

12-11-19: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, December 11, 2019
Municipal Complex
Approved Minutes**

Members Present:

Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Richard Snyder, Member
Dana Theokas, Alternate Member
Aaron Hume, Alternate Member

Members Absent:

Brian Sullivan, Chairman
Michael Weider, Member
Selectman Chuck Myette, Liaison

Others Present at Various Times:

Andrew Hadik, Planning Coordinator
Penny Williams, Tri-Town Times

7:00 PM - General Business

1. Review & sign invoices & time sheet.
2. Review & approve minutes for the 12/04/19 PB meeting.
3. Review & approve the bond reduction for Cedar View Estates based on the 12-10-19 letter by Scott Bourcier of DuBois & King.
4. Finalize the update of the procedural requirements for departments for requesting the release of impact fees for CIP project expenditures.
5. Review & discuss potential zoning amendments:
 - Article 4.5.2 – Parking Lot Requirements
 - Article 4.9.2 – Home Business
 - Article 5.3.5.2 – D & E Slopes
 - Article 5.7.2 – Basal Area
 - Article 11.2.2.3 – Public Hearing and Notice
 - Article 11.5 – Expiration of Special Exceptions and Variances
 - Article 6 – Workforce Housing

7:15 PM – Appointments

None scheduled.

7:15 PM - Public Hearings

None scheduled.

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Future Meeting Dates

- *December 25 – Last day to notice for the 1st public hearing for zoning amendments if two public hearings are anticipated.*
- *January 8 – Last day to hold the 1st public hearing for zoning amendments if two public hearings are anticipated.*
- *January 8 – Last day to notice for the 2nd public hearing for zoning amendments if two public hearings are anticipated.*
- *January 15 – Last day to notice for the final public hearing for zoning amendments.*
- *January 29 – Last day to hold the final public hearing for zoning amendments.*

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

Vice-Chair Sederquest opened the meeting at 7:02 PM and designated Alternate Mr. Hume to sit in for Chairman Sullivan and Alternate Dana Theokas to sit in for Mr. Weider.

1. Review & sign invoices & time sheet

There was no discussion.

2. Review & Approve minutes for the 12/4/19 PB meetings

Mr. Snyder motioned to accept the minutes for the December 4, 2019 meeting, as amended. Ms. Theokas seconded the motion, with all in favor, approved 5-0-1.

3. Review & approve the bond reduction for Cedar View Estates, Map 8/Lot 7-1, 8 and 57 based on the 12-10-19 letter by DuBois & King

Mr. Hadik provided the Board with a letter from Scott Bourcier of DuBois & King dated December 10, 2019 referencing the inspection of the project along with an itemized estimate for completion, which recommended reducing the bond estimate amount from \$191,400 to \$163,400.

Ms. Richter asked about the comment concerning driveway culverts and Mr. Hadik explained the builders will install them. Four or five driveways may require culverts.

Mr. Snyder motioned to reduce the bond for Cedar View Estates – Map 8/Lot 7-1, 8 and 57 from \$191,400 to \$163,400. Ms. Richter seconded the motion, with all in favor, the motion passed 5-0-0.

4. Finalize the update of the procedural requirements for departments for requesting the release of impact fees for CIP project expenditures.

Mr. Hadik provided the Board with the final draft of the revised process for the release and expenditure of impact fees. He noted he had added Section e) at the suggestion of Selectman Myette. The process now reads as follows:

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- 89 a) The stakeholder shall submit to the Planning Board a request for expenditure of impact fees,
90 together with a documented cost estimate or invoice. The request shall also state in which fiscal
91 year the expenditure will occur; however, the expenditure shall not be scheduled any later than the
92 end of the following fiscal year.
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- 94 b) The Planning Board will then notify the BOS and stakeholder if the proposed expenditure qualifies
95 per the currently adopted CIP. The Board will forward the submitted cost documentation and fiscal
96 year expenditure information to the BOS.
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- 98 c) The stakeholder shall then obtain approval from the BOS for the proposed expenditure and the
99 fiscal year for which the expenditure is planned.
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- 101 d) The BOS will then notify the Planning Board of the approval, so the Planning Board can notify and
102 request the release and transfer of the impact fees to the General Fund by the Town Treasurer and
103 Finance Director.
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- 105 e) The stakeholder shall notify the Planning Board once the project has been completed, and shall
106 supply a total final cost, along with copies of the invoices for all the expenditures.
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108 The Board approved the final draft. Mr. Hadik noted he will these amendments to the document titled
109 Process for the Collection / Appropriation and Expenditure of Impact Fees, CIP Capital Reserve Funds,
110 and Offsite Improvement Fees, and will forward it to all the stakeholders and the BOS.
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112 5. Review & discuss potential zoning amendments:

