

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

**Town of Chester
Planning Board Meeting
Wednesday, October 5, 2016
Municipal Complex
Approved Minutes**

Members Present

Brian Sullivan, Chairman (arrived at 7:30 pm)
Evan Sederquest, Vice Chairman
Cass Buckley, Ex-Officio
Elizabeth Richter, Member
Richard Snyder, Member
Michael Weider, Member (arrived at 8:20 pm)

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Aaron Hume
Devin McCartney
Christina Snyder
Victor Snyder

Vice Chairman Evan Sederquest called the meeting to order at 7:11 pm.

Agenda

- Review & Sign Invoices
- Review and approve minutes for 9/28/16
- FYI Mill Pine Village Letter of Credit (LOC) for the construction of Phase II-B – a portion of Black Duck Drive.
- FYI Pipit Estates has been able to renew their Alteration of Terrain (AOT) permit.
- FYI Southwoods is having issues renewing their Alteration of Terrain (AOT) permit.
- Michelle Stein – Confirm proposed amendment process of the Site Plan for Bittersweet Blessings.
- Cedar View Estates – review originally approved & redlined plans, meeting minutes, Addendum II
- GBN Farms – Confirm proposed amendment process of the Site Plan for GBN Farms composting facility.
- Discuss Board representative to Great Bay Buffer Project meeting on 10/16/16.
- Appointments – None scheduled.
- Public Hearings:

- Continuation of the public hearing for the subdivision application by Dion Construction, LLC (Applicants,) 802 Amherst Street, Manchester, NH 03104, for a 3-Lot Subdivision of Map 2, Lot 49 on Town Farm Road.
- Home Business Application of Devin J. McCartney (Applicant) to operate an in-home firearm sales business located at 186 Harantis Lake Road (Joanne & Richard McCartney, owners – Map 1 Lot 48-1.)

- Future Meeting Dates:

- October 12, 2016
- October 26, 2016 – PH Government Building & Traffic impact fees

Review and approve minutes for 9/28/16

The Board reviewed the minutes from 9/28/16. Mr. Snyder made a motion to accept the minutes dated 9/28/16 as reviewed; Ms. Richter seconded the motion. Motion approved 3-0-1, Mr. Buckley abstained.

Mr. Snyder asked that the current minutes elaborate on what Mr. Jack Munn, SNHCP, said at the 9/28/16 meeting during the Traffic Impact Fee discussion regarding the Transportation Assistance to Communities covering the cost of any extra billings to the Town to fix the Traffic Impact Fee. Mr. Hadik noted that he had a follow-up telephone conversation with Mr. Munn. He said that Mr. Munn did again state and confirm that any extra costs to amend the Traffic Impact Fee for the Town of Chester would come from the Transportation Assistance to Communities line item under providing technical assistance to towns.

Mill Pine Village - Letter of Credit (LOC) for the construction of Phase II-B

Mr. Hadik updated the Board regarding Mill Pine Village. He noted that they are moving into constructing Phase II-B, a section of Black Duck Drive. Mr. Hadik provided the Board with copies of the Black Duck Drive plat. He noted this is a small phase of the many phases of Mill Pine Village.

Mr. Hadik said they had received a new letter of credit (LOC) for this phase. The LOC has been reviewed and approved by Attorney Jennifer St. Hilaire. The plan Mylar is ready for the Chairman's signature so it can be recorded.

FYI Pipit Estates has been able to renew their Alteration of Terrain (AOT) permit.

Mr. Hadik updated the Board on Pipit Estates providing copies of the letter from the Department of Environmental Services (DES). He noted that the letter states that Pipit Estates has received their AOT (Alteration of Terrain) permit from DES. Mr. Hadik said that he expects the developer to return to the Planning Board with new plans, to begin the standard application and review process.

FYI Southwoods is having issues renewing their Alteration of Terrain (AOT) permit.

Mr. Hadik advised the Board that the Southwoods Subdivision Alteration of Terrain (AOT) permit has expired. He provided copies of a letter from the DES that listed all the conditions that needed to be met before the subdivision would receive their AOT permit renewal. The Board commented that the letter indicated a long list of items to address.

Michelle Stein - Amending the Site Plan for Bittersweet Blessings.

Mr. Hadik informed the Board of the request by Ms. Michelle Stein to amend the Site Plan for Bittersweet Blessings. Ms. Stein would like to remodel the first floor of 2,200 square foot barn into a residence. He said that the most recent ZBA Notice of Decision requires Ms. Stein to come before the Planning Board for Site Plan Review to remove the condition set by the Board of “no residence” within the commercial building. Mr. Hadik wanted to confirm with the Board that to modify the Site Plan, the process would be the same as is historically followed: an application, newspaper and abutter notification, and a Public Hearing. The Board confirmed this would be the process.

