

Town of Chesterfield, New Hampshire  
**Chesterfield Planning Board**  
Meeting Minutes – February 14, 2022  
Public Meeting Convened 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:** Vice Chair Joe Parisi, Joe Brodbine, Maria Bissell, Selectmen's Representative Fran Shippee, Alternate James Hancock, and Alternate Steve Laskowski were present at Town Offices. Roland Vollbehr was present via Zoom. Also present at the meeting was Secretary Beverly Bernard.

**CALL TO ORDER:**

The meeting of the Chesterfield Planning Board was called to order at 7:06 p.m. by Vice Chair Parisi. The meeting was held at Town Offices, McKeon Conference Room. A quorum was present at the meeting room.

**Motion** was made by Bissell to allow Vollbehr to join the meeting remotely. There was a second by Laskowski, and no further discussion. All were in favor by roll call. ***Motion passed.***

**Absent:**

James Corliss

**Seat Alternates:**

The Vice Chair seated Laskowski for Corliss.

**Others Present:**

Chris Guida, Jessamyn Fiore, Jim Phippard from Brickstone Land Use Consultants, Al Abramson.

**MINUTES:**

The meeting Minutes of January 24, 2022 were considered. **Motion** was made by Bissell to approve the meeting Minutes of January 24, 2022, as amended. There was a second to the motion by Brodbine. All were in favor by roll call. ***Motion passed.***

**ITEMS FOR SIGNATURE**

**Voluntary Merger – Bernbach Trust – Map 5d, Lots B31 & B32**

This was reviewed by the Board which was a condition of approval by a Variance authorized by the Zoning Board of Adjustment. The combined lot will be less non-conforming.

Brodbine explained further saying the lots were undersized and the applicants wished to expand the house which would have increased non-conformance. By merging the two lots, the setbacks were moved out, but still are non-conforming. The merger decreases non-conformance.

**Motion** was made by Brodbine to approve the voluntary merger of Bernbach Trust for property shown at Tax Map 5d, Lots B31 and B32. There was a second by Maibusch. All in favor by roll call. ***Motion passed.***

The Vice Chair signed the document.

## ITEMS FOR INFORMATION

### Chair Request for Change of Meeting Date

Parisi said that James Corliss has asked to return to the former meeting dates to better accommodate his schedule. Parisi asked Shippee if there would be a replacement for Bernard who will no longer be Planning Board Secretary. Shippee said there was no one presently to take over. Bernard said she would continue to take minutes for the Board until a replacement would be found, but she would not be handling the day-to-day applications any longer. The Board decided to stay at the current meeting dates until a replacement is found for Bernard.

### Tax Map update

Shippee said the update is being worked on. Parisi said perhaps there should be a regular cycle for updating the map. The current map was 2-3 years old. Shippee said Southwest Region Planning Commission (SWRPC) handles the work. Parisi asked that there be an exploration for a process to update the map on a regular basis. Shippee made a note to do so.

### Discussion on Alternation of Terrain (AoT) Permit from NH Department of Environmental Services (DES)

General discussion was held regarding Cassin property which is seeking an Alteration of Terrain permit from DES. Parisi said the Board doesn't have any insight into the request. The letter that was sent to the applicant and copied to the Town of Chesterfield. It requests more information from the applicant.

### Capital Improvements Program (CIP) Update

The committee will present a report to the Planning Board at the March 28<sup>th</sup>, 2022 meeting.

## PUBLIC HEARINGS

### Fiore subdivision

Application for Minor Subdivision for property located at 116 Maple Road (Tax Map 12A, Lot A9) consisting of approximately 16.0 acres in the Residential Zone. Public hearing for acceptance of the application.

Public hearing opened at 7:30 pm

Discussion: The members reviewed the checklist for Minor Subdivision.

**Motion** was made by Brodbine to accept the application as complete and ready to go to review for approval or denial of the application. There was a second to the motion by Shippee. Parisi noted there was one item – high and low points – that was not considered. Laskowski said we need an updated copy of the plan showing the abutters. Guida said he had updated copies in his vehicle, left the meeting briefly, and returned with updated copies of the plan. The members reviewed the updated drawings for sufficient information to proceed. Brodbine said yes; Laskowski said yes; Maibusch said yes; Bissell said yes; Vollbehr said yes; Shippee said yes; Parisi said yes. All were in favor by roll call. **Motion passed.**

The members considered the merits of the application.

Guida, certified wetland scientist working with Jessamyn Fiore, made the presentation. He noted the property has 16 acres located at 116 Maple Road, and the new lot will have five acres and is proposed to be for housing for Fiore's mother. The proposed lot line was shown. He showed test pits for the proposed

septic. He noted a proposed driveway to the new house. Guida said they are proposing an easement for the access to the new lot, using the existing driveway where there is good sight distance in both directions. The driveway will follow the contours of the land to reach the higher lot which has steep frontage to the road. He outlined a wetland area as well. He noted there are no wetland crossings. No disturbance of wetlands. South of the lot remains as existing. The new home would be on the north end. Frontage along the road for the new lot is 403 feet. The application stated that the property is in the Residential District. The members reviewed the zoning map to locate Maple Road and there was a bit of confusion since the Zoning Map shows the road as Maple Street. Fiore said the road is Maple Road. It was also noted that on the property card the road is stated as Maple Road.

