

5-24-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, May 24, 2017
Municipal Complex
Approved Minutes**

Members Present

Evan Sederquest, Vice Chairman
Richard Snyder, Member
Michael Weider, Member
Cass Buckley, Ex-Officio
Aaron Hume, Alternate Member

Members Absent

Brian Sullivan, Chairman
Elizabeth Richter, Member

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Jacob Weider

Planning Coordinator Hadik called the meeting to order at 7:00 pm.

Agenda

7:00 PM - General Business

- Review and sign invoices and time sheet.
- Review and approve minutes for 5/10/17.
- FYI, letter from Candia Planning Board re Crowley Woods Subdivision.
- FYI, PH for Crowley Woods Subdivision scheduled for 6/14/17 in Chester. Will invite Candia PB to attend.
- FYI, PH for Crowley Woods Subdivision scheduled for 6/21/17 in Candia.

7:15 PM - Appointment

Conceptual discussion with Dana Redmond, Lifestyle Homes, regarding a potential 10-unit expansion (Phase III) at the Villages at Chester Subdivision.

7:45 PM - Public Hearings

1. Accept the application by Ryan & Amy Hazelton, 42 Harantis Lake Road (Map 1 Lot 81-1) and Daniel & Lorna Hazelton, 280 Derry Road (Map 1 Lot 81,) for a Lot Line Adjustment.
2. Proposed Amendments to Subdivision & Site Plan Review Regulations

5-24-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

- Subdivision – delete definition 2.2.9 Cluster Subdivision & add definition 2.2.16 Open Space Subdivision
- Subdivision – amend 1.3, 3.1.8.1, 3.14, 4.1.4 & 5.1.11 by replacing the term “subdivider” with “applicant”
- Subdivision – amend subsections 4.1.22 & 4.8.5.1.1 to specify the vertical reference datum to be used
- Subdivision – 4.5.2.17 – 3 amendments to Table of Geometric & Other Standards for Streets
- Subdivision – 4.7.5 – amendments to Hydrology / Runoff Calculation Methods
- Subdivision – amend section 6.5 Recording of Final Plat & add section 6.6 Recording of Documents
- Site Plan Review - amend section 6.6 Recording of Final Plat & add section 6.7 Recording of Documents
- Site Plan Review – amend subsection 7.2.1 & add subsection 7.2.11 regarding driveway plans & profiles
- Site Plan Review – replace section 7.7 Performance & Maintenance Guarantee
- Site Plan Review - replace section 7.15 As-Built Plans
- Site Plan Review – add section 7.19 Special Flood Hazard Areas
- Site Plan Review – Appendix A.1.11 – 3 amendments to Table of Geometric & Other Standards for Streets
- Site Plan Review – Appendix B – amend Cistern Standards throughout
- Site Plan Review – Appendix C – add subsections C.3.4 & C.3.5 to Hydrology / Runoff Calculation Methods

3. Accept the application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053 (Map 5, Lot 107-3) and Lawrence & Suzanne Downing, 161 Sandown Road /Route 121-A (Map 5, Lot 107,) for a Lot-Line Adjustment.

4. Accept the subdivision application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053, for a seven unit Open Space Subdivision of Map 5, Lot 107-3 off Sandown Road /Route 121-A. *(TO BE CONTINUED TO A LATER DATE)*

5. To hold a public hearing to trim brush and remove trees along a portion of Shattigee Road, a designated Scenic Road, pursuant to the requirements set by RSA 231:158.

9:00 PM - Adjournment

Future Meeting Dates

June 7, 2017 – Cedar View Estates Discussion w Grant Benson & Kevin Hatch

June 14, 2017 – PH - Crowley Woods SUB

June 21, 2017 at the Candia Planning Board– PH - Crowley Woods SUB

June 28, 2017 –

(Codes: PH – public hearing, PHC – public hearing continuance, CD – conceptual discussion, HB – Home Business, LLA – Lot-Line Adjustment, SPR – Site Plan Review, SUB – Subdivision)

Review and approve minutes for 5/10/17

The Board reviewed the minutes from 5/10/17. Mr. Snyder made a motion to accept the minutes dated 5/10/17 as amended tonight; Mr. Weider seconded the motion. Motion approved, 4-0-1, Mr. Hume abstained.

Crowley Woods Subdivision

The Board reviewed the letter from the Candia Planning Board regarding the proposed Crowley Woods subdivision. Mr. Hadik advised the Board the first public hearing would be in Chester on 6/14/17. He opined to expect attendance by members of the Candia Planning Board. He also mentioned the Candia Planning Board would be holding their meeting on 6/21/17, and said he expected to be attending that meeting.

7:15 PM - Appointment

Conceptual discussion with Dana Redmond, Lifestyle Homes, regarding a potential 10-unit expansion (Phase III) at the Villages at Chester Subdivision.

