

PLANNING BOARD
Monday, March 15, 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 89. 7091 1179 and passcode 516018, or the following website:

Join Zoom Meeting
<https://us02web.zoom.us/j/89370911179>

Meeting ID: 893 7091 1179
Passcode: 516018

- 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 7:15(PM) , Joe Parisi, Roland Vollbehr, Fran Shippee, Bob Maibusch, Joe Brodbine and Jon McKeon

Call to Order

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

Seat Alternates

Bob Maibusch was seated in place of John Koopmann. John Koopmann seated at 7:45 before the Orange Door hearing.

Review of the Minutes

March 1, 2021

Joe Parisi moved to approve the minutes from March 1, 2021 as presented. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Appointments (7:30)

Orange Door Design, LLC – A continuation of an application for a Minor Subdivision for property located at 745 Route 9 and Poocham Road (Map 13 Lot H19) consisting of approximately 27 acres in the Rural/Agricultural Zone and 2 acres in the Residential Zone. This is a public hearing and may result in approval or denial of the application.

(7:45)

Wendy Pelliter was present for the applicant and noted that she believes the road was discontinued at Town meeting as requested. Pelliter noted that gives the larger lot more frontage as needed. Pelliter noted that new plans were sent to Lachenal today and they include test pits, drainage vectors and monuments as requested by the board.

Brodbine noted that it appears everything the board asked for has been updated on the plans. There was discussion on the frontage and Pelletier noted that there is a chart on the plan explaining the frontages on the parcels.

Joe Parisi moved to approve the Minor Subdivision application for Orange Door Design, LLC as presented tonight. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

Items for Discussion (7:00)

Matt Beauregard/Code Enforcement – Question regarding Garages/Sheds

Beauregard noted that he wanted to have an informal discussion with the board regarding garages and sheds. Beauregard asked if it was possible to build a shed (like a maintenance garage) as a permitted use. Beauregard noted that his interpretation is that it would be allowed but is unsure. Beauregard noted that the definition of accessory structure and the wording of 201 and 202 are not very clear. Beauregard noted that if a shed/garage was part of a golf course, it would be in line with the use and it would not be an accessory structure, but the main structure. Corliss noted that a golf course would be different than residential as that would require a site plan and approval from the Planning Board. Corliss noted that it has always been the belief of the Planning Board that a garage and/or shed would be an accessory structure and therefore it would require a main structure.

Beauregard noted that in 203, residential uses, golf courses are permitted uses and therefore a structure is allowed with those uses. McKeon noted that Beauregard is looking at the public and private recreational uses and believe he is looking at the use of the property for recreation like boating on the lake. McKeon noted that he believes that he is asking if a garage to store boats or kayaks for use on the lake would be the main structure, not an accessory structure. McKeon noted

that with baseball fields and soccer fields there could be a shed to house the things that support the primary use of that property. Beauregard noted that the shed would be the primary structure as that is the structure that houses things for the accepted use. McKeon noted that the use would be on that property, not on the nearby lake. Beauregard noted that he will have to take more time to think about this and do some more research on the regulations. Corliss noted that the Zoning Board of Adjustment has handled requests before requesting permission to build a garage before a home. Corliss noted that he does not believe the Town has shown any interest in allowing residential lots to have structures just for recreations. Beauregard noted that he sees public and private outdoor recreation to fit and wished there was more clarity if it is not the intent to allow it. Beauregard noted that people buy property and want to use it and a garage to store your recreation items seems like it fits. Beauregard noted that he does not see it as a judgment call that the Town would want to prohibit. McKeon noted that it has always been the intent of the Town to not allow garages or sheds that do not have a main building on the property. McKeon noted that variances have been given with a time limit on the main structure being built. The discussion tabled to the next meeting.

Review for Completeness – Foard Panel

Shippee recused herself from this discussion of the application.

Board reviewed the application for completeness:

Parisi noted that the abutters list has an address on Valley Park drive, which is in Spofford, but is listed in Chesterfield.

High and low points were discussed and found.

It was noted that 403.2B5 (The location of and pertinent data on test pits and percolation test results. Information shall include at least the following: the location of test pits, percolation test date, and an outline of the proposed leach field area) was not addressed. Bergeron noted he will do a waiver request. Parisi noted if there is a current leach field on the property, why would test pits be requested. Corliss noted that it is part of the requirements for major subdivisions.

Joe Parisi moved to schedule a public hearing on April 5, 2021 at 7:30 Pm via zoom. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.

Items for Information (7:00 PM)

McKeon noted that he wanted to thank Joe Parisi for his help with explaining the zoning proposals at the meet the candidates event. McKeon noted that he explained everything in the view of the planning board and kept his own opinion out of it. McKeon noted that another public statement was made by the Chair and that statement on Facebook encouraged people to vote against what the Planning Board had approved. McKeon noted that the statement did state that his view was his own and not that of the Planning Board, but when you are on a board and especially an officer of that board, it is important to support the decisions made by that board.