Board representatives to Great Bay Buffer Project meeting on 10/16/16

Mr. Hadik introduced Mr. Aaron Hume to the Board. Mr. Hume came before the Board to present himself. Mr. Hume said he is a graduate of University of Massachusetts, Amherst with a degree in Natural Resource Conservation with a focus in Water Resources. He is currently doing some trails mapping for the Chester Conservation Commission. Mr. Hadik pointed out that he is tailor-made to be the Chester Representative to the Great Bay Buffer Project meeting on 10/16/16. Mr. Hadik noted that Mr. Hume may be interested in becoming an alternate to the Planning Board at some point.

GBN Farms – Amendment of Site Plan.

Mr. Hadik noted he had received an email from Surveyor Kevin Hatch representing GBN Farms, stating that they had their amended plan drawn up for Site Plan Review and wanted to be put on the Planning Board’s agenda. He said that both Mr. Adler and Mr. Chuck Myette had expressed to Mr. Hadik that GBN Farms’ amendment of the Site Plan needs to go through the standard review process. Mr. Hadik wanted to confirm with the Board that to modify the Site Plan, the process would also be the same as is historically followed: an application, review by Jeff Adler, newspaper and abutter notification, and a Public Hearing. The Board confirmed this would be the process.

FYI: New Hampshire Employment Security

Mr. Hadik noted he had received a Thank You letter from the New Hampshire Employment Security for his assistance in providing the data to update the 2016 edition of New Hampshire Community Profiles. He said he had added the information about the Town, the “factoids” on the Board’s website.

Cedar View Estates – review originally approved & redlined plans, meeting minutes, Addendum II

Mr. Hadik distributed the current set of plans the Board has available for Cedar View Estates, approved by the Board in 2008, along with the single sheet “red-lined” plan from 2014. He noted that he had been told erroneously that there were two new plan sheets. He said it turned out that one sheet was just a black & white copy of the red-lined sheet, and the other was just the last page of the plan set already on file, therefore the Board did currently have all the available plans on file in the Office.

Mr. Hadik also distributed copies of various minutes recorded at various meetings. These included: minutes dated December 3, 2008, line 97 – line 144, minutes dated January 14, 2015, lines 1 – 96, minutes dated March 25, 2015, lines 97 – 144, and the copy of Addendum II to the Conditions of Approval, dated March 25, 2015.

The Board reviewed the plans and the minutes they had received.

Mr. Snyder noted that although the changes do not look drastic and are of limited scope, trying to read the red-lined plan changes is confusing. He said they need to combine these changes into the 2008 set of plans. Ms. Richter agreed stating that they needed to make one complete set of plans. Mr. Buckley also agreed saying that realigning the plans now will prevent mistakes being made down the road that are then blamed on the plans. Mr. Snyder noted that now is the time to have one engineer review the plans and create one plan to make sure it is done right. He said that they should be required to incorporate all these plans. Chairman Sullivan agreed saying that it was reasonable to request that at the next inspection point the plans are incorporated into one set of new plans.

The Board agreed to require the builder to incorporate all the current revisions into one new full and complete set of Site Plans. Mr. Hadik requested Chairman Sullivan to contact Mr. Adler regarding the discussion about this requirement.

Public Hearings

Ms. Richter made a motion to open the Public Hearing on the Continuation of the Public hearing for the subdivision application by Dion Construction, LLC (Applicants,) 802 Amherst Street, Manchester, NH 03104, for a 3-Lot Subdivision of Map 2, Lot 49 on Town Farm Road; Mr. Sederquest seconded the motion. Motion approved, 5-0-0. The Public Hearing opened at 8:00 pm.

Continuation of the Public hearing for the subdivision application by Dion Construction, LLC (Applicants,) 802 Amherst Street, Manchester, NH 03104, for a 3-Lot Subdivision of Map 2, Lot 49 on Town Farm Road.

Mr. Hadik noted the applicant has emailed another request for another continuance. They are still waiting on approval of their NH DES Dredge & Fill permit, and the final review letter from Jeff Adler.

Mr. Snyder made a motion to continue the Public hearing for the subdivision application by Dion Construction, LLC (Applicants,) 802 Amherst Street, Manchester, NH 03104, for a 3-Lot Subdivision of Map 2, Lot 49 on Town Farm Road to October 12, 2016; Mr. Buckley seconded the motion. Motion approved 5-0-0.

Home Business Application of Devin J. McCartney (Applicant) to operate an in-home firearm sales business located at 186 Harantis Lake Road (Joanne & Richard McCartney, owners – Map 1 Lot 48-1.)

The Board reviewed the application of Devin J. McCartney (Applicant) to operate an in-home firearm sales business located at 186 Harantis Lake Road (Joanne & Richard McCartney, owners – Map 1 Lot 48-1.)

Mr. Buckley made a motion to accept the application and to open the Public hearing for the Home Business Application of Devin J. McCartney (Applicant) to operate an in-home firearm sales business located at 186 Harantis Lake Road (Joanne & Richard McCartney, owners – Map 1 Lot 48-1); Ms. Richter seconded the motion. Motion approved 4-0-1, Mr. Snyder abstained.

