

02-05-20: These minutes are subject to possible revisions/corrections during review at a subsequent Planning Board Meeting.

**Town of Chester
Planning Board Meeting
Wednesday, February 5, 2020
Municipal Complex
Approved Minutes**

Members Present:

Brian Sullivan, Chairman
Evan Sederquest, Vice Chairman
Elizabeth Richter, Member
Richard Snyder, Member
Aaron Hume, Alternate Member
Selectman Chuck Myette, Liaison

Members Absent:

Michael Weider, Member
Dana Theokas, Alternate Member

Others Present at Various Times:

Andrew Hadik, Planning Coordinator
Alisha Eckman
Bill Rohr, Facility Manager, Busche Academy
Tim Peloquin, Owner, Promised Land Survey

7:00 PM - General Business

1. Review & sign invoices & time sheet.
2. Review & approve minutes for the 1/22/20 PB meeting.
3. Revisit the warrant article for amending the amount of basal area cutting allowed in "No-Clearing" buffers.
4. Have Chairman sign site plan mylars & hardcopies.

7:15 PM – Appointments

Tim Peloquin re: Questions regarding the level of detail required for the Mill Pine Village final as-built plans.

7:30 PM - Public Hearings

Site Plan Review Application of Alisha Eckman Art & Design to hold adult art classes in the Busche Academy classroom building (formerly Nutting Hall) located at 66 Chester Street (Map 5, Lot 14).

Future Meeting Dates

- February 12
- February 26

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(**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)

Chair Sullivan opened the meeting at 7:00 PM and indicated Alternate Member Aaron Hume would sit in for Mr. Weider.

1. Review & sign invoices & time sheet

The Board signed the invoices and time sheet.

2. Review & Approve minutes for the 1/22/20 PB meeting

Ms. Richter motioned to accept the minutes for the January 22, 2020 meeting as amended. Mr. Snyder seconded the motion. A vote was taken. Mr. Snyder & Mr. Hume abstained. Approved 4-0-2.

3. Revisit the warrant article for amending the amount of basal area cutting allowed in “No-Clearing” buffers.

Mr. Hadik discussed a lengthy forestry site walk he recently participated in with the State wildlife specialist and the Rockingham and Hillsboro county foresters. They provided a lot of information about wildlife habitats and wetlands. They advised that there are more approvals being sought now by land trusts and conservation groups for clear-cutting to the edge of wetlands. They said letting in more sunlight releases a lot of regenerative growth and heavy underbrush, which is better for filtering out sediment in runoff vs. sparsely scattered large trees with interlocking canopies. The profusion of new brush also provides better cover and food sources for wildlife. They advised against stricter basal area laws and prime-wetlands regulations. *(There were some caveats for erosional & steep slope situations.)*

Mr. Hadik discussed some of the increasing issues with diseased trees, the Woolly Adelgid and rust needle blight affecting Hemlock trees, the bark disease with Beech trees, yellowing die back and the Emerald Ash Borer affecting the Ash trees, and fungal spore issues with Blue Spruce trees. A lot of these issues are related increasing climate temperature, especially during winters.

Mr. Hadik mentioned the State wetlands regulations have been updated, and went into effect on December 15, 2019. This was the first such update in many years.

Selectman Myette mentioned that the Conservation Commission has also reviewed and discussed habitats and ground cover in the form of low brush at one of their meetings.

Mr. Hadik asked if the Board wanted to modify the proposed zoning amendment regarding basal area by withdrawing the portion of the article setting a higher percentage cutting limit (5.7.2.6), but retaining the portion which adds the definition of “Basal Area”.

Mr. Snyder motioned to withdraw the portion of the article amending 5.7.2.6, but to retain the portion 5.7.2.9 which adds a definition for basal area. Ms. Richter seconded the motion, with all in favor, the motion passed unanimously.

Appointments:

1. Tim Peloquin re: Questions regarding the level of detail required for the Mill Pine Village final as-built plans.

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85 Mr. Peloquin handed out copies of the plans, and Mr. Hadik referenced an email dated January 29th.

86 Mr. Peloquin stated he represented the owners of the Mill Pine Village subdivision, Richard & Norma
87 Drowne. The situation is unique, where private roads access a subdivision where the underlying land is not
88 owned by the dwelling owners. Instead the land is rented by the homeowners. The project is a single
89 parcel with multiple units on it instead of being subdivided into multiple lots. When queried, Mr. Hadik
90 responded this is a unique type of “subdivision” for Chester.

