

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

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-929-205-6009, 1-312-626-6799 or 1-301-715-8592 Meeting ID 872 2048 7687 and passcode 398079, or the following website:

<https://us02web.zoom.us/j/87220487687>

Meeting ID: 872 2048 7687

Passcode: 398079

- b) Providing public notice of the necessary information for accessing the meeting;*

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the Town of Chesterfield website at: <https://chesterfield.nh.gov/>.

- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; If anybody has a problem, please call 603-499-6534 or email at: tricia.lachenal@nhchesterfield.com.*

- d) Adjourning the meeting if the public is unable to access the meeting.*

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Present: James Corliss, John Koopmann, Roland Vollbehr, Joe Parisi, Fran Shippee, Joe Brodbine Bob Maibusch and Jon McKeon

Call to Order

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

Seat Alternates

Review of the Minutes

May 17, 2021

Joe Brodbine moved to approve the minutes from May 17, 2021. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Appointments (7:30)

Heritage House, LLC – Application for a Change in Use for property located at 504 Route 63 (Map 12B, Lot C9) consisting of approximately 2.770 acres in the Residential zone. This is a public hearing for accepting of the application. It may be followed by a review to grant or deny approval of the application.

Corliss noted that the application was reviewed at the last meeting and some updated information has been received.

Roland Vollbehr moved that the application is complete enough for review. The motion was seconded by James Corliss and passed unanimously by roll call vote.

Corliss noted that it appears the lease lines are in the ROW, if not in the middle of Route 63.

Gabriel Jones and Dylan Eastman were present for the applicant.

Corliss noted there is a waiver request for location of structures. Jones noted that the map does show distances to several of the buildings close by and they are not adding any additional structures. Jones noted that the only changes are the interior of the building. McKeon noted that adding a bunch of lines to the drawing would just clutter up the drawing as nothing is changing on the outside of the building.

Joe Brodbine moved to approve the waiver request from Heritage House, LLC for locations of all structures on abutting properties and the distances to each one from the property line of the site. The motion was seconded by John Koopmann and passed unanimously by roll call vote.

Jones noted that there was a second waiver request for relief from providing contour elevations, however they were added to the drawing and therefore a waiver is no longer requested.

Jones noted that the plan is to take the building from the old town hall and make it a small business. It will be renovated for community café with potential for community spaces on the first floor and short stay rental on the second floor.

Corliss noted that the lease line on the plan appears to go into Route 63. McKeon noted that the lease lines are not the focus of the Planning Board as that is an agreement with the Board of Selectmen as they do and will continue to own the land. McKeon noted that the focus should be on the building and its use. Corliss noted that the Planning Board is being asked to sign a plan and the lines are on the plan and therefore there are questions on those lines. Eastman noted that his understanding is that the lease lines do not affect what is being approved. Eastman noted the only thing on the outside of the building that may affect the Planning Board is the parking and the rubbish area. Eastman noted the lease lines can be removed if the Planning Board would prefer them not to be on the drawing. Eastman noted the lease lines were presented by the Town and put there at their request. Corliss asked Shippee what the Board of Selectmen were asking the Planning

Board to approve. Shippee noted that they are looking for an approval for the Change in Use and asked if a conditional approval could just include the removal of the lease lines. Corliss noted that the Planning Board is not approving or denying the lease, but there is a plan that is presented, and the Planning Board will need to sign the plan. Koopmann noted that the Town owns the property, and he would like to confirm that the Planning Board has jurisdiction over the application and if it requires approval. McKeon noted that if the site was Town owned and occupied and operated, the Planning Board does not have much say, but this will not be a Town run site, it will be a private business and therefore they need Planning Board approval. Koopmann noted that if the property will be used as short stay, it will be accessible and usable 24 hours a day. Jones noted that yes, it will be accessible 24 hours a day in that capacity. Parisi noted that the use intensity statement indicates that the building will undergo aesthetic changes, however it was his understanding that there was a rough estimate of hundreds of thousands of dollars needed to bring the building up to code. Parisi noted that he is confused about what needs to be done and what agreement has been made with the Town. Eastman noted that the use intensity statement only refers to aesthetic changes referring to the outside of the building. It does not cover what is necessary inside the building. Eastman noted that interior needs will be handled through the building inspector/code enforcement office. It was noted that the outside of the building will remain true to what it has been and what everyone remembers it to be. Eastman noted that the building will not change footprint or architectural changes. Eastman noted that the necessary changes to the inside of the building are not included in this application. Parisi noted that the lease agreement with the Town leases 10 parking spots on the property, however those spots are currently being used primarily by the school. Parisi asked if the school has been using them inappropriately or are there arraignments being made regarding those spaces. Parisi asked if there will be contention regarding the use of those spaces. Shippee noted she will speak with the school about the spaces noting they can use the bigger part of the lot. It was noted that the Town believes that there is adequate parking available in that lot to lease the 10 spots with the building.