The Public Hearing was opened at 8:05 pm.

Mr. Devin McCartney joined the Board at the meeting table at this time.

Mr. McCartney explained to the Board that he plans to get his Federal Firearms License (FFL) to buy and sell firearms from his home. He said he plans to do most of the selling via the internet and does not intend to have much inventory at his home, but he needs a physical address for the FFL application. Mr. Buckley asked if he planned to keep inventory anywhere else. Mr. McCartney said that he would not have much inventory at his house and would not keep inventory anywhere else. Mr. Hadik explained to Mr. McCartney that if in the future he wants to make any changes to the application he would have to go through the application and abutter notification process again. When Mr. McCartney was asked by Chairman Sullivan if he planned to put a sign out front, he responded that he probably would not do this.

Mr. Hadik read the draft Conditions of Approval, with the Board commenting, as follows:

Condition 1. Visibility: There shall be no externally visible evidence of the business including any signage. The Board discussed the option of a sign. Mr. McCartney said he had no problem with this condition of no signage.

Condition 2. Noise Abatement: There shall be no discharge or test-firing of firearms by customers on the property.

Condition 3. Security: a. The business premises must be protected by a constantly monitored alarm system. The Board had much discussion on the security system. Mr. Buckley stated that he felt this needed to be clear what is expected of Mr. McCartney. They had questions if the system should have

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

video monitoring and include the whole house. The Board agreed that the system would be a standard security system. They reworded 3. a to read: a. The location of the stored firearms and ammunition must be protected by a constantly monitored commercial alarm system. Line 3b. was amended to read: All firearms registered to the business or for sale by the business must be stored in a locked security vault when not being viewed by customers or being repaired.

Condition 4. Licensing: A copy of the Federal Firearms License (FFL) must be on file with the Police Department remained as drafted.

Condition 5. Maximum Number of Employees: No Non-Family remained as drafted.

Condition 6. Hours of Operation: were set as 7:00 am to 9:00 pm.

Condition 7. Compliance: was changed to add "compliant to Federal law."

Condition 8. Terms: remained as drafted.

Mr. Victor Snyder, 181 Harantis Lake Road, came before the Board to express his concerns regarding the McCartney home business application. He said he is concerned about the increase in noise from the discharge of firearms on the property. He noted that it can be very hard to enforce who may actually be discharging firearms. The Board said they cannot enforce a blanket "no firearms discharge," because legally Mr. McCartney has the right to discharge firearms on his own property. When asked what he thought, Mr. McCartney stated that he didn't want strangers discharging firearms on his property. Mr. Victor Snyder thanked the Board and returned to his seat.

Ms. Christina Snyder, 181 Harantis Lake Road, came before the Board to express her concerns. She noted that if there were a sign to be advertising a firearm business that this could threaten the safety of the homes on the road. She noted that the homes are set far back and far apart on a very rural road. She also said that advertising the business with a sign would increase traffic on a road that is in a state of disrepair. She mentioned that she is grateful that Mr. McCartney doesn't want strangers shooting on his property. Ms. Snyder stated she does want to see extra security and no signage. Mr. Hadik responded to her concern with reading the first condition of no signage, except possibly for a home security monitoring sign, and noting the securing of firearms and ammunition requirement in the conditions of approval.

Ms. Richter made a motion to close the Public Hearing; Mr. Sederquest seconded the motion. Motion approved, 4-0-1, Mr. Snyder abstained.

The Board deliberated upon the application. Ms. Richter noted she does think security is important and that no signage is important.

Mr. Buckley made a motion to approve the Home Business Application of Devin J. McCartney (Applicant) to operate an in-home firearm sales business located at 186 Harantis Lake Road (Joanne & Richard McCartney, owners – Map 1 Lot 48-1,) as amended; Mr. Sederquest seconded the motion. Motion approved 4-0-1, Mr. Snyder abstained.

247 **Other**

248

249 Mr. Hadik noted he is going to invite the Cedar View Estates representatives to the next meeting.

250

251 Mr. Hadik noted that the ease of the Public's direct physical accessibility to the Town Hall employees is
252 of concern to the State of New Hampshire Department of Labor. He noted the Board of Selectmen are
253 reviewing numerous options to mitigate this concern.

254

255 The Board and Mr. Hadik discussed the best way to meet and discuss the CIP information with the other
256 relevant Boards in Town, including the Budget Committee and the Board of Selectman. They agreed that
257 there would be more than one review night with everyone invited to both nights. The Board discussed
258 using one night of the BOS meeting. They discussed the best methodology to use to score and evaluate
259 the CIP projects. Mr. Hadik noted this process will be taking place every year now, and going forward
260 the process should become smoother for everyone.

261

262 **Adjournment**

263

264 Ms. Richter made a motion to adjourn the meeting; Mr. Weider seconded the motion. Motion
265 approved, 6-0-0. The Meeting was adjourned at 9:01 pm.

266

267 Respectfully submitted,

268

269 C. Molly Qualters

270 Recording Secretary