

Town of Chesterfield, New Hampshire
Chesterfield Planning Board
Meeting Minutes – November 22, 2021
Public Meeting Convenes at 7:00 pm
Appointments scheduled to begin at 7:30 pm
In Person at the Town Offices with a Zoom option for the public

PRESENT: Chair James Corliss, Joe Brodbine, Roland Vollbehr, Selectmen's Representative Fran Shippee, and Alternates Maria Bissell and Bob Maibusch. Also present was Secretary Beverly Bernard. John Koopmann was present for a short period of time to tender his resignation from the Planning Board, effective as of this date. Corliss said Koopmann would be missed. The Chair seated Bissell for McKeon. McKeon joined the meeting at 7:15 pm, via Zoom, and Corliss asked if McKeon could continue as a voting member of the Board for this meeting and all agreed by consensus.

CALL TO ORDER:

The meeting of the Chesterfield Planning Board was called to order at 7:00 p.m. by Chair James Corliss. The meeting was held at Town Offices, McKeon Conference Room.

Absent:

Joe Parisi

Seat Alternates:

The Chair seated Maibusch for Koopmann and Bissell was seated for Parisi.

Others Present:

Marion and Ron Rzasa (Chair of the Economic Development Committee) John Pieper and Jeff Scott

MINUTES:

The meeting Minutes of November 8, 2021 were considered. **Motion** was made by Brodbine to approve the meeting Minutes of November 8, 2021, as amended. There was a second to the motion by Vollbehr. All were in favor. **Motion passed.**

APPOINTMENTS

There were no scheduled appointments for this meeting.

ITEMS FOR DISCUSSION

Rule of Procedure Change for Existing Plans

Discussion: Corliss spoke about the proposed Land Use Regulations and the idea of reducing the time needed for applications for minor changes to an existing plan. The public hearing would be held at the next meeting if the Board approves it tonight. Shippee noted Section 303.1 of the Land Development Regulations requires 21 days. Discussion was held about the time needed for notices to newspapers. Fourteen (14) days was discussed as a possible alternative. Bissell said 14 days is the amount of time between Planning Board meetings. Bissell said the Board could add putting in 14 days subject to readiness. Brodbine said the benefit may not be able to be exercised if there isn't enough time for notices. Maibusch said he is inclined to do nothing.

McKeon said the issue is that the timing may not work for some people. He noted 18 days wasn't enough to get everything done and application filing was moved to 21 days. He noted it is very important for abutters who may have questions or concerns to have the time to reach the Board. State law requires 21 days unless the Planning Board wishes to change it. Corliss said it was his intent to add a sentence to the existing rule and not change it. He suggested to table the idea for now. Brodbine said it probably isn't the right time to do it now. He said it is a good idea, but better to wait. There was a consensus by the Board to table any further discussion on reducing the number of days for application filing for minor changes to an existing plan.

Other Discussion

Shippee spoke about what the Selectmen have been discussing and she mentioned budgets. She noted that Town Hall windows will get redone. They will be working with the existing windows, renovating them so that they can be opened and closed.

Bernard gave Koopmann's letter of resignation to Shippee for the Selectmen.

Corliss asked about December meeting schedules. The Board will meet on the 13th and revisit the 27th at that time.

Proposed addition/amendment to the Chesterfield Zoning Regulations regarding allowable number of dwelling units in a building.

Public Hearing continued at 7:30 pm

Discussion: Brodbine spoke for the subcommittee. He reviewed the document prepared by the subcommittee with the Board. He spoke about what zones might be adopted for senior housing. He noted they decided on 24 units max but could be a smaller development. This would be a permitted use, with a new separate section. Brodbine said it is appropriate in Section 3 where it discusses cluster housing. Brodbine spoke about the Authority section. He said this allows for Planning Board authority. Pieper said he wasn't sure that an authority section was needed for this purpose. Brodbine said he thinks it is important to place the zoning regulation within Planning Board purview. Pieper said the Site Plan Review would cover the authority.

Brodbine spoke about Definition and Scope Section. He said they agreed on 24 dwelling units and anything higher than that would probably be not appropriate. Two 12-unit buildings would be allowed. He noted a max height. Corliss said height is in the building code. Pieper said it may be redundant, but perhaps worth keeping. Brodbine said it was decided that there be a maximum of two bedrooms per unit. Brodbine referred to other zoning regulations that are applicable. He said we don't want confusion with multi-family units which refers to a max of 5 units.

He spoke about frontage and coverage; minimum would be 5 acres with septic and water needed. Lot frontage was recommended at 300 feet. Multi-family is 300 feet. RA is 400 feet. Pieper suggested leaving it out and letting existing zoning govern. It was noted that RA has a minimum of 5 acres. Corliss said there may be existing lots with only 200 feet frontage but with sufficient acreage to be suitable. Brodbine said you can also apply for a Variance so that sight lines might be considered. Corliss said we do look at sight lines when evaluating a project. Corliss said we have done it for subdivisions. McKeon said frontage should

remain similar to existing zoning to maintain the character of the town. We should be looking at this as across the town available land. If someone has the acreage requirement, and they are missing the frontage by 100 feet or 75 feet, then they can go to the Zoning Board of Adjustment (ZBA) to be looked at. If it is in the best interest of the town, those issues could be overcome. Cannot disregard the current zoning and the parameters that are there said McKeon. Brodbine referred to applicable Zoning Regulations being in force. Corliss said you could have an existing lot with 25 acres with less than 300 feet of frontage. Pieper explained why they had put in frontage at all. But he acknowledged that we don't want to dismiss properties that don't have enough frontage. He said he was in favor of striking that line. Maibusch said he didn't see any reason to restrict the frontage. There was discussion about 24 units. Pieper said that with more than 25 units, you get into special requirements for sewer. Brodbine spoke about coverage and said it is redundant, but they added it to be consistent. Brodbine said if Frontage goes away, then Coverage might go away as well.

