

12-21-16 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Town of Chester
Planning Board Meeting
Wednesday, December 21, 2016
Municipal Complex
Meeting Minutes *(Approved 1/11/17)*

Members Present

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Michael Weider, Member
Cass Buckley, Ex-Officio (arrived at 8:35 pm)
Aaron Hume, Alternate Member

Members Absent

Richard Snyder, Member

Staff Present:

Andrew Hadik, Planning Coordinator

Chairman Sullivan called the meeting to order at 7:15 pm.

Agenda

General Business

- Review & sign invoices.
- Review & approve minutes for 12/7/16.
- Review draft of the updated Capital Improvements Plan (CIP.)
- Review email & discuss reformatted Potter site plan conditional approval.
- Discuss & vote to schedule a Public hearing on January 11, 2017 to adopt the updated CIP.
- Review final draft of the Planning Board's annual budget & budget narrative.
- Discussion of Planner line budget increase in anticipation of grant funding qualification.
- Update on ZBA meeting re: Bittersweet Blessings 2015 variance
- Update on ZBA meeting re: G.B.N. Properties composting facility notice of decision clarification.
- Update on ZBA meeting re: ZBA recommendation for PB courtesy notice to Hemlock Estates abutters that the subdivision is commencing construction 10 years after initial approval.

7:15 Appointments

None scheduled.

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7:45 Future Meeting Dates:

- January 4, 2017 – meeting cancelled
- January 11, 2017 – GBN Composting Facility SPR, CIP Update PH
- January 25, 2017 –
- January 26, 2017 – PB Annual Budget Review with BOS

Chairman Sullivan stated that Mr. Hume is the alternate at this meeting for Mr. Snyder.

Review and approve minutes for 12/7/16

The Board reviewed the minutes from 12/7/16. Vice Chairman Sederquest made a motion to approve the minutes dated 12/7/16 as presented; Ms. Richter seconded the motion. Motion approved, 4-0-1. Mr. Weider abstained from the vote.

Review draft of the updated Capital Improvements Plan (CIP.)

Mr. Hadik distributed the updated Capital Improvements Plan to the Board members. He and the Board reviewed the updated CIP in detail. They had much discussion about the individual departments, as well as, the responsibilities of the Planning Board as it relates to the CIP, impact fees, and the individual department items on the CIP. Ms. Richter noted that all the Department Heads made defensible arguments for their projects. She stated that the Planning Board did their job, now the Selectmen and Budget committee, and then the Townspeople need to decide which CIP projects they wish to fund.

After much discussion about the CIP and Impact fees, Mr. Hadik reminded the Board that the CIP is only a non-binding planning tool. It does not mandate spending, but helps list and prioritize projects to help with Town budgeting. By having a CIP the Town can also collect impact fees.

Ms. Richter made a motion to take the updated CIP to a Public Hearing for adoption on February 11, 2017; Vice Chairman Sederquest seconded the motion. Motion approved, 5-0-0.

Mr. Weider made a motion to remove the previous motion and to take the updated CIP to a Public Hearing for adoption on January 11, 2017; Chairman Sederquest seconded the motion. Motion approved, 5-0-0.

Review email & discuss reformatted Potter site plan conditional approval.

Mr. Hadik discussed advice regarding the “Lori Potter Conditional Site Approval,” providing a reformatted Conditional Site Plan Approval (12/5/16,) and the original Conditional Site Plan Approval (7/13/16.) He explained that the ZBA has requested the original conditional approval be reformatted. The reason being

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the original approval format is too similar to home business permit, and also uses the word “permit” in several places. Mr. Hadik noted that there were no substantive changes to the reformatted conditional approval as confirmed by the Board’s attorney. The reformatted approval can be substituted for the original approval by a simple vote by the Board at the next regular meeting.

Review final draft of the Planning Board’s annual budget & budget narrative.

Mr. Hadik said that he has to submit the expense budget by the end of the week. He pointed out that although he had had a flat budget the last time the budget was reviewed with the Board, some minor changes had to be made since then. Mr. Hadik said he moved the \$125 APC back-up/surge protector cost from the Planning Board’s office equipment line to the Board’s office equipment line in the Town’s IT budget. He noted that equipment line already includes \$350 to replace the old office inkjet printer in case it fails. Mr. Hadik explained that the IT equipment line now totals \$475 for the 2017/2018 budget.

Mr. Hadik noted that he added \$2,500 to the Planner budget line for 25% matching funds in case the Town qualifies for up to a \$10,000 grant from Plan NH & NH Housing to help develop a housing ordinance zoning intended to incentivize age-restricted senior housing.

The Board and Mr. Hadik discussed other aspects of the Planning Board budget.

When asked by Chairman Sullivan if there are any other resources Mr. Hadik needs to run his office, Mr. Hadik responded that he would like to get a MS WORD expert to teach him how to reformat certain specific documents requiring substantial amendment. He and the Board discussed ways to address the issue. Mr. Hadik also mentioned some occasional clerical help to help with filing documents would be helpful during the office’s busy times.

Update on ZBA meeting re: Bittersweet Blessings 2015 variance

Mr. Hadik updated the Board with information he obtained From Rick Snyder about the previous night’s ZBA meeting. Mr. Snyder had reported that several members of the ZBA had expressed displeasure after reading in the Tri-Town Times about the Bittersweet Blessings Site Plan approval for converting the barn into a single-family dwelling.

