

7-26-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, July 26, 2017
Municipal Complex
Approved Minutes**

Members Present

Evan Sederquest, Vice Chairman
Richard Snyder, Member
Michael Weider, Member
Aaron Hume, Alternate Member

Members Absent

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

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Stephen D'Angelo, BOS
Norma & Richard Drowne
Nate Miller, SNHPC, Deputy Director
Eric Mitchell, Eric Mitchell & Associates, Inc.
Mike Oleson, Road Agent
Jeremy Owens, BOS
Dick Trask, Chairman BOS
Penny Williams, Tri-Town Times
Others unknown to this recording secretary

Vice Chairman Sederquest called the meeting to order at 7:02 pm.

Vice Chairman Sederquest noted that Mr. Hume is the alternate Chairman Sullivan.

Meeting Agenda

General Business

- Review and sign invoices and time sheet.
- Review and approve minutes for 7/12/17.
- Review draft letter from Counsel regarding notification of assessment of impact fees.

7-26-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

- Review and approve \$817.50 in expenditure of Traffic Impact Fees for additional engineering costs for the drainage improvements to Shattigee Road.
- Discuss and approve outside help to finish formatting the updated volume of ordinances and regulations.
- Discuss potential work session to prepare for next Crowley Woods Public Hearing, e.g. review SNHPC's recommendations, etc., develop list of questions, required reviews, etc.

7:05 PM - Appointments

1. Nate Miller, Deputy Director of SNHPC, will be presenting a method to conduct a road inventory data collection, identification of pavement conditions, and operation of the Statewide Road Surface Management System (RSMS) software. This is a process and program developed by the NH Department of Transportation (DOT), in partnership with UNH Technology Transfer (T^2) and the regional planning commissions, to assist local communities in planning local road maintenance.

(Briefly discuss setting up a mini-review committee to prioritize candidate roads for new paving/ wearing courses. \$372 M)

2. Norma & Richard Drowne to discuss the new impact fees being assessed for Mill Pine Village.

7:45 PM – Public Hearings

1. Continuation of the subdivision application by Tucker Bay Trust, 37 Coulthard Farm Road, Scarborough, ME 04074, for a 2-lot subdivision of Map 7, Lot 21 on Candia Road, Chester, NH.
2. Eric Mitchell – Discussion about NH DES question about who will be the responsible party for the maintenance of the drainage structures in the Crowley Woods subdivision.

Future Meeting Dates:

August 2, 2017 –

August 9, 2017 - CPH Crowley Woods @ 7:15

August 23, 2017-?

7:05 PM – Appointments

1. **Nate Miller, Deputy Director of SNHPC, will be presenting a method to conduct a road inventory data collection, identification of pavement conditions, and operation of the Statewide Road Surface Management System (RSMS) software. This is a process and program developed by the NH Department of Transportation (DOT), in partnership with UNH Technology Transfer (T^2) and the regional planning commissions, to assist local communities in planning local road maintenance.**

Mr. Miller came before the Board at 7:05 pm.

Mr. Hadik introduced the newly appointed Deputy Director of the SNHPC Nate Miller.

Mr. Miller presented the Statewide Road Surface Management System (RSMS) program to the Board. He noted that Mr. Hadik had reached out to the SNHPC informing them that Chester was seeking to perform a Town-wide pavement study in order to develop a reconstruction /repair and maintenance prioritization plan for the Town's roads. The study would also become part of the CIP for Highway funding and expenditures.

Mr. Miller said that there has been a partnership formed across the State in the last two years to develop a system that could be applied within any community across New Hampshire to provide a road maintenance and repair plan. He said that the program is called the Road Surface Management System process (RSMS). Mr. Miller explained that RSMS was developed by the NH Department of Transportation (DOT) in partnership with UNH Technology Transfer (T^2) and the nine regional planning commissions around the State.

Mr. Miller said that the SNHPC defines the road system management system in NH as the application of pavement management principles, which include budgets, conditions data, and repair strategies, to the needs of local government for monitoring paved roads. He explained that this is a paved road maintenance framework that is not applied to unpaved roads.

Mr. Miller presented the RSMS system, explaining how process works.

Mr. Miller detailed the six steps of the RSMS process which include dividing the road system into segments (roughly four segments per mile), evaluating and documenting existing conditions of each segment, prioritizing each segment, reviewing potential maintenance or repair methods, reaching an agreement and consensus with the Town, and determining costs.

Mr. Miller reviewed the different eight road condition and how the road is classified based on the pavement condition index.

Mr. Snyder noted that often the root cause of the deterioration of a road is what is underneath the road. He asked if the RSMS process determines what is underneath the existing road. Mr. Miller said that they don't do any sub-surface investigative work. He said that they are collecting data as it relates to these eight factors indicates certain issues that may be happening below the surface of the road.