McKeon – thanks Joe Parisi for help with Zoning – he explained in the view of the planning board and feels he was thorough and factual. He was put in the spot a couple times, never waived in his own opinion and always stayed with what the planning board decisions were.

Corliss noted that he spoke in public at the Town informational meeting he did not voice his opinion, only gave the history. Corliss noted that he has worked hard since 2019 on the steep slopes

and believes with Brads help there was a good presentation of the pros and cons. Corliss noted that he was concerned people would see one issue and then vote down all things on the ballot. Corliss noted that he wanted to give his view and try to tell people that the Planning Board thinks a lot about what they are doing. Corliss noted that he believes he did the right thing. Shippee asked if the inability to express your own opinion only goes with the opposing side. McKeon noted that the board decided to pass the ordinance and all members of the board should support the decision. Shippee asked if it was ok to send out flyers. McKeon noted that the flyers supported the Planning Board decision. Maibusch noted that he believes board members still have the ability to speak their mind.

Corliss polled the board. Yes means that the post was ok, and no means that it was no ok.

Parisi noted that it is hard to separate and often people say they are speaking for themselves, but that is a meaningless statement as the audience does not see it that way. Shippee noted that she has some concerns about that and asked if any board member expressed an opinion before the vote by the Planning Board took place. Corliss noted that the posts were after the Planning Board vote. Shippee noted that in that case, people should be able to make up their own minds based on facts. Vollbehr noted that he would prefer it if the members of the board voiced the same opinion as the majority in matters like this. Maibusch noted that he is fine with what was posted believing that people can separate the board and personal opinions. Brodbine noted that he is comfortable with posting stating that he does not have to give up his rights as a citizen by being on a board as long as the separation is clear. Koopmann noted that it was not ok even though it was expressed as a personal opinion, he believes it did a lot to undermine the Planning Board decision.

Parisi noted that 350 town members voted against changing one word to make the regulations agree with the State language and that says to him that people are not reading and/or do not understand which speaks to a much larger issue. Corliss noted that he was concerned that all of the zoning ones would get voted down just because of the first one being so controversial. Dan Syvertsen noted that as a member of the public, there are some people out there that think the Board members voice carries more weight but noted that some can tell the difference. Syvertsen noted that for him it was clear. Syvertsen noted that the 350 votes to not change the language were not uneducated voters, it was a vote of no trust in the Planning Board. Syvertsen noted that unless you went looking for the information, it was not easy to find. He noted that the Town should go to where the people are and that is Facebook.

Expedited Wetlands Permit

Corliss asked if anyone had any concerns. Parisi asked what the role of the Planning Board is for these. Corliss noted that we receive them for information and if the board saw something that was out of place, something could be said about it, but the Planning Board does not approve or deny them. McKeon noted that we are afforded the opportunity to comment.

Other Business

Parisi noted that amendment 2 was voted down and asked if there was anything from stopping the board from using the boards interpretation of it in the future. Corliss noted that the amendment was to clarify the existing, and also added some square footage to the calculations. It was noted that the board had a couple of different minds on the ordinance and that was the reason for the clarification.

Jeff Scott asked if Bradford Machine ever came before the Planning Board for a consultation or application. Parisi noted that it came before the ZBA but has not gone any further. Corliss noted it has never been before the Planning Board, not even for a conceptual consultation.

Corliss noted that this year the Planning Board will work on signs more and also steep slopes. Corliss noted that he hopes the board can get something the Town likes or at least is willing to tolerate that makes sense to people and will help people that are trying to do good things be able to do them. Corliss noted that he has been giving it some thought and will attempt to appoint a new steep slopes committee and broaden the people on the committee. Corliss noted that he hopes it will happen before November.

Parisi noted that one of the pieces of feedback that he heard was that the steep slopes ordinance is an important issue and it is difficult to handle through zoom and would have been better face to face. Parisi noted that should be kept in mind going forward.

Koopmann noted that the ordinance had been worked prior to COVID and the meetings were well attended. Koopmann noted there were a number of people that are grateful for the zoom ability and heard it was more convenient than having to attend a meeting in person.

Koopmann noted that he would like the sub-committee to be reconvened as soon as possible.

Corliss noted that he does not intend to reconvene the sub-committee but appoint a new one.

McKeon noted that the board needs to look at what happens if an ADU is approved and nothing happens for 2-3 years. Corliss noted that time limits should be put on the approval.

Items for signature

Adjournment

Jon McKeon moved to adjourn at 8:25 P.M. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

The next meeting will be held virtually at 7:00 PM April 5, 2021, please see the Town Website calendar (<https://chesterfield.nh.gov/events/>) for the meeting ID.

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:



James Corliss, Chair

8 APR 2021

Date