Mr. Hadik noted that he had received an application and the ZBA’s 2015 notice of decision that granted them the right for the dwelling. Mr. Hadik said that according to Mr. Snyder and Janet Boyden, the ZBA’s Administrative Assistant, apparently shortly after the original approval, the ZBA discussed and motioned to hold a rehearing regarding their notice of decision after receiving additional information from the Building Inspector. Mr. Hadik noted that he had never received any follow up notices from the ZBA, however, affecting the original 2015 notice of decision.

12-21-16 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Weider said that the Planning Board published and posted proper public notices, the Planning Board notices and minutes are also posted online, and the minutes are emailed to the ZBA, so everything regarding the Bittersweet Blessings application for a site plan review was open to the public “eye;” he asked why the ZBA didn’t notify the Planning Board of their concerns.

Update on ZBA meeting re: G.B.N. Properties notice of decision clarification.

Mr. Hadik updated the Board with additional information he obtained From Rick Snyder about the previous night’s ZBA meeting. Mr. Hadik distributed a number of documents to the Board regarding the GBN properties. These included a letter to the ZBA from Chairman Sullivan and Mr. Snyder of the Planning Board dated November 22nd, 2106, minutes from the May 17, 2016 ZBA meeting, a corrective notice of decision dated May 20 from the ZBA, a letter to Mr. Jeff Adler of Dubois & King from Mr. Kevin E. Hatch dated October 3, 2016, minutes from the June 8, 2016 Planning Board meeting, and a copy of the title block of the most recent site plan submitted to the Planning Board.

Mr. Hadik explained he was initially approached by Mr. Brian Remillard who asked Mr. Hadik if he needed to amend his site plan if he were to process (grind) pallets. Mr. Hadik said he helped out by doing some research and found out that processed pallets are not a regulated solid waste, as long as the pallets are not contaminated with oil, paint or preservative. Mr. Hadik noted that he checked with the Building Inspector at the time (Thom Roy,) who told him that adding the processing pallets is a change of use, from the terms of the special exception that Mr. Remillard has for the site. The Building Inspector told him that Mr. Remillard had to apply to the ZBA for approval for this change of use.

Mr. Hadik explained that according to the ZBA May 17th, 2016 minutes, when Mr. Remillard went to the ZBA, he applied for more than the processing of pallets. The minutes show that he applied not only the recycling of wooden pallets by chipping, but also for the siting of recycling containers for materials such as plastic, paper, glass and metal products removed from the yard waste being composted. According to the ZBA minutes, the purpose of the recycling containers was stated to be intended for the storing of recyclables and trash separated from the yard waste being brought into the composting facility.

Later at the Planning Board’s June 8th, 2016 meeting, Mr. Remillard stated they had received the necessary variances, not only for these containers, but also to open an expanded recycling facility at some future date. In subsequent discussions with Mr. Hadik, Mr. Remillard also mentioned the possibility of opening a large scale, regional recycling facility to be utilized by commercial waste hauling companies and others. Mr. Remillard stated he didn’t require additional ZBA approvals to expand to this type of a facility.

In addition to this conflicting information, all prior applications, references, and site plans for this facility had always specified some form of composting facility, even the draft of a site plan emailed to the Planning Board on October 4th, 2016. On November 18th, however, a site plan was submitted labeled “Recycling Facility.”

12-21-16 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Hadik noted that there is a discrepancy between the representations made at the ZBA and Planning Board meetings, and that the purpose of the letter from Mr. Sullivan and Mr. Snyder to the ZBA was to seek clarification of the scope of the use of the recycling containers approved by the ZBA.

Mr. Hadik said Mr. Snyder reported that the ZBA unanimously agreed at their meeting last night to reissue a notice of decision with clarifying language that the recycling containers are only for recyclable materials incidental to the processing of the yard waste. Mr. Snyder had also noted that the ZBA had said the site plan's title block should continue to reference a composting facility and not a recycling facility. Mr. Hadik explained the ZBA hasn't had a chance to respond to the Planning Board letter in writing yet since it was only received and discussed the prior evening.

Update on ZBA meeting re: ZBA recommendation for PB courtesy notice to Hemlock Estates abutters that the subdivision is commencing construction 10 years after initial approval.

The Board discussed the respectful request to the Planning Board by the ZBA, as relayed by Mr. Snyder, for a courtesy notice to be issued to the abutters of Hemlock Estates because the subdivision is commencing construction after an initial approval from about a decade ago. The Board discussed this request and agreed it was unnecessary.

Non-Public Session - RSA 91 – A: 3, II (c) Reputation

Mr. Weider made a motion to go into non-public session under RSA 91 – A:3, II (c) Reputation; Ms. Richter seconded the motion. Motion approved with a roll call vote.

Roll call vote:

Chairman Sullivan - aye,
Vice Chairman Sederquest – aye,
Mr. Buckley – aye,
Mr. Aaron Hume – aye,
Ms. Richter – aye,
Mr. Weider - aye.

The Board went into non-public session at 9:02 pm.

Ms. Richter made a motion to come out of non-public session, seal the non-public minutes indefinitely, and adjourn the meeting; Mr. Weider seconded the motion. Motion approved, 6-0-0.

The Board came out of the non-public session and the meeting was adjourned at 9:28 pm.

Respectfully submitted,
C. Molly Qualters
Recording Secretary