Mr. Miller said that priorities vary from town to town, Chester will determine what their priorities are based on the individual needs of the Town. He gave the example that the State DOT policy is to "Keep the Good Roads Good" policy. He said that in general it costs pennies on the dollar to keep a good road in good condition versus letting it deteriorate and then needing to have an expensive full-depth reconstruction of the road.

Mr. Hadik explained and reviewed for Mr. Miller the Town's latest update of the CIP which had listed three categories of road needs, and the costs and lifespan of each category. He said the hope is that RSMS will help the Town prioritize moving forward, to be a living database that will help in planning for CIP spending and budgeting. Mr. Miller said that that is the point of this system.

Mr. Miller distributed a hand-out detailing repair methods and pavement maintenance. He reviewed the document with the Board, noting that they would work with the Town to determine which treatments are most appropriate. He explained that the software can develop multiple scenarios, to be able to see the cost

difference based on doing different types of treatment schemes. Mr. Miller said that whatever types of local policy they would like to test, the RSMS program can determine the cost differences.

Mr. Miller said that from those different scenarios, they would give the Town a financial plan that could be used to update the CIP. He noted that the software typically looks at a ten-year time for cost.

Mr. Miller noted that the nine regional planning commissions each just finished a pilot project to test the RSMS software. He said that they did some bugs in the software. Mr. Miller said that UNH has been coding work. He said that DOT will be wrapping up the pilot project with a State-wide meeting convened to review the improvements made by UNH, later this summer. Mr. Miller said that DOT has asked them not to start any additional RSMS projects until the updates have been made to the software.

Mr. Miller said that the cost to Chester would be approximately \$10,500. He said that half of the cost could be covered by the DOT Unified Planning Board Program funding. Mr. Miller said that if Chester wants to proceed, the Town would have to cover the cost of approximately \$5,250.

Mr. Snyder asked if Mr. Miller if he thought the bugs would be worked out by August, and if they can do the work in the winter months. Mr. Miller said that he anticipates the bugs to be worked out by August or September. He said they can do the work in the winter months but, that they would rather not because it is harder to assess what is happening to the road in winter conditions.

Mr. Hadik asked how long it took to collect Candia's road data. Mr. Miller said a week. Mr. Hadik noted then at least there was enough time to collect the data before the winter.

Mr. Miller and the Board discussed specifics of how they use the software to collect the data.

The Board discussed how soon they can get the study done, and the impact of the winter on the roads and data.

When asked by Mr. Snyder how Chester can get on the list, Mr. Miller explained that they would need to send a correspondence indicating that Chester wants to be the next road surface management community.

Mr. Hadik clarified for the Board that this RSMS program is not the Street Scan program using GPR that he had talked of at other meetings.

Mr. Snyder asked if the RSMS program could be integrated with the Street Scan information. Mr. Miller said that he didn't know, but, would look into this with UNH. Mr. Hadik opined the RSMS could be augmented with additional data such as borings, test pits and GPR in specific problem areas.

The Board had more discussion about the RSMS program.

Mr. Weider made a motion to generate a memorandum of understanding that indicates that Chester wants to be the next candidate to be a road surface management community when the NH DOT gives the approval of the software; Mr. Snyder seconded the motion. Motion approved, 4-0-0.

Mr. Miller completed his presentation and departed the meeting at 7:55 pm.

7:45 PM – Public Hearings

1. Continuation of the subdivision application by Tucker Bay Trust, 37 Coulthard Farm Road, Scarborough, ME 04074, for a 2-lot subdivision of Map 7, Lot 21 on Candia Road, Chester, NH.

Mr. Hadik noted that he had received a written request for a continuance to August 2 for subdivision application by Tucker Bay Trust, 37 Coulthard Farm Road, Scarborough, ME 04074, for a 2-lot subdivision of Map 7, Lot 21 on Candia Road, Chester, NH.

Mr. Snyder made a motion to continue the Public Hearing for the subdivision application by Tucker Bay Trust, 37 Coulthard Farm Road, Scarborough, ME 04074, for a 2-lot subdivision of Map 7, Lot 21 on Candia Road, Chester, NH to August 2, 2017 at 7:15 pm; Mr. Weider seconded the motion. Motion approved, 4-0-0.

Continued Appointments

2. Norma & Richard Drowne to discuss the new impact fees being assessed for Mill Pine Village.

Mr. Richard Drowne and Ms. Norma Drowne joined the Board at the meeting table at 7:59 pm.

Mr. Drowne said that they would like to discuss the Fair Share contribution for Mill Pine Village Phase II B. He explained that they came before the Board last September for Phase II B, and that the phase was recorded. Mr. Drowne said that since then they have sold three lots that have already been transferred, two houses that are under contract, and the other two lots they have deposits on and are in discussion but nothing has been signed. He said that now we are told we owe our Fair Share Contribution (impact fees) on those lots. Mr. Drowne said that he believes that when they came in September of last year, that would have been the time to discuss what they would owe; he is asking for some relief for this phase of the subdivision.

