

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester  
Planning Board Meeting  
Wednesday, September 13, 2017  
Municipal Complex  
Draft Minutes**

**Members Present**

Brian Sullivan, Chairman  
Evan Sederquest, Vice Chairman  
Elizabeth Richter, Member  
Richard Snyder, Member  
Michael Weider, Member

**Members Absent**

Aaron Hume, Alternate Member  
Jacob Weider, Alternate Member  
Cass Buckley, Ex-Officio

**Staff Present:**

Andrew Hadik, Planning Coordinator

**Others Present at Various Times**

Eric Pettis  
Richard & Charlotte Cannata, 491 Lane Road  
Erika DeBeckers, 112 Towle Road, Chester  
Steph Landau, 662 Candia Road, Chester  
Eric Mitchell, Eric Mitchell & Associates  
Chuck Myette, Chairman Conservation Commission  
Mike Oleson, Chester Road Agent  
Timothy Peloquin, Promised Land Survey, LLC  
Karen Reese, Candia  
Penny Williams, Tri-Town Times  
Others unknown to this recording secretary

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

**Meeting Agenda**

**General Business**

- Review and sign invoices and time sheet.
- Review and approve minutes for 9/6/17.
- Add clarification to 8/23/17 minutes.

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

- Review student forecasting letter from Chairperson Royal Richardson, Chester School Board
- Discuss Municipal Space Needs Planning Committee question from Selectman Stephen D'Angelo.
- FYI – email re: proposed field changes to Hemlock Lane road design.
- FYI – email re: Isaac Foss Road two-year cash maintenance guarantee.
- FYI – the annual CIP update info packets have been sent to all departments except Highway.

**7:05 PM – Appointments**

Mr. DeBeckers – Discussion regarding Home Business permit.

**7:15 PM – Public Hearings**

1. Continuance of the Public Hearing for the subdivision application by the DAR Builders, LLC, 305 Massabesic Street, Manchester, NH, 03104, for a 60-lot subdivision of Map 11, Lots 30 & 30-7 off Crowley Road, Candia, NH.
  - FYI – Letter from the Chester Fire Department.
  - FYI – Email from Attorney Bennett, re: liability.
2. Subdivision application by Richard Cannata (owner), 491 Lane Road (Map 11, Lot 53), for a two-lot subdivision off Lane Road in Chester, NH.

**Future Meeting Dates:**

September 27, 2017 – Brown HB, PH for Subdivision & Site Plan Review amendments

October 4, 2017 –

October 11, 2017-

October 25, 2017 –

Mr. Eric Pettis, a new resident of Chester interested in joining the Planning Board, joined the Planning Board at the meeting table.

**Add clarification to 8/23/17 minutes.**

Mr. Hadik reviewed an email from Mr. Myrick Bunker; Mr. Bunker wrote to the Planning Board requesting clarification to the August 23, 2017 meeting minutes. Mr. Bunker's email, referring to the August 23, 2017 Planning Board meeting minutes, reads: "At line 172, it says I was speaking for the FD on the Bittersweet item. I was a) not speaking for the FD on this item and b) was not in attendance at this meeting."

Mr. Hadik noted Mr. Bunker's comments occurred because preceding comments to this discussion were missing from the minutes. In particular, a board member was concerned about the barn meeting the fire codes before the CO was issued. Mr. Hadik had responded saying he and Mr. Bunker had already discussed the application for use of the barn as retail space, and Mr. Hadik felt sure Mr. Bunker wouldn't be issuing any CO until the fire code had been met. Mr. Hadik noted he had also mentioned Mr. Bunker had recently joined the CFD.

Mr. Hadik also noted Mr. Bunker's concern that he not be represented as speaking on this issue for the Fire Department.

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Hadik and the Board agreed that the August 23, 2017 meeting minutes would be amended to reflect the additional comments of the conversation held on August 23, 2017 during the Public Hearing, as discussed tonight.

**Review and approve minutes for 9/6/17.**

The Board reviewed the minutes for September 6, 2017.

Line 83 was changed to read “dwelling” from “building.” Line 150 was changed to read “its” from “it’s.” Line 171 was changed to read “the motion” from “the amendment.”

Mr. Weider made a motion to accept the minutes of September 6, 2017 as amended; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-1, Mr. Snyder abstained.

**7:05 PM – Appointments**

**Mr. DeBeckers – Discussion regarding Home Business permit.**

Ms. Erica DeBeckers came before the Board at 7:10pm.

Mr. Hadik reviewed the Cease and Desist letter with photos, issued to Ms. Erica DeBeckers by Chester Building Inspector Myrick Bunker.

