

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Town of Chester
Planning Board Meeting
Wednesday, September 27, 2017
Municipal Complex
Approved Minutes

Members Present

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Aaron Hume, Alternate Member

Members Absent

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

Staff Present:

Andrew Hadik, Planning Coordinator

Others Present at Various Times

Patricia Brown, 32 Arabian Way
Richard & Charlotte Cannata, 491 Lane Road
Stephen D'Angelo, Chester Selectman
Eric Mitchell, Eric Mitchell & Associates
Timothy Peloquin, Promised Land Survey, LLC
Penny Williams, Tri-Town Times
Others unknown to this recording secretary

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

Chairman Sullivan said that Mr. Hume is sitting in for Mr. Weider.

Meeting Agenda

General Business

- Review and sign invoices and time sheet.
- Review and approve minutes for 9/13/17.
- Review and approve bond estimate for Mill Pine Village Phase II-C.
- FYI update on Hemlock Lane
- FYI update on Turnagain Estates LOC.
- Distribute copies of Crowley Woods (Tanglewood) Subdivision traffic study.

7:05 PM – Appointments

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

1. Matt Abdallah, re: maintenance bond for the Isaac Foss Road subdivision.
2. Selectman Stephen D'Angelo, re: Municipal Space Needs Committee.

7:15 PM – Public Hearings

1. Continuation of 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.
2. Home Business application from Patricia Brown, 32 Arabian Way (Map 9 Lot 42-17), for a dog grooming business.
3. Proposed amendments to the Town of Chester's Subdivision, Site Plan Review & Driveway regulations:
 - Subdivision – amend Section 4.5.3.4.1.d – Private Way Standards.
 - Subdivision – amend Section 4.11 – Fire Protection.
 - Subdivision – delete redundant Section 4.12 – Driveways, and replace with Section 4.12 – Mail Delivery Provisions.
 - Subdivision – amend Section 5.1.5 – Base (Road Construction).
 - Site Plan Review – add Section 7.20 – Mail Delivery Provisions.
 - Driveway – replace Article 9 – Driveway Design & Construction Standards.

Future Meeting Dates:

October 4, 2017 – CD Brian Remillard
October 11, 2017- CPH Crowley Woods
October 25, 2017 –

7:05 PM – Appointments

1. **Matt Abdallah, re: maintenance bond for the Isaac Foss Road subdivision.**

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

Mr. Hadik reviewed for the Board the Isaac Foss Road subdivision maintenance bond issue. He said that the subdivision is going to be finished and that the applicant proposes to renew the Letter of Credit for sixty days. Mr. Hadik explained that he discussed the maintenance bond that needs to be established in accordance with the Town regulations for the Isaac Foss -Map 9/Lot 12 with Mr. Abdallah and Mr. Benson, and Mr. Adler, DuBois & King.

Mr. Hadik further explained how the maintenance bond for \$56,000 was calculated. He referred to a letter from Mr. Adler dated September 26, 2017 suggesting the bond amount of \$56,000, that had been distributed to the Board members.

Chairman Sullivan asked Mr. Abdallah what issue he has with the maintenance bond.

Mr. Abdallah said that he has no problem; he noted that this is the first time they had come across the maintenance bond and didn't know what would be the amount. He said that the road has been through two winters and has held up well. Mr. Abdallah explained that they have no issue, but, that they understand that the maintenance bond can't go below the fifteen percent and must be in place for two years after the last house has been built.

Chairman Sullivan asked if they have a road bond in place.

Mr. Abdallah said that they have a \$66,000 road bond in place for the finish on the road for what is left to be done. It was noted that the road bond will "drop off" and be replaced by the maintenance bond when the road work is complete.

Mr. Abdallah said that the road should be complete within the next 30 days.

Ms. Richter made a motion to approve a maintenance bond for Isaac Foss – Map 9 / Lot 12 in the amount of \$56,000 as set forth in the DuBois & King letter dated September 26, 2017; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Mr. Abdallah departed the meeting at 7:14 pm.

Review and approve bond estimate for Mill Pine Village Phase II-C.

Mr. Hadik distributed a letter from DuBois & King regarding the Mill Pine Village – Map 10, Lot 1 that addressed the drainage and subgrade observations for the Mill Pine Village – Phase II-C.

The Board reviewed the letter.

Ms. Richter made a motion to set the construction bond for Phase II-C of Mill Pine Village – Map 10, Lot 1, at \$170,000 as set forth in DuBois & King letter dated September 19, 2017; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

7:05 PM – Appointments

2. Selectman Stephen D'Angelo, re: Municipal Space Needs Committee

Selectman D'Angelo joined the Board at the meeting table at 7:19 pm.

