

8-23-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, August 23, 2017
Municipal Complex
Approved Minutes**

Members Present

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Jacob Weider, Alternate Member

Members Absent

Richard Snyder, Member
Michael Weider, Member
Aaron Hume, Alternate Member
Cass Buckley, Ex-Officio

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Mike Babin
Attorney John Weaver
Attorney Stephen Buckley
Kevin Hatch, Cornerstone Survey Associates
Michelle Hatch, Bittersweet Blessings, Owner

Chairman Sullivan called the meeting to order at 7:01 pm.

Chairman Sullivan said that Jacob Weider will be the alternate for Michael Weider.

Meeting Agenda

General Business

- Review and sign invoices and time sheet.
- Review and approve minutes for 8/9/17.
- Discuss Villages at Chester fire cistern agreement.
- Sign two DuBois & King review contracts.
- Review the following amendments to Subdivision & Site Plan Review regulations and vote to set a Public Hearing date:
 - Subdivision – amend 4.5.3.4 – Private Way Standards by reducing the 10% slope limit to 8%.

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- Subdivision – delete 4.12 – Driveway Standards because this already exists elsewhere as a stand-alone ordinance.
- Subdivision – add 4.12 – Mail Delivery Requirements
- Subdivision – amend 5.1.5 – Base (under 5.1 – Street Construction) to correct oversight of outdated wording to match current specifications elsewhere in the regulations.
- Site Plan Review – add 7.20 – amend Mail Delivery Requirements
- Driveway Regulations – amend Article 9 – Driveway Design & Construction Standards
- Subdivision – amend 4.11 – Fire Protection
- FYI NHMA Annual Law Lecture Series

7:05 PM – Appointments – Michael Babin re: Phase III – Turnagain Estates Subdivision

7:15 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. Application by Michelle Hatch, owner of property at 20 Chester Street (Map 16, Lot 20), to amend the site plan for the Bittersweet Blessings antiques/primitives shop, for conversion of the barn into additional retail space as allowed by a ZBA variance granted November 28, 2012.

Future Meeting Dates:

September 6, 2017 – Hazelton SUB

September 13, 2017 – Crowley Woods CPH, Cannata SUB

September 27, 2017 -

Discuss Villages at Chester fire cistern agreement.

Mr. Hadik reviewed with the Board the letter from the Chester Fire Department to Mr. Dana Redmond, Lifestyle Homes of New Hampshire, Inc., approving a 15,000-gallon cistern in lieu of a dry hydrant at the Villages of Chester, to which Mr. Redmond signed and dated noting his acceptance of the agreement.

The Board found acceptable the negotiated agreement between the Chester Fire Department and Mr. Dana Redmond, Lifestyle Homes of New Hampshire, Inc; they agreed to lift the suspension on the issuance of building permits.

FYI - NHMA Annual Law Lecture Series

Mr. Hadik informed the Board of the annual law lecture series at NHMA; he noted that instead of three evening lectures, they are holding the three lectures each on two different Saturdays. Mr. Hadik distributed the flyer with the information on the law lectures to the Board, and asked the members to notify him if they wished to be registered to attend either Saturday.

7:05 PM – Appointments – Michael Babin re: Phase III – Turnagain Estates Subdivision

Mr. Babin and Attorney John Weaver, representing Mr. Babin, came before the Board at 7:05 pm.

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Mr. Weaver said he had a letter to submit for the record. He distributed the letter to the Board.

The Board reviewed the submitted letter.

The Board and Mr. Weaver discussed the amount for which the Letter of Credit should be issued to guarantee completion of all the roadway and associated infrastructure improvements in accordance with the Conditional Subdivision Approval for Turnagain Estates Phase III.

The Board had much discussion about the appropriate bond amount.

Mr. Babin said that he has contracted with Brox Industries to finish the paving of the roads, and do whatever needs to be done, in the late part of September. He explained that he is finishing re-graveling the sides (shoulders) of the roads by tomorrow. Mr. Babin said that he will contract with Brox Industries to have the crack sealing, shimming, tack coat and wearing course installed on the roads by the last two weeks of September.

Chairman Sullivan clarified stating that if all the work discussed is completed by the end of September, the Letter of Credit amount should cover the cost of the remaining work identified in the updated bond estimate. Mr. Babin agreed.

Mr. Bennett, The Planning Board's attorney, joined the discussion at 7:26 pm.

After much discussion by all people present at the meeting table about the appropriate bond amount, the condition of the road, and the time and work necessary to complete the road, the Board and Mr. Weaver and Mr. Babin came to an agreement.

Mr. Weaver agreed to provide a copy of the BROX paving contract, an Irrevocable Letter of Credit in the amount of \$51,920, and a letter of intent outlining the proposed timeline and the describing the items that will be completed by Brox by the end of September.