91 Mr. Hadik explained the second phase of the subdivision has four sub-phases. Each of the four subphases
92 has \$6,250 bonded for final as-built plans. He explained that, in his opinion, the draft of the plans
93 submitted so far still requires the following items:

- 94 • A legend key to explain the symbols being used for the various utilities.
- 95 • At the top of sheet 2, the surface contours and elevations for each of the drainage treatment
96 structures.

97 Mr. Hadik said the project is close to the Exeter River, and it is important to confirm the drainage treatment
98 structures were built as originally designed and approved.

99 Mr. Peloquin discussed the approximate water line and underground utility line locations which are
100 according to the design plans. Also, the as-builts for a subdivision with public roads would need to meet a
101 higher design standard than one with private roads. He said the regulations don’t differentiate between
102 the two situations.

103 Mr. Snyder asked if the original conditions stipulated as-built plans. Mr. Hadik said he would research this.
104 He noted that, however, the subdivision is only “grandfathered” for 5 years from changes to the
105 regulations.

106 Chair Sullivan expressed concerns that a new owner could inherit the project at some point, and would
107 need proper as-built plans. Mr. Peloquin said that might occur, however, he indicated the property is
108 unlikely to be subdivided the way it is.

109 Ms. Richter indicated Engineer Scott Bourcier could review the plans and list any deficiencies according to
110 the regulations while being mindful the roads will be private roads. Mr. Snyder noted Mr. Bourcier should
111 understand he will review the plans with the idea that some requirements may be waived. He indicated he
112 would like to know what was approved in 2004 regarding as-builts, even if the regulations have since
113 changed, to see what was added. Mr. Hadik noted the regulations for as-builts were amended in 2017. Mr.
114 Hadik will research the original approval information.

115 Selectman Myette took exception to the notations “approximate location” and noted that as-builts should
116 be exact. Chair Sullivan indicated he is sensitive to anything the Town has liability for. A future owner or
117 investor needs to know what they are buying and the correct locations (*of buried infrastructure*).

118 Mr. Peloquin will update the key on the plans, and forward a copy to Scott to review.

119 **Public Hearing - Site Plan Review (SPR) Application of Alisha Eckman Art & Design to hold adult art classes**
120 **in the Busche Academy classroom building (formerly Nutting Hall) located at 66 Chester Street (Map 5,**
121 **Lot 14).**

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Chairman Sullivan asked if the application had been reviewed. Mr. Hadik confirmed the application was reviewed and ready for acceptance.

Chair Sullivan read the notice that the application for site plan review was for an art studio for adult art classes at the former Nutting Hall located at Busche Academy, 66 Chester Street, and that Ms. Eckman will be seeking a variance with the ZBA at their February 18, 2020 meeting.

Mr. Rohr the facilities manager explained the need for a variance which was inherent in the definition of education as it applied to post-secondary classes not geared toward a degree program. The program is for ages 16 and up.

Mr. Snyder motioned to accept the application as complete and open the hearing to the public at 7:56 PM. Vice-Chair Sederquest seconded the motion, with all in favor, the motion passed unanimously.

Ms. Eckman and Mr. Rohr stated there is no need for renovations to the building as it was formerly an art studio and already included exhaust fans. There are no parking or noise issues. There is handicapped accessible parking near the building. Ms. Eckman provided the MSDS sheet for the non-toxic resin she will be working with which has no unique disposal concerns according to the review by Clean Harbors. Ms. Eckman passed out samples of some of the completed pieces on wooden panels for the Board to review and indicated the method could be applied to countertops also but that was another workshop.

Mr. Rohr discussed the lighting and ramp as well as the posted occupancy limit for students per code.

Chair Sullivan addressed the hours of operation. Ms. Eckman indicated she would prefer very flexible hours, but didn't require hours after 10:00 PM, Sunday through Saturday.

Chair Sullivan noted the one of the conditions would be requiring approval of the variance by the ZBA. Hours of Operation from Sunday to Saturday 7 AM to 10 PM, and no on-street parking. Ms. Eckman noted she will amend the start time on her ZBA application from 8 AM to 7 AM.

Mr. Snyder motioned to close the hearing to the public for deliberations at 8:17 PM. Ms. Richter seconded the motion, with all in favor the motion passed unanimously.

Mr. Snyder motioned to approve the Site Plan Review application of Alisha Eckman at the former Nutting Hall located at 66 Chester Street subject to the conditions stated above in addition to the standard SPR conditions and safety laws. Ms. Richter seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.

Adjournment

Ms. Richter motioned to adjourn the meeting at 8:31 PM. Mr. Snyder seconded the motion, with all in favor, the motion passed unanimously.

Respectfully submitted,

Nancy Hoijer

Recording Secretary