Selectman D'Angelo explained to the Board that he had had discussions with the BOS about creating a committee of a group of people from Planning Board, Selectmen, Budget Committee and others, to look out beyond the one year budget cycle to determine what potential impact the homes being built in Town are going to have on things like roads, police, fire, and the school. He said that this falls into the Planning Board's purview.

Chairman Sullivan explained that the Planning Board uses the CIP to look out seven to nine years for purchasing and budgeting, and the CIP often leads to discussions about predicting 20 or more years for things such as a police department sally port versus a new police department building.

Mr. Hadik noted that he has been involved with the Town's space needs issues for 25 years, including during the time of one of Chester's biggest growth spurts; he said that determining the Town's space needs was not a function of the Planning Board even during the growth spurt. Mr. Hadik explained that historically this is not a Planning Board function, but that in the 1990s a strategic planning committee was created comprised of members of the selectman, the budget committee, the school board, and most importantly 15 to 20 members of the Public attending the meetings. During this time the committee dealt with the building of the new school, the new fire station, the new transfer station, the landfill closure, and finally the move of the municipal offices from Stevens Hall over to the former school building.

Mr. Hadik said this committee should be coordinated by the BOS with "buy-in" (active participation) by the Budget Committee. He said this should be a very open and transparent process with much participation from members of the Public, and Community opinion leaders that don't necessarily sit on Boards. Mr. Hadik stressed that without that type of participation it will be very difficult to get any new major building projects approved, such as a new police station.

Selectman D'Angelo said that he is here trying to get an idea or consensus of what people want to do.

Chairman Sullivan said that he thinks that one can project growth and determine what is needed, but, unless the Public is well-informed they will not support the projects.

Chairman Sullivan, Mr. Hadik, and Selectman D'Angelo further discussed a municipal space needs committee.

Selectman D'Angelo departed the meeting at 7:36 pm.

7:30 PM – Public Hearings

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

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

The Public Hearing was opened at 7:37 pm.

Mr. Peloquin joined the Board at the meeting table at 7:37 pm.

Mr. Peloquin noted that he would be interested in being part of a municipal space needs committee if one is created.

Mr. Peloquin, Mr. Hadik and the Board reviewed the work that had been completed in the two weeks. Mr. Hadik said that the rain garden is now a water retention structure, and the Conditions of Approval should be changed to reflect such change.

Mr. Hadik asked if sheet three was the sheet being recorded. Mr. Peloquin said yes.

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

177 Mr. Peloquin gave a letter noting that all the monuments had been set.

178 Mr. Hadik said that as far as Mr. Adler is concerned, everything that was outstanding has been addressed.
179 He noted that the Road Agent has looked at the driveway intersection with Lane Road, and no
180 improvements are required.

181 Ms. Cannata came before the Board at 7:57 pm. She requested permission to personally convey the Mylar
182 documents to the Rockingham County Registry of Deeds.

183 Mr. Hadik noted the Cannatas should submit a written request for a waiver from the Board to allow the
184 Cannatas to hand deliver the mylar and conditional subdivision approval to the Registry.

185 Mr. Hume made a motion to waive Article 6.6 Subdivision regulations to allow hand delivery of the
186 documents to the Registry on September 28, 2017 by the Cannatas; Ms. Richter seconded the motion.
187 Motion approved, 4-0-0.

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

190 The Public Hearing was closed at 7:57 pm.

191 Ms. Richter made a motion to grant conditional subdivision approval based on the application by Richard
192 Cannata (owner), 491 Lane Road (Map 11, Lot 53), for a two-lot subdivision off Lane Road in Chester, NH
193 dated August 9, 2017, as amended in accordance with the discussion tonight; Vice Chair Sederquest
194 seconded the motion. Motion approved, 4-0-0.

195
196 The Cannatas departed the meeting at 8:01 pm.
197

1982. **2. Home Business application from Patricia Brown, 32 Arabian Way (Map 9 Lot 42-17), for a dog
199 grooming business.**

200
201 Ms. Richter made a motion to accept the application from Patricia Brown, 32 Arabian Way (Map 9 Lot 42-
202 17), for a dog grooming business; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.
203

204 Ms. Richter made a motion to open the Public Hearing regarding the application for Patricia Brown; Vice
205 Chair Sederquest seconded the motion. Motion approved, 4-0-0.
206

207 The Public Hearing was opened at 8:02 pm.
208

209 Ms. Brown joined the Board at the meeting table at 8:04 pm.
210

211 Mr. Hadik apologized to the Board noting that he did not have time to get the Conditions of Approval
212 prepared for the meeting.
213

214 Ms. Brown explained to the Board that the prior owner of the house that she purchased had had a kennel
215 license to operate within the house; she said that the basement is already a grooming shop, noting that she
216 will not need to have any plumbing or electrical work done. She showed pictures of the room to the Board.