The meeting was opened to the public.

Sharyn D'Eon asked if there will be alcoholic beverages or tobacco products sold in the building. Eastman noted there will be no retail sales in the café and there will be no alcohol or tobacco products sold on the premises. D'Eon asked about rubbish removal. Jones noted that all rubbish will be removed from site each day. Eastman noted that refuse will be removed daily and taken to a transfer station. It was noted that the lease does address rubbish removal. Eastman noted that the property is not conducive to a standard dumpster and therefore the best way to respect the property and the abutting properties was to have enough storage on site for one day and the person closing for the day will take that with them when they leave the site.

Barbara Girs noted that she would like to mention that the parking in question for the site was all previously used for the Town offices and there were more children and staff at the school at that time. Girs noted that the school has also purchased their own land and they could utilize that for parking if they need additional parking. Girs noted that she was unsure if the Planning Board had looked at Facebook, but there were lots of comments on the article posted about the proposal and all (except one question) were positive. Girs noted that the Town overwhelmingly voted to save the building at previous Town meetings and Girs wanted to make sure the board took that into consideration.

Gary Winn noted that the lease agreement requires the purchaser to bring the exterior back to what it once was and to maintain the roof design and the slate roof. Winn noted that they must restore the building to its original appearance. Winn noted that the narrative speaks to that in general terms. Winn noted that the interior is where the purchaser has the freedom to make changes as needed for their business and that is where the building office comes into play. Winn noted the lease line on the drawing probably does not belong there, but it is there for the Board of Selectmen to designate

where they will be responsible to maintain the property. Winn noted that the Town maintains the property to the roadway currently and expects the property will be maintained in the same manner by the leaser and that is why the line is drawn the way it is on the plan. Winn noted that he would like it left on the drawing for future reference of the maintenance agreement.

Eastman noted that page 8 of the application includes the only two changes to the outside of the property, the sign and the rubbish area. Corliss noted that the new plan does not include a sign.

Parisi noted that the regulations require applicants to provide details of the signage. McKeon noted that the Planning Board asks for it be shown where it would be placed, but not for details. Parisi noted that other applicants have been asked for details. Eastman noted that they are trying to get the Change of Use approved and the transfer of property complete so everything can be perfected.

Eastman noted that the details of the sign have not been completed to date as the Change in use and the property transfer have not happened yet and therefore the signage has not been completed.

John Zanolli asked why the Zoning Board of Adjustment approval from October 2018 does not apply to the new purchaser. Corliss noted that the Zoning Board of Adjustment can allow a variance from a regulation, but they do not necessarily approve the project. Zanolli noted that the application seems exactly what was already decided on October 18 by the Zoning Board of Adjustment. Zanolli noted that the Planning Board should be looking at what the Zoning Board already decided and take that into account with the decision. Corliss noted that he does not have that decision in front of him.

McKeon noted that the board is asking for some items that are outside of what is on the application. McKeon noted that contour lines, elevations and signs are not part of the application and therefore the board should not be asking the applicant for that information. Corliss noted that applicant is asking for a sign that is not on the plan. McKeon noted there are certain items required for a Change in Use and that is not one of them. Jones asked if they did not ask for a sign currently, is there a simple process for adding a sign at a later date. Corliss noted that it would be a change to the site plan with notification to abutters and new drawings. Brodbine noted that the board could decide it was a minor thing and change it administratively. It was noted that there is no way to determine what a future board may do. Brodbine noted that the board can ask about size and height of the sign but cannot ask about content. Corliss noted that commercial signs the Planning Board can ask about content. McKeon noted that the Planning Board does not ask other applicants what is being put on the signs. Parisi noted that the Planning Board has asked other applicants.

James Corliss moved to conditionally approve the Heritage House, LLC Change in Use application for property located at 504 Route 63 (Map 12B, Lot C9) with the following conditions:

Use Intensity statement to include statement indicating no alcohol or tobacco sold or consumed on the premises.

