subdivisions, however, there is a question on the scale
181 of the plan sets. Mr. Hadik said he was fine with the scale on the plans presented, and it was agreed the
182 Board would accept a written waiver request for the scale issue.

183
184 Lot 9-47 is across the street with frontage on Raymond Road and Wason Road. Two of the lots have
185 frontage on Route 102. There is an existing house that will be demolished. The plan will use the existing
186 driveway for the first lot. There is an old U-shaped driveway paved and permitted for a former farm
187 produce stand. The second entrance would be used for the other lot. Due to the change of use, JEMCO
188 has filed for permits with DOT, however, there does not seem to be any issue. State subdivision
189 approval has been granted for the lots with no issues or concerns. Off Wason Road, the driveways into
190 lots are going downhill.

191
192 Mr. Hadik brought up an issue about the second stream channel shown on the plan. Mr. George Noyes,
193 who grew up on the property, had told Mr. Hadik he and his father had relocated the course of the
194 brook back in the 1930's to bring water closer to their homestead by hand digging a new channel, and
195 even a swimming hole. Mr. Hadik brought this up because there may be an issue with one of the lot
196 lines of Lot 9-47-101, because the deed might be referencing the old stream channel location, however,
197 the new channel is the one that was surveyed. Mr. Mitchell agreed that his surveyors had wondered
198 about this, and opined the property owner would likely be amenable to correcting the lot line back to
199 the original stream channel.

200
201 Chairman Sullivan asked for any Public comment. Mr. David Webster, who is owner of the abutting lot
202 (9-50) in question, commented that when he purchased the property it was a 2.1 acre lot. After the re-
203 survey was done, the size was cut by about an acre, and they now would like to reclaim their original
204 acre. He asked if there could be a lot line agreement. Chairman Sullivan replied that someone would
205 need to have something new recorded. Mr. Mitchell replied that this could be put in writing in the
206 recorded plan, indicating the revised lot line. Mr. Webster was satisfied with this arrangement, and
207 would speak with his surveyor.

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Ms. Christine Szostak of 61 Wason Road came before the Board. She stated she is an abutter of the proposed development and is concerned about drainage and storm water runoff. She said that there was quite an extensive timber harvest last fall on Lot 46. On her property there is a perennial stream, which can become a raging river. Her concern is that they don't want anything to change. She has been in Chester 18 years, and she mentioned the culvert (different from the one previously discussed) draining onto her property has worked well and the only time the flow overtopped the road was once when it became clogged. Ms. Szostak worries about her leach field, basement, garage and overall property and does not want any negative impact due to this development, as it is wet already. Ms. Szostak wants every safeguard in place to ensure that her home will remain dry. Mr. Hadik informed the Board that Ms. Szostak requested to see the proposed plan, and forwarded Jeff Adler her concerns as well as the information about the timber cut because of the potential runoff issues. Mr. Hadik provided drafts of the proposed conditions of approval for the Lot 46 and Lot 47 subdivisions, stating they include special conditions to ensure maintenance of the infiltration basins. There were also special conditions for any potential wetland crossings.

Mr. Tom Edwards, 51 Wason Road came before the Board. He questioned Mr. Mitchell as to why there was no infiltration basin being built on lot 9-46-000. Mr. Mitchell said he would investigate this. Mr. Edwards commented that his property depends on the water flow thru the 18" culvert, as it all goes into his cisterns, cow shed, yard and his retention pond. Mr. Edwards has done additional culvert work in his own yard, putting in a 12-inch pipe to first cistern, then 10 inch pipe, and continues to divert the water. His concern is any additional water may impact what he has done already. He does not want the flow to his property either to increase or decrease. Considering there has not been much rain this season, they do not know what the impact will be with the existing timber cut and the new proposed development. Mr. Buckley stated that the Engineer will make sure homes will not be hit with more water, however Mr. Edwards is also concerned about his well water level and negative impact. Mr. Buckley feels the infiltration ponds will mitigate the extra runoff, and said that there is a requirement that the infiltration ponds be maintained by the landowners, which will be written in to their deeds.

