

PLANNING BOARD
Monday, September 13, 2021
Public meeting convenes at 7:00 p.m.
Appointments scheduled to begin at 7:30 p.m.

Present: James Corliss, Joe Brodbine Bob Maibusch, Maria Bissell, Jon McKeon, John Koopmann, Joe Parisi, and Fran Shippee.

Call to Order

James Corliss called the meeting to order at 7:00 PM.

Seat Alternates

Bob Maibusch was seated in place of Roland Vollbehr

Review of the Minutes

August 16, 2021

Joe Brodbine moved to approve the minutes from August 16, 2021, as presented. The motion was seconded by Jon McKeon and passed unanimously.

Appointments (7:30)

Items for Discussion (7:00)

Conceptual Consultation – Lyle Hoag – 39 Tower Road

Corliss noted that Conceptual consultations are non-binding on either party and minutes are not taken.

The board would like Shippee to speak with Matt Beauregard and notify him that the barn is an acceptable use in the Rural/Agricultural zone.

Conceptual consultation – David Gale/ Dairy Barn/ Ed Labbee – 20 Brook Street

Corliss noted that Conceptual consultations are non-binding on either party and minutes are not taken.

Conceptual consultation – David Gale/The pit mistress BBQ/Jaci Reynolds – 20 Brook Street

Corliss noted that Conceptual consultations are non-binding on either party and minutes are not taken.

Items for Information

9A, LLC

Corliss noted that he was asked on Friday if the tree cutting on the 9A, LLC property was legal as they have cut quite a few trees. Corliss noted he looked at his site plan and it states that there is to be no disturbance of vegetation within 50 feet of the lake. Corliss noted that he did not know the answer. Corliss stated that the abutter had called Code Enforcement and therefore Matt Beauregard and himself visited the site today with Mr. Phippard. Corliss stated that Mr. Phippard explained that they did not need a permit for what they are cutting as it was requested as view cutting. Corliss noted he walked the site, and it is gridded out with stakes and the trees are numbered with points. Corliss stated that the couple he looked at for the grids have the right number of points. Corliss stated that some were limbed for views and were less than 50%. Corliss stated he looked at the relevant law and does agree that what they are doing is legal. Corliss noted that the only interest for this board would be that future developments may require something different as he was under the impression that there would be no disturbance until the lot owners were developing. Parisi asked if Corliss thought what they were doing was potentially illegal according to us or the State. Corliss stated the State and Code Enforcement. Corliss noted that in the past the Planning Board has been involved, but that is not a route he would want to take. Corliss stated his interest was personal as someone asked him if something was legal and he wanted to know the answer to that. Parisi noted that if they had a permit, it would be a state permit. Corliss stated they did not get a permit to cut trees on the shoreline.

McKeon asked Corliss if he reached out to the Town Attorney to get him involved as well as conversations with the prior owner's representative. McKeon noted that he does not understand why Corliss would do that without consent from the Planning Board. Corliss asked if he was not allowed to ask a question. McKeon stated that as the Chairman of the Board, he cannot do that without direction from the Planning Board. McKeon noted that members of the board do not go out and do things individually as the board is one entity. McKeon stated that Corliss was going to get the board in trouble. Maibusch noted that if he stated he was not acting as part of the board, he does not see the problem. McKeon noted that the board brings its positions with them and reaching out to the Town Attorney and having a meeting is not appropriate unless directed by the Planning Board to do so. McKeon noted that the Town Attorney was under the impression that the Town had gotten a complaint. Corliss stated the Town did receive a complaint. McKeon noted that everything needs to come before the board for discussion before action is taken by any one member. Koopmann noted that he concurs with McKeon.

Koopmann asked if the DES approval cutting for view is a separate statute that allows someone to do that. Koopmann noted if the board is having issues with DES not handling things, the board could reflect DES requirements on the plans which would allow code enforcement to enforce the requirements as well. Maibusch noted he disagrees with this as code enforcement has enough work to do without adding the responsibility of things that the State is in charge of handling. Brodbine noted that our approvals include that the applicant must comply with DES and therefore code already has the permission to enforce the DES regulations if necessary.

Koopmann asked if the waterside foliage and brush boundary had been cut and the regulation says you have to have something there. Koopmann asked if that was eliminated or was still there. Corliss noted that he was hoping to understand why it was appropriate or not and if there was some enforcement needed for the Planning Board. Corliss noted that he also made the abutter understand why the cutting was appropriate.

Koopmann noted that there are enough issues with current properties on the lake and wants to make sure new developments are in compliance and stay that way.

Broadbine noted that the Selectmen are now doing hybrid meetings and asked if the Planning Board was going to do that. Shippee noted that the Selectmen have all made a commitment to be at the meeting in person. Shippee noted that if there is an extreme case, one of the members may be allowed to participate via zoom. Shippee noted there would have to be rules for the planning board in place. Maibusch noted that he would want to attend the meetings in person and assumes that none of the board members would be allowed or want to stay home to zoom. Corliss noted that mixed meetings are hard to be inclusive. Koopmann noted that it is important to him to make the meetings accessible to the public. Shippee noted there is a speaker the Selectboard purchased that allows everyone to be heard and board members bring their own computer and log into zoom on mute. Maibusch noted that zooming the meetings can encourage the public to attend. Consensus of the board is that they would like a hybrid zoom and in person meeting next meeting. Lachenal asked if the applicants, conceptual consultation, and abutters will be allowed to zoom. The board noted that Applicants and people with business before the board (Conceptual consultations) will need to be at the meeting in person. The public and abutters can be on zoom and will be allowed to comment. Any applicants or persons with business before the board shall be in person. Board members will be required to attend in person with exceptions made as necessary.