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114 The Board reviewed and discussed the following proposed zoning amendments:
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- 116 • **Article 4.5.2 – Parking Lot Requirements** – The Board did not amend the draft.
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- 118 • **Article 4.9.2 – Home Business** - Mr. Hadik noted Attorney Bennett has recommended not amending
119 Subsection 4.9.2 regarding mentioning Site Plan Review. To avoid confusion, he instead
120 recommended adding Subsection “4.9.2.8 –The Planning Board may require some or all the
121 requirements of Site Plan Review as a condition of approval”, and renumbering the other
122 subsections accordingly.
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- 124 • **Article 5.3.5.2 – D & E Slopes** - The Board did not amend the draft.
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- 126 • **Article 5.7.2 – Basal Area** - The Board did not amend the draft.
127
- 128 • **Article 11.2.2.3 – Public Hearing and Notice** - The Board did not amend the draft.
129
- 130 • **Article 11.5 – Expiration of Special Exceptions and Variances** - Mr. Hadik noted Attorney Bennett
131 has reviewed this, and if passed, the amendment won’t affect variances or special exceptions until
132 2023. By this time the youngest unused appeal will be a decade old. The Board did not amend the
133 draft.

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- **Article 6 – Workforce Housing** - Mr. Hadik noted he just received the final drafts of two proposed house bills. A portion of HB-1629, which proposes to amend RSA 67421,II reads as follows:

(b) If a municipality allows an increased density, reduced lot size, expedited approval, or other dimensional or procedural incentive under this section for the development of housing for older persons, as defined and regulated pursuant to RSA 354- A:15, it shall allow the same incentive for the development of all other types of housing development. Beginning January 1, 2021, incentives established for housing for older persons shall be deemed applicable to all types of housing development, regardless of whether a local land use ordinance or regulation specifically provides for their application to all types of housing development.

Mr. Hadik noted that for this reason alone it would be good to remove age-restricted/senior housing from Article 6. Besides, seniors and people of all ages would also benefit from incentivizing and increasing the amount of workforce housing.

Mr. Hadik reviewed the calculations for the two revised density-yield calculations examples in the ordinance. There was discussion whether it was beneficial to include these examples. Mr. Hadik maintained it was beneficial. Vice Chairman Sederquest noted two numerical typos which were corrected. The Board amended the definition of Duplex Unit to add clarify that a duplex unit is one-half of a duplex. Mr. Hadik noted the draft has been forwarded to Jeff and Scott and two planners for feedback.

Ms. Theokas noted the Recreation Commission is interested in adding a requirement for playgrounds to the subdivision ordinance. The Board had much discussion. Ms. Richter noted one can't put playgrounds in Open Space. Mr. Hadik opined it is tough to mandate because builders and homeowners' associations don't like this requirement for liability reasons.

The Board discussed whether the 50% limit on duplex or multi-family units is too restrictive (Subsection 6.7.1.3). The Board decided to leave this wording as it reads for now.

The Board discussed whether to retain the 15% unit-density bonus for increasing and protecting the amount of the open space from 50% to 60% (Subsection 6.9.3). Mr. Hadik wondered if offering this bonus detracted from the interest in the density bonus for workforce housing. The Board decided to leave this incentive as it is for now.

The Board discussed whether to continue allowing the clustering of workforce housing within a discrete portion of the open space subdivisions (Subsection 6.14.4). Mr. Hadik was concerned about the segregation of families and units based on income. The Board decided to leave this wording as it reads for now.

Ms. Theokas motioned to take the zoning amendments to public hearing on January 8, 2020. Mr. Snyder seconded the motion, with all in favor, the motion passed 5-0-0.

Mr. Hadik noted he will be drafting the Board's annual report shortly. He will also prepare the ballot wording for the zoning amendments.

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175 Mr. Hadik noted he had a conference call with the Town's engineer, Counsel for Brady Sullivan and
176 multiple sub-contractors concerning the sureties for the Southwoods Subdivision which total ~\$776,000
177 for all four phases. Brady Sullivan is challenging the cost estimates and reasons for the surety amounts.
178 Mr. Hadik informed the Board there will be a site walk tomorrow at 10 AM to discuss the sureties. Mr.
179 Snyder indicated he might attend.

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181 **Appointments**

182 None scheduled

183 **Public Hearings**

184 None Scheduled

185 **Adjournment**

186 *Ms. Richter motioned to adjourn the meeting at 8:27 PM. Ms. Theokas seconded the motion, with all*
187 *in favor, the motion passed unanimously.*

188 Respectfully submitted,

189 Daniel Hoijer

190 Recording Secretary