Mr. Hadik explained that the letter describes and the photos show vehicles parking in the Town’s right-of-way along Towle Road. The letter notes a customer parking on Towle Road to drop off their pet and employees parking “just off the edge of the pavement” violates the Conditions of Approval signed by Ms. DeBeckers on January 10, 2017. Mr. Hadik read from the letter from Mr. Bunker, “Additionally, Chester Zoning Ordinance Article 4, Section 4.9, subsection 4.9.2.4 requires parking areas to be located at the side or rear of the property, are subject setback requirements for accessory structures and be screened from the roads and surrounding properties. This ordinance requires that any parking adhere to the forty-foot front setback and be screened, neither of which is being done. Therefore, you must immediately instruct your clients that they must only utilize the driveway when dropping off or picking up and ALL parking in the front setback and/or right-of-way.”

Mr. Hadik asked Ms. DeBeckers if she had added a second mobile veterinary clinic vehicle to her business. She said yes.

Mr. Hadik and Ms. DeBeckers discussed that the vehicle had been added since the Conditions of Approval had been approved, and the reasons for the parking issues.

Ms. DeBeckers said that while they haven’t increased the number of employees, the employees are often there at the same time creating a parking issue that she hadn’t predicted.

Chairman Sullivan asked what the specific violations are. Mr. Hadik said that the violations are parking in the right of way and/or front setback and a lack of screening of the parking area. Ms. DeBeckers and the Board discussed the violations.

Ms. Richter asked if there are still only two non-family employees on-site. Ms. DeBeckers said yes, explaining that ninety-nine percent of the time the majority of their employees are off-site. She said that the employees park and then leave in the mobile veterinary clinic vehicles, leaving at most, only two non-family employees at the house clinic.

Ms. DeBeckers said that she is working with the Stephen White to design and install a solution for the parking problem. She noted that until the problem is resolved, they will be removing the front lawn fence and parking the cars on the side yard lawn.

The Board agreed that the DeBeckers' should apply to amend the site plan for their Home Business permit which will also require a public hearing.

Mr. Hadik noted that Mr. Bunker is concerned about how the vehicles will access the new proposed parking area. He noted Ms. DeBeckers had stated the parking area would be built shortly as part of a larger project to install an in-ground pool and replace the septic system.

Ms. DeBeckers said that they are working on developing a plan. Mr. Hadik said that he would be willing to review the plan for her prior to scheduling the public hearing. He also noted that Mr. Bunker had indicated he is willing to suspend the Cease and Desist order if he sees progress to resolve the violations.

Mr. Weider recommended that the DeBeckers include everything in the new plan and application they may even think they will do before they have the public hearing, to prevent them from having to come back to the Board in another short period of time.

Mr. Hadik noted they must have a plan to present at the public hearing for amending their Home Business permit. Ms. DeBeckers agreed to have a plan created.

Ms. DeBeckers departed the meeting at 7:21 pm.

#### **7:30 PM – Public Hearings**

##### **1. Continuance of the Public Hearing for the subdivision application by the DAR Builders, LLC, 305 Massabesic Street, Manchester, NH, 03104, for a 60-lot subdivision of Map 11, Lots 30 & 30-7 off Crowley Road, Candia, NH.**

- FYI – Letter from the Chester Fire Department.
- FYI – Email from Attorney Bennett, re: liability.

Mr. Snyder made a motion to continue the Public Hearing for the subdivision application by the DAR Builders, LLC, 305 Massabesic Street, Manchester, NH, 03104, for a 60-lot subdivision of Map 11, Lots 30 & 30-7 off Crowley Road, Candia, NH; Vice Chair Sederquest seconded the motion. Motion approved, 5-0-0.

The Public Hearing was opened at 7:22 pm.

Mr. Hadik noted that no traffic study or amended plans have been received from the applicant for the Board or their engineers to review.

Mr. Hadik pointed out a letter from the Chester Fire Department addressed to Chairman Sullivan and Board, signed by Lieutenant Scott E. Newnan and Chief Gregory A. Bolduc regarding the issuance of building permits and the installation, testing and certification of cisterns at the Crowley Woods/Tanglewood Subdivision as discussed at the Planning Board Meeting, documented in the minutes August 9, 2017 (Lines 219-221).

The Board reviewed the letter from the Chester Fire Department (CFD). (The CFD letter is included with these minutes.)

Mr. Mitchell came before the Board at 7:24 pm.

Mr. Mitchell reviewed several reasons why he would like to have the Public Hearing continued for a month. He said he would like to review tonight what has been done to date, and get any questions from the Board or the Public.