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Mr. Hadik informed Ms. Brown that the first thing the Board is concerned about is for the home to have enough on-site parking so that none of the customers must park on Arabian Way's right-of-way.

Ms. Brown said that she has plenty of parking for all customers to pull into the driveway.

Ms. Brown and the Board continued to discuss of what the Conditions of Approval will consist, including parking, hours of operation, unreasonable noise, number of employees, and number of customers at any given time.

Ms. Richter made a motion to continue the Public Hearing to consider Patricia Brown's application for a home business to October 4, 2017 at 7:15 pm; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

3. Proposed amendments to the Town of Chester's Subdivision, Site Plan Review & Driveway regulations:

Vice Chair Sederquest made a motion to open the Public Hearing for the proposed amendments to the Town of Chester subdivision site plan review and driveway regulations; Ms. Richter seconded the motion. Motion approved, 4-0-0.

The Public Hearing opened at 8:11 pm.

Mr. Hadik reviewed the regulations that are being amended:

Subdivision – amend Section 4.5.3.4.1.d – Private Way Standards

d.) The slope or grade of a common drive shall in no place exceed 8% if paved or 10% if unpaved.

Mr. Hadik noted that they are striking "if paved or 10% if unpaved." The amendment will read: d.) The slope or grade of a common drive shall in no place exceed 8%. The Board had no comments.

Subdivision – amend 4.11 – Fire Protection

Mr. Hadik noted that this amendment underwent a substantial rewrite with the assistance of Mr. Myrick Bunker, Town of Chester Building Inspector and member of Chester Fire Department. Mr. Hadik said they removed redundancies that are now referenced in the comprehensive revision of Appendix B – Cisterns, of the Site Plan Review regulations.

Mr. Mitchell joined the Board at the meeting table at 8:21 pm.

The Board, Mr. Hadik, and Mr. Mitchell had much discussion about the changes to the Fire Protection regulations 4.11.1 and 4.11.6.

The Board agreed to get more information from the fire chief before moving forward on the amendments to the Fire Protection regulations and continuing to the October 4th meeting.

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

Subdivision – delete redundant Section 4.12 – Driveways, and replace with Section 4.12 – Mail Delivery Provisions.

Mr. Hadik reviewed the amendments to the regulations. The Board had no comments.

Subdivision – amend Section 5.1.5 – Base (Road Construction).

Mr. Hadik reviewed the amendment to the regulation; he noted that Mr. Adler had reviewed the rewording of the regulations. The Board had no comments.

Site Plan Review – add Section 7.20 – Mail Delivery Provisions.

Mr. Hadik reviewed the amendment. The Board had no comments.

Driveway – replace Article 9 – Driveway Design & Construction Standards.

Mr. Hadik reviewed the amendment 9.13 - No driveway shall have a slope greater than eight (8) percent.

Mr. Mitchell argued that changing the slope of a driveway to “no greater than eight percent” is too low, and creates more problems than the eight percent slope might fix.

The Board, Mr. Hadik, and Mr. Mitchell had much discussion about the appropriate slope of driveways.

The Board agreed to reword the article 9.13 to read “No driveway shall have a slope greater than 10 percent. No driveway shall have a slope of 10 percent over a distance of greater than 100 feet.”

Mr. Mitchell departed the meeting at 9:20 pm.

Chairman Sullivan called for Public comment. There was no Public comment.

Ms. Richter made a motion to approve the amendments with changes as discussed tonight to the Town of Chester’s subdivision site plan and driveway regulations specifically: Subdivision – amend Section 4.5.3.4.1.d – Private Way Standards, Subdivision – delete redundant Section 4.12 – Driveways, and replace with Section 4.12 – Mail Delivery Provisions, Subdivision – amend Section 5.1.5 – Base (Road Construction), Site Plan Review – add Section 7.20 – Mail Delivery Provisions, Driveway – replace Article 9 – Driveway Design & Construction Standards; Vice Chair Sederquest seconded the motion. Motion approved, 4-0-0.

Review and approve minutes for 9/13/17.

The Board reviewed the minutes for September 13, 2017.

The word “to” was removed from line 323.

Vice Chair Sederquest made a motion to accept the minutes of September 13, 2017 as amended; Ms. Richter seconded the motion. Motion approved, 3-0-1, Mr. Hume abstained.

Adjournment

9-27-17 – These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

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

312

313 The meeting was adjourned at 9:30 pm.

314

315 Respectfully submitted,

316 C. Molly Qualters

317 Recording Secretary