Ms. Patty Murray (Nason) of 18 Wason Road, came before the Board. She mentioned that she is an abutter on the north side of the Lot 9-47 development. Ms. Murray questioned how far off from the stone wall (property line) the house would be built and was told that there is a 25 foot side set back on either side of the lot. She also wanted to know if there was going to be any type of buffer. Mr. Mitchell said the plan indicates that the house should be centered on the property, however, there is no guarantee it would be located there. Ms. Murray stated she had a concern with a potential traffic increase on Wason Road. Presently, there are three homes on the road, which converts from tar to dirt. With additional traffic, she is concerned with the additional dust kicked up and wanted to know if there were plans for paving. It was noted that other Town residents use this road as a shortcut and drive by at high rate of speed. Ms. Murray was advised that it is up to the Road Agent whether the road will be paved. It was suggested that if this is a concern, then the homeowners have the right to petition the Town by writing a request for action to the Road Agent, however this is not an issue for the builder, and would only be applicable if it were a large subdivision off of an established road. Mr. Mitchell

commented that the driveways will probably be paved, and possibly the additional driveways and mailboxes would have a calming effect on the traffic speed on that road. A traffic impact study was not done, and the Board did not feel one would be done for this size subdivision.

Ms. Leslie Edwards of 51 Wason Road came before the Board. She is concerned about their well, and the runoff. Ms. Edwards also wanted to know if any special considerations were being taken for the conservation land and Mrs. Church's property, which is a hay field. She was informed that there were no proposed improvements that would potentially impact this area. Ms. Murray asked when the proposed building would begin, and was told possibly this fall, but not all would be done at the same time.

Mr. Dave Mansur of 9 Wason Road came before the Board. Mr. Mansur is concerned about the buffer zone (on lot 9-47-000) which abuts his lot (lot 9-48.) He emphasized the importance of trees to remain along the perimeter to shield his view from the new house. Mr. Mitchell replied that the plan is to build 50-75 feet off the property line.

There was no other Public comment.

There were no other questions from the Board. Mr. Buckley motioned to continue the two public hearings until August 24th 2016; Ms. Richter seconded the motion. Motion approved, 5-0-0. The Public hearing was closed at 8:30 p.m.

3. Application by Michael Babin (Applicant) 241 Sandown Road, Chester NH 03036 for a 4-Lot Subdivision of Map 5, Lot 111 on Old Sandown Road and Route 121-A

Mr. Buckley motioned to accept application for 241 Sandown Road, LOT 5 – Ms. Richter seconded the motion. Approved, 5-0-0.

Mr. Mitchell distributed plans for the Board to review. Mr. Mitchell said the previous subdivision cut out the existing house lot. The application proposes four lots, all being 5+ acres in size. Two will be on Route 121-A / Sandown Road, and the other two lots will be on Old Sandown Road. There is adequate site distance for all driveways. NH DOT approvals driveway have already been obtained for the lots on Route 121-A / Sandown Road.

Mr. Mitchell said that no second review letter was received from Jeff yet, so there were no comments to address. If a continuation is needed, Mr. Mitchell will be happy to answer questions. In all three subdivisions, Jeff changed notes due to a typo in comment #2 and some drainage report questions are still not resolved. Ms. Richter asked if, due to the wetlands, if this subdivision has as much of a drainage issue as the other two subdivisions? Mr. Mitchell replied that a significant portion of the property has been used for agriculture, mostly for pasture. Mr. Hadik noted a surprising number of hayfields in Town qualify as Class B wetlands.

291

292 Mr. Hadik asked if there were any mitigation requirements, such as infiltration basins on the lots. Mr.
293 Mitchell replied no, not unless Jeff decides there needs to be some. Mr. Hadik mentioned a concern the
294 upstream runoff impact expected from Pipit Estates would adversely impact this subdivision, especially
295 along Route 121-A. Mr. Mitchell explained that in a big storm event, by the time the runoff from Pipit
296 Estates reaches the property, the runoff from this property will have already passed on. The extensive
297 wetlands on the property would have the capacity to handle the runoff from Pipit Estates.

298

299 Chairman Sullivan asked if there was Public comment, there was none.

300

301 Chairman Sullivan requested a motion to continue Michael Babin's subdivision for August 24th, Ms.
302 Richter seconded the motion, Motion approved, 5-0-0.

303

304 **Adjournment**

305

306 Ms. Richter made a motion to adjourn the meeting. Mr. Buckley seconded the motion. Motion
307 approved, 5-0-0. Meeting adjourned at 9:00.

308

309 Respectfully Submitted,

310

311 Michele Perrault

312 Recording Secretary