Mr. Hadik gave the Drowne's the background information on the adoption of the impact fees, noting that they have benefitted in the previous phase due to the lack of knowledge on the Town's part. The Drowne's said that they didn't benefit, the buyers benefitted.

Mr. Drowne said that in general the development is marketed to 50 and older, no kids go to the school system, no roads are plowed by the Town, no trash goes to the Town's transfer station, so everyone benefits. He explained that this is \$6,900 will be out of their pocket and that they won't be able to recoup it.

Mr. Snyder asked how many units are affected by the fee. Mr. Drowne said four units are affected.

Mr. Snyder asked how many of these four units haven't had building permits pulled. Mr. Drowne said that they have pulled one and paid half of the fee.

Mr. Hadik counted thirteen units that haven't had building permits pulled; he noted one had been pulled and half the fee paid. Mr. Drowne said that for the next eleven they will be coming back to the Board for Phases III A & B.

Mr. Drowne clarified saying that they are asking for relief for the four that were in Phase II B which is the phase that went before the Board last September.

Mr. Hadik said that Article 14 Fair Share Contribution is in zoning. He said that the revised article has opportunity to seek relief, but, it is in zoning.

Mr. Snyder said that they can't wave anything that is in zoning. Mr. Drowne asked if that meant they would have to pay the fee then protest it to the building inspector.

Mr. Drowne said that he is protesting the fee saying that he should have been notified about this.

Mr. Weider explained that the provision of the State statute does not require that they must notify. He said one is subject to the costs as one pulls the building permits, once one has a building permit the Town can't go back and assess fees.

Mr. Drowne and the Board discussed when the applicant must be informed of the fees. They read the amendment of Article 14 and discussed the language of the amendment.

Mr. and Ms. Drowne departed the meeting at 8:15 pm.

Eric Mitchell – Discussion about NH DES question about who will be the responsible party for the maintenance of the drainage structures in the Crowley Woods subdivision.

Mr. Eric Mitchell came before the Board at 8:15 pm.

Mr. Mitchell said that he has been asked by the NH DES to inquire if the Town will be maintaining the proposed stormwater detention structures. He said that DES is now asking developers to furnish this information with an email or memorandum as part of the permitting process.

Mr. Weider said that he thinks this question should be asked of DuBois & King, and brought to the BOS, as well. He said that he doesn't think that the Board is prepared to answer at this moment, he said that they should take the time to think about what the future costs will be to the Town.

After discussion, the Board agreed that they would forward the question to DuBois & King for guidance. They would also like to know if other towns are doing anything different in this regard other than just assuming the permanent maintenance liability for stormwater detention structures.

Mr. Mitchell departed the meeting at 8:34 pm.

Review draft letter from Counsel regarding notification of assessment of impact fees.

Mr. Hadik and the Board reviewed the draft letter from Counsel.

Mr. Snyder noted that he is concerned about the question raised by Mr. Drowne about the exact wording in the amendment, and he said they should determine if anything in the letter conflicts with the ordinance.

Mr. Hadik said that he will pose the question to Counsel.

Review and approve \$817.50 in expenditure of Traffic Impact Fees for additional engineering costs for the drainage improvements to Shattigee Road.

Mr. Snyder made a motion to approve the \$817.50 in expenditure of Traffic Impact Fees for additional engineering costs (culvert sizing) for the drainage improvements to Shattigee Road; Mr. Weider seconded the motion. Motion approved 4-0-0.

Discuss and approve outside help to finish formatting the updated volume of ordinances and regulations.

Mr. Hadik informed the Board of the need for outside help to properly format “the Book” for reprinting. Mr. Hadik said he had already updated the book with the changes to the ordinances and regulations, and reformatted to a more space saving format, however, he needed help with reformatting the multiple tables of content, repaginating & page numbering fields etc. He has found a highly qualified person at SNHPC who is will to do the work on their own time for a very reasonable rate of \$20 per hour. This person had been recommended by Sylvia von Aulock. The Board approved the use of outside help and the hourly rate.

Discuss potential work session to prepare for next Crowley Woods Public Hearing, e.g. review SNHPC’s recommendations, etc., develop list of questions, required reviews, etc.

Mr. Hadik and the Board discussed the need for a work session to review all the materials received and generated so far in order to prepare for the next Crowley Woods Public Hearing. They agreed to hold a work session following the Public meeting on August 2, 2017.

Briefly discuss setting up a mini-review committee to prioritize candidate roads for new paving/ wearing courses. \$372 M

Mr. Weider said that it is the Road Agent and the BOS’s responsibility to manage the funds to prioritize candidate roads for new paving/ wearing courses, not the Planning Board’s responsibility. The Board discussed who is responsible for making the decision on what roads have work done. Mr. Hadik said that he will discuss the issue of responsibility with the BOS.

Adjournment

Mr. Snyder made a motion to adjourn the meeting; Mr. Weider seconded the motion. Motion approved, 4-0-0.

The meeting was adjourned at 8:53 pm.

Respectfully submitted,
C. Molly Qualters
Recording Secretary