Brodbine spoke about Setback and Yard Requirements. He noted front setback of 50 feet. Side Setback set to 50 feet since you are putting in a large building. Rear setback suggested at 30 feet again, given the size of the potential building. He noted a buffer zone need to be approved by the Planning Board.

Brodbine said water supply and sewerage are covered in other zoning. Parking recommended at 1.5 spaces per dwelling unit.

Corliss asked for comments or questions. McKeon spoke about the Definition and Scope, noting the language "primarily or exclusively" and he asked for clarity. Corliss suggested using language as written in RSA 354-A:15 section from the State. Discussion continued referencing language in the Fair Housing document section II which reads: "Intended and operated for occupancy by at least one person 55 years or older per unit." Discussion was held regarding changing the 55 to 62. Shippee pointed out the "or" between Section II stating intended for 62 years of age or older and Section III allowing for those aged 55. Maibusch asked if II referred to one or two persons. Corliss said if you are trying to serve seniors, you would want to use 62 and not 55. Brodbine said the committee prefers 62 years of age. It was suggested that the proposed new zoning section Refer to 354-A:15 and refer to section II. There was discussion about elderly persons living with younger persons like a granddaughter. Brodbine said one occupant must be 62 years of age or older. Bissell confirmed that "at least one person" would be 62. She said section III would be the right one. Shippee said she didn't think you can change that line in Section 354-A:15 to make it 62 instead of 55. Brodbine asked if we can write a law stronger than the state law. No one was sure; and Corliss suggested that the subcommittee come up with wording and pass the wording by Town Counsel. Corliss said we could ask the question about changing III by making "55" to "62". Brodbine affirmed we want at least one occupant to be 62 and added we need to know how we can do that and comply with the law. Vollbehr said he agreed with Brodbine. Bissell suggested changing III from 55 to 62 and asking Town Counsel if that would be acceptable. She suggested making the draft using that language and then Town Counsel would review it and see if it is legally acceptable.

Corliss asked the subcommittee to work on it further. Pieper said he is concerned about time passing quickly and meeting the deadline in January for a Warrant Article in 2022. Pieper said we agree as to what we want. Corliss asked the subcommittee to re-write the document and then go to Town Counsel for review. Brodbine asked the members if Counsel says we can't make 62 age legal, does the Board want to accept 55? McKeon said if you have wording, we can review at next meeting. Corliss said you can put the document out with changes and present it to Town Counsel. Corliss suggested putting it out to the public as

well but only after Counsel review. Bissell suggested using III exact wording but changing the age to 62, replacing 55.

Corliss reviewed Definition & Scope C. in regard to building maximum of two stories and not more than thirty-five (35) feet above grade. Shippee said this could be changed down the road. All agreed on removing 6. B. Lot Frontage. Brodbine said Coverage is referred to in Zoning. McKeon asked about Purpose section and suggested the last phrase is not needed. Pieper said it is designed to be helpful to the public understanding but not essential. It was agreed to remove the ending phrase.

Pieper spoke about Authority section and asked for clarity. Corliss said it appears to state the purview is the Planning Boards.

Bissell spoke about Parking and would there be sufficient parking for visitors, tradespeople etc, as well as residents. Vollbehr said 1.4 is standard for Senior Housing. Pieper said we could keep it as a place holder. Brodbine asked what number do you like? Maibusch said he is inclined to say "two". Pieper spoke about the size of a parking space, which varies somewhat.

The Chair polled the members for their preference for the number of parking spaces:

- Vollbehr. 1.5
- Shippee 2
- Brodbine 1.5
- Corliss 2
- McKeon 2
- Bissell 2
- Maibusch 2

Majority felt that two parking spaces were preferable, and Section 10 will be modified to reflect that.

Brodbine asked the Board if they are okay with setbacks. Corliss referred to the buffer zone to be approved by Planning Board. New Section 303 will be proposed to be added to the Zoning Ordinances.

Bissell said her assumption was that Senior Housing would be added to each district. Corliss said in each district there will be a reference to the appropriate new Section. Bernard will make the changes.

Motion was made by Corliss to put forth Senior Housing zoning ordinance proposed language for December 13, 2021 public hearing, second by Vollbehr. Roll call vote: McKeon yes; Brodbine yes; Maibusch yes; Bissell yes; Vollbehr yes; Shippee yes; Corliss yes. Motion passed.

Pieper asked if Attorney John Ratigan might be available via Zoom for questions. Brodbine said if Counsel says we cannot have the change we want, we will have to discuss further. Bissell referred to state law "or" joining sections II and III which may mean we cannot mix and match. Corliss said the document can be changed at the first hearing and that would count as first meeting for review. Second hearing the document has to be unchanged to be approved.

Motion to continue the public hearing for a proposed Senior Housing Zoning Ordinance to Dec. 13, 2021 was made by Corliss, second by Brodbine. All were in favor. Motion passed.

Public Hearing continued at 8:55 pm

ITEMS FOR SIGNATURE

None at this time.

Next Meeting: December 13, 2021

ADJOURNMENT

Motion to adjourn was made by Vollbehr. There was a second to the motion by Maibusch with no further discussion. All were in favor by roll call. ***Motion passed.*** Adjournment occurred at 8:55 p.m.

Respectfully Submitted,



Beverly Bernard
Planning Board Secretary

Approved by:

Vice Chair:

Joseph Parisi



Date:

12/15/2021