Mr. Hadik relayed the initial subdivision was originally approved for 100 units, and only 40 were built during Phase I. Then there was a construction hiatus, followed by the Ryan James Realty lawsuit as a result of a change in ownership. The consent decree between the Town, the Association and the Owner awarded the right to build another 60 units, however, the Builder elected to build only 50 units. Now the Builder has come back seeking permission to build the remaining 10 units.

Mr. Redmond stated they were seeking to build 5 new (duplex) buildings with 2 units each. As the community is typically age 45+, it does not have a huge impact on schools.

Mr. Hadik stated that it is important to verify that the right to build these 10 units were not given up when they elected to build only 50 out of the 60.

Project Manager Chris Nickerson stated that in 2014, Phase II began, and was built to '90s roadway, drainage and other standards. They would like to add the 10 units, which is 5 additional buildings along the road, however, they would not likely be able to improve the drainage infrastructure to current standards. Currently of the additional 50 units in Phase II, 34 units are complete, 10 units are anywhere from foundation to 90% finished, and 6 units have not been permitted.

Further discussion ensued into the reasoning behind not fully building when given the opportunity, the relationship between the condominium association, the water availability for fire suppression, adding a fire cistern, and the suggestion of possible waivers.

The Planning Board stated they could not make a decision without the following information from Mr. Redmond:

- A list of all the waivers the applicant would require / be seeking.
- A full set of plans for the Town's Engineer and Building Inspector to review, to including the fire cistern & related infrastructure, and for the overall parcel showing the boundary of the Open Space.

- A comprehensive drainage analysis so the Town's Engineer could review the difference between the current 50-unit and additional 10-unit runoff impacts, and then advise the Board with regards to any overall potential deficiency in runoff treatment.
- An updated bond estimate that included the cost of installing a fire cistern and the related infrastructure.

The Board also requested Mr. Hadik to supply them with a copy of the letter from the Fire Chief (agreed to by Mr. Redmond,) with regard to the Fire Department's requirements when Phase IV was bonded.

The Board also requested Mr. Hadik to submit the following questions to the Board's Counsel:

- Are these 10 additional units still allowed by the court settlement after the builder initially decided to build only 50 units?
- Are these 10 additional units subject to current zoning & site plan review regulations?
- Are these 10 additional units subject to current impact fees?

Mr. Redmond asked how soon the Board could make decision, and if the response from Counsel could be shared with him? The Board responded they would decide what could be shared once they received a response, and they expected to be able to have answers at the 6/7/17 meeting.

7:45 PM - Public Hearings

1. Accept the application by Ryan & Amy Hazelton, 42 Harantis Lake Road (Map 1 Lot 81-1) and Daniel & Lorna Hazelton, 280 Derry Road (Map 1 Lot 81,) for a Lot Line Adjustment.

Mr. Hadik advised the Board he had reviewed the application for completeness, and the application was complete enough for the Board to move to accept it and open the public hearing.

Mr. Snyder made a motion to accept the application by Ryan & Amy Hazelton, 42 Harantis Lake Road (Map 1 Lot 81-1) and Daniel & Lorna Hazelton, 280 Derry Road (Map 1 Lot 81,) for a Lot Line Adjustment. Mr. Weider seconded the motion. All in favor, the motion carried.

Mr. Hadik advised the Board this lot line adjustment was a very simple one, and did not see any issues with the plan as presented. The Board agreed. Vice Chairman Sederquest then asked if there was any public comment, however, there was none.

Mr. Snyder made a motion to close public hearing and begin the Board's deliberation. Mr. Weider seconded the motion. All in favor, the motion carried. There was no discussion.

Mr. Snyder made a motion to approve the application by Ryan & Amy Hazelton, 42 Harantis Lake Road (Map 1 Lot 81-1) and Daniel & Lorna Hazelton, 280 Derry Road (Map 1 Lot 81,) for a Lot Line Adjustment. Mr. Weider seconded the motion. All in favor, the motion carried.

5. To hold a public hearing to trim brush and remove trees along a portion of Shattigee Road, a designated Scenic Road, pursuant to the requirements set by RSA 231:158.

Mr. Snyder made a motion to open public hearing to trim brush and remove trees along a portion of Shattigee Road, a designated Scenic Road, pursuant to the requirements set by RSA 231:158. Mr. Weider seconded the motion. All in favor, the motion carried.

Mr. Hadik stated that the portion of Shattigee Road in Chester was about 3,400' long, and that the portion proposed for trimming and tree removal was only about 300' long on one side of the road. Mike Oleson, the Town Road Agent advised he had spoken with the abutter, and the owner of these 12 trees. He said they want to fix the problem. Vice Chairman Sederquest then asked if there was any public comment, however, there was none.

Mr. Snyder made a motion to close public hearing and begin the Board's deliberation. Mr. Weider seconded the motion. All in favor, the motion carries. There was no discussion.

Mr. Weider made a motion to approve trimming of brush and removal of trees along a portion of Shattigee Road, a designated Scenic Road, pursuant to the requirements set by RSA 231:158. Mr. Snyder seconded the motion. All in favor, the motion carried.