Mr. Mitchell's synopsis:

- The Traffic Study has been completed, but is not available for the meeting tonight; copies of the Traffic Study will be printed shortly for distribution.
- He and the owner attended the Conservation Commission meeting last night, where they distributed the proposed conservation deed to the Town and the copies of the submitted environmental reports. They plan to return to the Conservation Commission in one month at their next meeting, after the Commission has reviewed these documents.
- He and the owner met with the Chester Fire Department. Mr. Mitchell said that the cistern issue as identified in the CFD letter was discussed. He noted that he understands that the Fire Department wants the cistern/s installed and operational prior to construction because the construction materials on-site could pose a problem. Mr. Mitchell said that he understands the CFD's position on this issue.
- Mr. Mitchell said that they have not resubmitted their subdivision application to the Town of Candia yet. He noted they had originally submitted an application for a minor subdivision for which they met Candia's regulations, however, because the development is a subdivision of regional impact, the Candia Board decided they must resubmit as a major subdivision. He said that they will resubmit their application to Candia once they have copies of the Traffic Study.

Mr. Mitchell asked for a continuance for one month from this night.

Mr. Hadik requested that a copy of the Traffic Study be distributed to DuBois and King. Mr. Mitchell agreed.

Mr. Chuck Myette, Chairman Conservation Commission, joined the Board at the meeting table at 7:28 pm.

Mr. Myette said that they haven't had much time to review the reports yet. He noted that there were a few items on the plans that they have identified, including a Natural Heritage Study inventory. He said that although they haven't seen them, there is some discussion about Blanding Turtles and Spotted Turtles.

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Myette said that there are some criteria that are being put into the plan by New Hampshire Fish and Game and Wildlife that they haven't seen before for areas that the Town owns. He noted that if there are Blanding turtles in the area, this would be something that they would want to know now, and what impact the development would have on the turtle's habitat.

Mr. Myette said that they need time to review the documents to better understand the ramifications, which is why they have asked to have DAR Builders to return to the Conservation Commission next month.

The Board, Mr. Myette and Mr. Mitchell discussed the various environmental applications DAR Builders have submitted, including the wetlands application, the type of curbing that will be done, and the best curbing for the environment (Cape Cod rather than vertical granite curbing), and the need for natural bottom culverts which, it was noted, had been discussed at a previous Planning Board meeting.

Mr. Myette said that they have not seen any drainage studies, yet. He said that he would like to see the drainage report. Mr. Hadik said he would email him the report. Mr. Myette also noted that the buffers are not always adequate to mitigate run-off because of the different materials used.

Mr. Snyder pointed out that they need Mr. Myette's help in identifying those critical areas that will need protection.

Mr. Myette said that after DAR Builders come back next month to the Conservation Commission meeting, he will create a summary for the Planning Board. He noted that in the meantime he will review the documents to identify any other issues.

Mr. Myette departed the meeting table at 7:38 pm.

Chairman Sullivan asked for any Public comment or questions.

Ms. Karen Reese, Candia, came before the Planning Board at 7:38 pm.

Ms. Reese asked Mr. Mitchell when they will be resubmitting their new application to Candia.

Mr. Mitchell said that they will be resubmitting their application to Candia when they receive the Traffic Study, possibly Friday or Monday.

Ms. Reese expressed her concern that the meetings for the two Towns will be "lining up" at the same time without time for Candia's Planning Board to review Chester's consensus about the traffic report.

Chairman Sullivan said that if either Board believes they have insufficient time to properly review the information, the boards can continue the public hearings.

Ms. Reese asked if there is any way for the Public to see the Traffic Study before the meetings.

Mr. Weider said that it is a Public document. Mr. Hadik said that he would try to get a digital copy onto the Chester Planning Board website.

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Ms. Reese asked about the cisterns and the building permits. Mr. Hadik explained that that information will be set in the Conditions of Approval. He noted that the Board and Mr. Mitchell have just received the letter from the CFD this evening and will need time to review it.

Ms. Reese returned to her seat at 7:45 pm.

Mr. Weider made a motion to continue the Public Hearing to October 11, 2017 at 7:15 pm for the subdivision application by the DAR Builders, LLC, 305 Massabesic Street, Manchester, NH, 03104, for a 60-lot subdivision of Map 11, Lots 30 & 30-7 off Crowley Road, Candia, NH; Ms. Richter seconded the motion. Motion approved, 5-0-0.

**Subdivision application by Richard Cannata (owner), 491 Lane Road (Map 11, Lot 53), for a two-lot subdivision off Lane Road in Chester, NH.**

Mr. Snyder made a motion to accept the application and open the Public Hearing for the subdivision application by Richard Cannata (owner), 491 Lane Road (Map 11, Lot 53), for a two-lot subdivision off Lane Road in Chester, NH; Mr. Weider seconded the motion. Motion approved, 5-0-0.