Other Business

Anonymous information to Planning Board

Corliss noted that the board received an anonymous email from someone asking them to forward information to the board and he has issue with that.

Lachenal noted that the email she sent out was a request from a board member for some information and in order for all board members to have the same information, she sent it to all board members. Corliss noted that was not the impression he got from the email.

McKeon – Request for assistance with Regulations

McKeon noted that he sent an email Southwest Regional Planning (SWRPC) and they stated they can offer up opinions. McKeon stated they also noted there is some grant money that could offset the Town costs. McKeon noted that he wanted to bring the information to the board before talking with the Selectboard for action. McKeon noted there is also grant money available for looking into senior housing as well. McKeon noted they invited him to sit on a roundtable conference with other Towns to see what they were doing and have a discussion. McKeon noted that he has not done that yet, but will be in the future. It was noted this was not an invitation to the whole board, just McKeon. Corliss noted he read the letter and thinks it would be good for the board to pursue and see if there is something that can be done. Corliss noted he believes the board should focus on 25 units or less for the senior housing. Corliss noted that it will be hard for the board to go to the Town with a new ordinance. McKeon noted that he met with Lisa from SWRPC and someone from the State that does affordable and senior housing. Lisa stated that part of the grant money could be used to reach out to the public for feedback and to make sure the intent is understood. Shippee noted that Southwest Community Services would be a good a good place to go as well since they do this kind of thing. Parisi noted that it sounds like Southwest Community Services has implemented several projects and would know the zoning that needs to be implemented or adjusted. Parisi asked if they could advise the Planning Board on the best approach. McKeon noted that Southwest Community Services use Southwest Regional Planning.

It was noted that the board is speaking of a couple of different items. They are looking for advice regarding all the regulations and also looking for assistance with possibly implementing some regulations allowing more than the current 5 dwelling buildings that are currently allowed via the regulations. Corliss noted that he drafted a regulation allowing more than the 5 dwelling units. Bissell noted that she would like to see a completed approved plan so the board could go through it and see what may be needed. Bissell noted that she is concerned about the septic and water. McKeon noted that the board should look at SWRPC and SWCS and ask what is the limit or number of units that makes sense to see if there would be anyone interested with the limitations because we do not have town water and or sewer. McKeon noted that it would be a waste of time if Chesterfield cannot support a reasonable number of units. McKeon noted that most developers are looking for density credits with this type of project. Parisi noted that he would like the Board of Selectmen to weigh in on this before more time is spent on the project. Parisi noted that he would like to hear from the Board of Selectmen that it is a high level priority that they would like to spend resources on before spending a lot of time. Shippee noted that the Master Plan also has something to do with making sure the Town wants a project like this. McKeon noted that if he was on the Board of Selectmen, he would want the Planning Board to bring what was needed and how it would work and then make a decision. Koopmann noted that he is concerned about more than just the site plan, but the infrastructure such as transportation and services that are required for a project of that type. Bissell asked if the Planning Board should ask the EDC to go to SWCS and see if they have an example that the Planning Board could look at to get an idea of what is needed. Shippee noted that the Board of Selectmen have spoken about senior housing and she is not sure if there was a vote taken, but she does know that the Board of Selectmen are in favor and think it would be good for the Town. Shippee noted that the Board of Selectmen could vote if needed. Shippee will reach out.

CIP

McKeon noted that the subcommittee for the CIP has met and Shippee is taking minutes. IT was noted that a letter was sent to the department heads explaining what was going on and that they would be contacted by the sub-committee member assigned to their department. Each member has (3) three departments to gather information about. After the information is gathered, it will be put together and put in draft form by the committee and will go back to the department heads for review. Once that has happened, it will come back before the Planning Board.

Air B&B

Koopmann noted there was a general discussion in the past about Air B&B's and if the Planning Board should be addressing it in some fashion. Koopmann noted there are 11 or 12 advertising this in Town. Shippee asked how that would be regulated and if they collect rooms and meals taxes. Koopmann noted that the Planning Board went through all of the trouble with accessory dwelling units and now the Town has another property serving another purpose with no regulations. McKeon asked what the purpose and/or benefit of having regulations would be for the Town. McKeon asked if there was something happening now that is negatively affecting the Town. Shippee noted that there may be an overcrowding issue if they are now sleeping 15 people. Koopmann noted that around the lake especially, there may be increased parking and an increase in use above what is acceptable. Koopmann noted that the lake is sensitive and therefore bears some scrutiny about issues such as this one. Shippee asked if other towns have done anything. McKeon noted that they did talk about this at the Municipal Conference. Shippee will bring this to the next Board of Selectmen meeting and see if a concern exists.

Items for signature
Adjournment

Jon McKeon moved to adjourn at 8:57 P.M. The motion was seconded by Joe Brodbine and passed unanimously.

The next meeting will be held at 7:00 PM September 20, 2021, at the Town Offices.

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:



James Corliss, Chair

21ICT2921

Date