3. Accept the application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053 (Map 5, Lot 107-3) and Lawrence & Suzanne Downing, 161 Sandown Road /Route 121-A (Map 5, Lot 107,) for a Lot-Line Adjustment.

Mr. Hadik advised the Board he had reviewed the application for completeness, and the application was complete enough for the Board to move to accept and open the public hearing.

Mr. Weider made a motion to accept the application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053 (Map 5, Lot 107-3) and Lawrence & Suzanne Downing, 161 Sandown Road /Route 121-A (Map 5, Lot 107,) for a Lot-Line Adjustment. Mr. Buckley seconded the motion. All in favor, the motion carried.

Mr. Hadik reminded the Board of the history of this proposed subdivision. A previous lot line adjustment and subdivision was approved back around 2006-2007, however, neither were ever recorded, and both had since expired. Mr. Eric Mitchell explained the Pipit Estates Realty Trust owns the backlot of 25.48 acres and the Downing's own the front 5.2 acres. The lot-line adjustment would reduce the Downing's down 4.32 acres and the lot out back would be 26.35 acres.

Mr. Hadik advised the Board this lot line adjustment was also a very simple one, and did not see any issues with the plan as presented. The Board agreed. Vice Chairman Sederquest then asked if there was any public comment, however, there was none.

Mr. Snyder made a motion to close public hearing and open board discussion. Mr. Buckley seconded the motion. All in favor, the motion carried.

Mr. Weider made a motion to approve the application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053 (Map 5, Lot 107-3) and Lawrence & Suzanne Downing, 161 Sandown Road /Route 121-A (Map 5, Lot 107,) for a Lot-Line Adjustment. Mr. Buckley seconded the motion. All in favor, the motion carried.

4. Accept the subdivision application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053, for a seven unit Open Space Subdivision of Map 5, Lot 107-3 off Sandown Road /Route 121-A.

Mr. Hadik advised the Board the subdivision application was incomplete and not yet ready for review.

Mr. Weider made a motion to open public hearing about the subdivision application by the Pipit Estates Realty Trust, Joshua Naughton (Trustee,) 66 Gilcreast Road, Londonderry, NH 03053, for a seven unit Open Space Subdivision of Map 5, Lot 107-3 off Sandown Road /Route 121-A. Mr. Buckley seconded the motion. All in favor, the motion carried.

Eric Mitchell informed the Board that the original layout had to be amended because the regulations have changed since the initial design. There are some septic systems within the 50 foot setback to the perimeter that need to be relocated. Also one of the buildings was less than 75 feet to the outside buffer. He requested to have this hearing continued, and if possible, continued to the last meeting in June. Mr. Hadik noted he had been informed that an 8th unit was being added as well.

Mr. Buckley made a motion to continue the public hearing to June 28th with the condition that Jeff Adler received the plan in time to complete his review and provide the review letter. Mr. Weider seconded the motion. All in favor, the motion carried.

2. Proposed Amendments to Subdivision & Site Plan Review Regulations.

Mr. Weider made a motion to open public hearing for the proposed Amendments to Subdivision & Site Plan Review Regulations. He read the following list of proposed amendments:

- Subdivision – delete definition 2.2.9 Cluster Subdivision & add definition 2.2.16 Open Space Subdivision
- Subdivision – amend 1.3, 3.1.8.1, 3.14, 4.1.4 & 5.1.11 by replacing the term “subdivider” with “applicant”
- Subdivision – amend subsections 4.1.22 & 4.8.5.1.1 to specify the vertical reference datum to be used
- Subdivision – 4.5.2.17 – 3 amendments to Table of Geometric & Other Standards for Streets
- Subdivision – 4.7.5 – amendments to Hydrology / Runoff Calculation Methods
- Subdivision – amend section 6.5 Recording of Final Plat & add section 6.6 Recording of Documents
- Site Plan Review - amend section 6.6 Recording of Final Plat & add section 6.7 Recording of Documents
- Site Plan Review – amend subsection 7.2.1 & add subsection 7.2.11 regarding driveway plans & profiles
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- Site Plan Review – Appendix B – amend Cistern Standards throughout

- Site Plan Review – Appendix C – add subsections C.3.4 & C.3.5 to Hydrology / Runoff Calculation Methods

Mr. Snyder seconded the motion. All in favor, the motion carried.

Mr. Hadik noted the Board had reviewed most of the proposed amendments 2-3 times at previous meetings. He asked if the Board had any comments or edits for the Proposed Amendments. The Board had none. Vice Chairman Sederquest then asked if there was any public comment, however, there was none.

Mr. Weider made a motion to approve the Proposed Amendments to Subdivision & Site Plan Review Regulations. Mr. Snyder seconded the motion. All in favor, the motion carried.

Adjournment

Mr. Snyder made a motion to adjourn the meeting; Mr. Hume seconded the motion. All in favor, the motion carried. The Meeting was adjourned at 8:30 pm.

Respectfully submitted,

Sarah DeLisle

Recording Secretary