The site plan to include sign location as shown on page 8 of the application.

The motion was seconded by Jon McKeon.

James Corliss moved to amend his motion to include the 3rd condition of:

Site Plan to include the certification ““I certify that my assigns or successors will seek approval by the Planning Board prior to making any changes to this site plan.”

The amendment was seconded by Joe Brodbine and passed unanimously.

Full motion:

To approve the Heritage House, LLC Change in Use application for property located at 504 Route 63 (Map 12B, Lot C9) with the following conditions:

- *Use Intensity statement to include statement indicating no alcohol or tobacco sold or consumed on the premises.*

- *The site plan to include sign location as shown on page 8 of the application.*
- *Site Plan to include the certification ““I certify that my assigns or successors will seek approval by the Planning Board prior to making any changes to this site plan.”*

The full motion passed unanimously by roll call vote.

Items for Discussion (7:00)

Corliss noted that as he understands it, this will be the last authorized zoom meeting, meaning that the Planning Board meeting scheduled for June 21, 2021, will be in person at the Town Offices. Parisi noted that the CDC guidance states that if you are vaccinated there is no need to wear a mask and if you are unvaccinated, you need to wear a mask. Parisi asked what the guidelines are for the Town Offices. Corliss noted that if he gets to set the guidelines, it will follow the CDC recommendations. Shippee noted that new guidelines were not discussed at the last meeting as this is happening quickly. Lachenal noted that currently there is a still a sign on the door of the Town Offices requiring masks to be worn. Lachenal noted she is unaware of the Board of Selectmen changing that requirement to date. Shippee noted that is correct, that is still the requirement. Shippee asked if it is an intrusion asking people if they have been vaccinated. Corliss noted that assuming the meetings are going to be held in person, he will not be wearing a mask. McKeon noted that all board members need to follow what the Board of Selectmen have in place for the building. Parisi noted if there is no formal policy, he will not be attending the in-person meetings.

James Corliss moved to hold the next public meeting of the Planning Board in the Town Offices following the CDC protocols. The motion was seconded by Joe Parisi.

Brodbine asked what happens if the CDC guidelines are different than the Selectboard guidelines. McKeon noted that the Board of Selectmen set what happens in Town buildings and everyone needs to follow what they say. McKeon noted that the Planning Board can make whatever motions they want, however the Board of Selectmen have the care and custody of the buildings. Corliss noted that the intent is not to be argumentative, it is to state the intent of the Planning Board.

The motion passed by Majority. (No: Brodbine and McKeon – they will follow what the Board of Selectmen state for guidelines)

Corliss noted he does not see how to run an in-person meeting and a zoom meeting at the same time unless the Town has gotten a projector. Shippee noted that an owl camera is on its way and the Town will be trying it out next week to see if it will work for the meetings. Corliss noted that he believes those are good for presentations, but not a meeting plus the public. Parisi noted that the school does presentations regularly and someone should be speaking to them to get input on the best way to handle that. Shippee will speak with them.

Corliss noted that 9A, LLC has lots listed. Corliss stated that they have conditional approval but not final yet. Corliss noted there is a cash escrow agreement along with other items that need to be addressed between them and the Town to achieve final approval. Shippee asked if that had to happen before the advertise or just before they sell lots. Corliss noted that it has to happen before they build them. McKeon noted that conditional means that the subdivision is not finalized and there is only one lot. Corliss noted from the registry point of view, there are 5 lots and from the Town's point of view it is not complete. Shippee noted she will look into this.

Walter & Patricia Lewandowski – Voluntary merger

Corliss noted that he does not see a reason why the board would object to the voluntary merger. Brodbine noted that the Zoning Board of Appeals gave them a variance with the condition that they complete the voluntary merger.

Jon McKeon moved to approve the Voluntary Merger for Walter & Patricia Lewandowski. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

July Schedule – July 5th Holiday

The board moved the meeting from July 5th to July 12, but will cancel the meeting if there is nothing pressing on the agenda.

Items for Information

Other items

Other Business

Items for signature

Adjournment

Jon McKeon moved to adjourn at 8:34 P.M. The motion was seconded by Roland Volbehr and passed unanimously by roll call vote.

The next meeting will be held at 7:00 PM June 21, 2021, at the Town Offices.

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:



James Corliss, Chair

22JUN2021

Date