Mr. Timothy Peloquin came before the Planning Board at 7:48 pm. He distributed sheets 4 and 5 to be added to the current plan set.

Mr. Hadik, referring to the 9/1/17 review letter from Jeff Adler, noted that the Board does not grant conditional approval until they have a “clean” review letter from Mr. Adler on matters of drainage.

The Board, Mr. Hadik and Mr. Peloquin had an in-depth discussion on the importance of drainage reports and drainage mitigation for all development regardless of lot sizes. Mr. Hadik described the complexity of this increasing problem, the increases in Town infrastructure costs due to State and Federal regulatory changes, and the current financial impact of adding culverts to roads now, compared to five years ago.

Mr. Peloquin explained that they submitted their drainage report, and six of seven items identified by Mr. Adler pertain to drainage issues. He further explained that the time delay in getting the subdivision approved is delaying the selling of the Cannata’s original homestead.

The Board, the Cannatas, and Mr. Peloquin discussed when they can get final approval.

Mr. Snyder said that the Board requires a clean letter from Mr. Adler verifying that everything has been addressed; he noted that a Public Hearing can be scheduled in anticipation of receiving the clean letter from Mr. Adler.

Mr. Snyder made a motion to continue to September 27, 2017 at 7:15 pm the subdivision application by Richard Cannata (owner), 491 Lane Road (Map 11, Lot 53), for a two-lot subdivision off Lane Road in Chester, NH; Mr. Weider seconded the motion. Motion approved, 5-0-0.

The Cannatas and Mr. Peloquin departed the meeting at 8:10 pm.

**Letter from the Chester Fire Department.**

9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

The Board discussed the letter from the CFD (included in these minutes as noted on line 187). The Board explained that they have questions with information within the letter that they need to have answered by the CFD.

The Board agreed that representatives of the CFD should be present at the next Public Hearing for the subdivision application by the DAR Builders, LLC, 305 Massabesic Street, Manchester, NH, 03104, for a 60-lot subdivision of Map 11, Lots 30 & 30-7 off Crowley Road, Candia, NH, to address questions and concerns for which the CFD is more qualified to answer.

**Review student forecasting letter from Chairperson Royal Richardson, Chester School Board**

The Board and Mr. Hadik discussed the letter from Chester School Board Chairman Royal Richardson in which Chairman Richardson asks the Board for any guidance the Planning Board may have in forecasting a more precise projection of growth in Chester.

The Board discussed the past and present difficulties of forecasting growth.

Mr. Snyder suggested the School Board might contact the Southern New Hampshire Planning Commission for help with this issue.

**Discuss Municipal Space Needs Planning Committee question from Selectman Stephen D'Angelo.**

Mr. Hadik informed the Board about a question from Selectman Stephen D'Angelo regarding creating a Municipal Space Needs Planning Committee.

Mr. Hadik and the Board discussed creating a committee to research the Town's space needs for the next 10 to 30 years. They agreed that planning for the Town's future municipal space needs makes sense.

Mr. Hadik suggested that the Public would be better able to make an informed decision if there were an official Municipal Space Needs Committee, which might include two Planning Board members, two BOS members, two Budget Committee members, specific department heads, and two to four members of the public at large who don't have connections with the specific departments under review.

Mr. Weider said that he was concerned about the available time the members from the various committees and boards would have to spend on such a committee.

Ms. Richter noted that the Townspeople seem opposed to spending money.

**FYI – email re: proposed field changes to Hemlock Lane road design.**

Mr. Hadik reviewed and discussed the email that he had sent to Mr. Grant Benson and Mr. Kevin Hatch regarding their six proposed field changes to the design plan for Hemlock Lane. Mr. Hadik noted that he compiled the email comments for each proposal chronologically, and identified whether the status of each proposal is resolved or unresolved. He noted paving cannot commence until all six proposed field changes have been approved and/or resolved.



9-13-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

366 **FYI – email re: Isaac Foss Road two-year cash maintenance guarantee.**

367

368 Mr. Hadik and the Board reviewed and discussed the email regarding the Isaac Foss Road two-year cash  
369 maintenance guarantee.

370

371 **Other**

372

373 Mr. Hadik reviewed his plans for printing the Planning Board’s book of ordinances and regulations. He  
374 stated the format will be different so the book may be updated annually at a significantly lower cost  
375 than in the past.

376

377 **Adjournment**

378

379 Ms. Richter made a motion to adjourn the meeting; Mr. Snyder seconded the motion. Motion approved,  
380 5-0-0.

381

382 The meeting was adjourned at 9:09 pm.

383

384 Respectfully submitted,

385 C. Molly Qualters

386 Recording Secretary