The Vice Chair asked for other questions. Brodbine commented that the shared driveway would have a sharp right turn. Guida said the easement does not exist today but will become part of the southern lot. Guida pointed to the shared driveway as the safest access point to Maple Road and therefore the reason for the shared driveway and the easement. Parisi asked about the legal issue around an easement. There was a discussion about having an easement versus a right-of-way. Guida said you won't see any change from the roadway. The Vice Chair asked for any other questions. Bissell asked about the elevation and construction of the new building on the northern lot; she asked if there would be any erosion. Guida said the construction will be on the crest of the hill where there is an apple orchard today so there should be no erosion issues.

Parisi asked for comments from the public or the members of the Board. There was no further discussion.

The Chair closed the public hearing at 7:51 p.m.

**Motion** was made by Brodbine to approve the request of Jessamyn Fiore for a Minor Subdivision for property located at 116 Maple Road and shown at Tax Map 12A, Lot A9 in the Residential Zone, with plan dated November 30, 2021 and revised January 22, 2022, with the provision to add the high and low points to the two lots. There was a second to the motion by Shippee and no further discussion. All were in favor by roll call vote. **Motion passed.**

Bissell asked about the easement. Parisi said we don't need any more information. It gets recorded as part of the subdivision. Building permit will be required, but no new curb cut for a driveway. There was a brief discussion about the lot monument; the lot line intersects with an existing street. Guida said it would be set on the street in granite, as required, with a metal pin so that it is findable.

Fiore and Guida thanked the Board for their time and left the meeting.

#### **Nine A. LLC**

An application for a Lot Line Adjustment for property located at John's Way (Tax Map 5k, B3.0, B3.2 and B3.3) consisting of approximately 3.21 acres in the Residential Zone.

Public hearing opened at 7:57 pm

Discussion: The members reviewed the checklist for Minor Subdivision.

**Motion** was made by Brodbine to accept the application for Nine A. LLC as complete and ready to go to review for approval or denial of the application. There was a second to the motion by Maibusch. Property owners were present via Zoom and Phippard was asked why 150 feet of frontage is needed. Parisi said the Board is just addressing the completeness of the application at this point and this issue can be addressed once completeness is established. All were in favor by roll call. **Motion passed.**

The members considered the merits of the application. Phippard did the presentation for the applicant. He referred to the subdivision which was approved by the Planning Board with frontage on Spofford Lake. He said the applicant is proposing a boundary line adjustment since DES requires 150 feet of frontage on a water body if it will be a legal building lot. Lot 1 was identified as 139.86 feet on the water. Phippard noted there was also 18 feet of stone wall. 139 + 18 feet was submitted. He also noted that septic is to be handled across the street. He said the 18 feet of stone wall is owned by the abutter so it could not be used for frontage; an additional 12 feet was needed for frontage to comply with DES rules. He noted the abutter was not interested in selling a portion of the stone wall. Phippard said the proposal is for Lot 1 and Lot 2 shifting 11 feet. Lot 1 gets the 11 feet for a total of 150 feet and Lot 2 receives 11 feet from Lot 3. Phippard said this will satisfy DES. Lot 3 had 281 feet of frontage, so now it will be 270 feet.

Al Abrahamsen, an abutter, asked why the need for frontage change. Phippard said the requirement for a lake lot is greater than for non-lake lot frontage. Abrahamsen said that there is a state issue about placing a dock on the lake. Phippard said under the old dock rules you had to be at least 20 feet from your side lines, projected out into the water. Phippard said DES has since changed the rule to allow for a dock, but this is not an issue for the Planning Board.

Parisi asked Phippard if the state goes to abutters. Phippard said no, but with any question, the state will inspect the site.

Parisi asked for further comments. There was none.

The Chair closed the public hearing at 8:13 p.m.

**Motion** was made by Brodbine to approve the request of Nine A. LLC for a Lot Line Adjustment for property located at John's Way and shown at Tax Map 5k, Lots B3.0, B3.2, and B3.3 in the Residential Zone according to plan January 12, 2022. There was a second to the motion by Shippee and no further discussion. All were in favor by roll call vote. **Motion passed.**

Phippard said he would be dropping off the documents to Town Offices as soon as possible for signature. Parisi said we would do the best they can to get the documents signed at the next meeting.

#### **OTHER BUSINESS**

Brodbine asked for revision dates on the checklist for future reference.

There was a brief discussion about the Rules of Procedures being adequate for Zoom participation prior to Covid pandemic Zoom meetings. The latest revision is May 11, 2020.

There was a brief discussion regarding the checklist for Minor Subdivisions. Bissell asked about Section E Easements, Deeds, Covenants. Parisi said the Board doesn't see deeds. The information gets recorded by Cheshire County.

**Next Meeting:** February 28, 2022

**ADJOURNMENT**

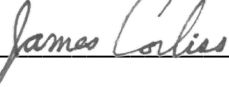
**Motion** to adjourn was made by Brodbine. There was a second to the motion by Maibusch with no further discussion. All were in favor by roll call. ***Motion passed.*** Adjournment occurred at 8:30 p.m.

Respectfully Submitted,



Beverly Bernard  
Recording Secretary

Approved By:

Chair  \_\_\_\_\_

Date 15MAR2022