The Board agreed that this was reasonable with the understanding that the two certificates of occupancy and the building permit would not be issued until the work is completed. Mr. Babin and Attorney Weaver agreed.

Attorney Weaver reiterated the necessary documents the Board needed, agreeing that they would get these documents to the Board.

Attorney Bennett, Attorney Weaver, and Mr. Babin departed the meeting at 7:40 pm.

7:15 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.

Vice Chairman Sederquest made a motion to open the Public Hearing for the 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; Ms. Richter seconded the motion. Motion approved, 4-0-0.

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The Public Hearing was opened at 7:40 pm.

Mr. Kevin Hatch came before the Board at 7:40 pm.

The Board reviewed the two review letters from DuBois & King.

The Board and Mr. Hatch discussed the Conditions of Approval. They noted the plan still needs to be stamped by the wetlands scientist.

Chairman Sullivan called for Public comment, however, there was none.

Ms. Richter made a motion to close the Public Hearing; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Ms. Richter made a motion to approve 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; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Mr. Hatch departed the meeting at 7:49 pm.

2. Application by Michelle Hatch, owner of property at 20 Chester Street (Map 16, Lot 20), to amend the site plan for the Bittersweet Blessings antiques/primitives shop, for conversion of the barn into additional retail space as allowed by a ZBA variance granted November 28, 2012.

Vice Chair Sederquest made a motion to open the Public hearing and to accept the application by Michelle Hatch, owner of property at 20 Chester Street (Map 16, Lot 20), to amend the site plan for the Bittersweet Blessings antiques/primitives shop, for conversion of the barn into additional retail space as allowed by a ZBA variance granted November 28, 2012; Ms. Richter seconded the motion. Motion approved, 4-0-0.

Ms. Hatch came before the Board at 7:50 pm.

Ms. Hatch explained she wanted to convert the barn to create additional retail space to showcase more of her currently stored stock.

Chairman Sullivan questioned whether the fire codes would be met prior to the issuance of the Certificate of Occupancy (CO) for the barn. Mr. Hadik said he and the Building Inspector had already discussed this application, and he believed Mr. Bunker would make sure all fire codes would be met before he issued the CO. Mr. Hadik noted Mr. Bunker had also recently joined the Chester Fire Department.

The Board and Ms. Hatch discussed the project.

Mr. Hadik discussed the fees.

There was no Public comment.

Ms. Richter made a motion to close the Public hearing; Vice Chair Sederquest seconded the motion. Motion approved 4-0-0.

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Ms. Richter made a motion to approve the application by Michelle Hatch, owner of property at 20 Chester Street (Map 16, Lot 20), to amend the site plan for the Bittersweet Blessings antiques/primitives shop, for conversion of the barn into additional retail space as allowed by a ZBA variance granted November 28, 2012, and the Conditions of Approval as discussed tonight; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Ms. Hatch departed the meeting at 8:01 pm.

Review and approve minutes for 8/9/17.

The Board reviewed the minutes of August 9, 2017. The sentence beginning on line 93 was reworded to read, "Mr. Mitchell said that the State has always had requirements that drainage infrastructure be maintained and that with large commercial complexes or a condominium complex (something that towns are not involved in,) the towns lose track of who is responsible and must chase after who the responsible party is."

Ms. Richter made a motion to accept the minutes from August 9, 2017 as amended; Vice Chairman Sederquest seconded the amendment. Motion approved, 4-0-0.

Review the following amendments to Subdivision & Site Plan Review regulations and vote to set a Public Hearing date:

- Subdivision – amend 4.5.3.4 – Private Way Standards by reducing the 10% slope limit to 8%.
- Subdivision – delete 4.12 – Driveway Standards because this already exists elsewhere as a stand-alone ordinance.
- Subdivision – add 4.12 – Mail Delivery Requirements
- Subdivision – amend 5.1.5 – Base (under 5.1 – Street Construction) to correct oversight of outdated wording to match current specifications elsewhere in the regulations.
- Site Plan Review – add 7.20 – amend Mail Delivery Requirements
- Driveway Regulations – amend Article 9 – Driveway Design & Construction Standards
- Subdivision – amend 4.11 – Fire Protection

Mr. Hadik and the Board reviewed and discussed the Subdivision and Site Plan Review amendments.

Ms. Richter made a motion to take the subdivision site plan amendments to a Public hearing on September 27, 2017 meeting; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Adjournment

Ms. Richter made a motion to adjourn the meeting; Vice Chairman Sederquest seconded the motion. Motion approved, 4-0-0.

The meeting was adjourned at 8:38 pm.

Respectfully submitted,

C. Molly Qualters

Recording Secretary