

**PLANNING BOARD**  
**Monday, February 1, 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 861 9250 2774 and passcode 974926, or the following website:

<https://us02web.zoom.us/j/86192502774>  
Meeting ID: 861 9250 2774  
Passcode: 974926

- 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](mailto: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, Jon McKeon, John Koopmann, Joe Parisi, Roland Vollbehr, Fran Shippee, Bob Maibusch and Joe Brodbine.

### **Call to Order**

James Corliss called the meeting to order at 7:02 PM.

### **Seat Alternates**

Fran Shippee noted she was appointed alternate Selectboard rep and was present in place of Jeanny Aldrich.

## **Review of the Minutes**

January 18, 2021

*Jon Koopmann moved to approve the minutes from January 18, 2021 as amended. The motion was seconded by Joe Brodbine and passed by majority by roll call vote. (Shippee abstained)*

## **Appointments (7:30)**

**Town of Chesterfield Planning Board** - A public hearing will take place to review and vote on the Board of Selectmen updated proposed amendment of section 401.1 "Setback" and 401.6 "Billboards" to the Chesterfield Zoning Ordinances. Please see the Town website for full draft of proposed changes/additions to the regulation. ([chesterfield.nh.gov](http://chesterfield.nh.gov)).

Corliss noted that the document was revised from the last meeting. Shippee noted that there is one more change that the Board of Selectmen wanted. Shippee noted that the second sentence under "F" should be removed. McKeon noted that the change could not be made at this meeting as final wording must be available before the meeting and there is no time for another hearing. Corliss noted that he sent out a chain of emails regarding what the planning board could and could not do with this and noted that the board cannot change it, they can only recommend or not recommend it. Corliss noted that he believes it is closer to being done than it has ever been, but the Planning Board should not recommend it at this time.

Board discussion:

Vollbehr noted he likes it. McKeon noted that he has some issues with some of the wording and sees it as troublesome as it is not clear enough. McKeon noted he still has issue with "E" not having a time limit. McKeon noted there is also no limit on how many hosts can be utilized by one business. Corliss noted that if the sign is on commercial property, a site plan review would be needed and if it is a business sign on residential property, that is not allowed. Parisi noted that he supports the objective of the ordinance but does have issue with some of the wording. Parisi noted that he believes a situation like this is best handled by variance rather than changing the ordinance. Parisi noted that it applies to a small number of businesses and he would not want to see a large number of businesses doing it as that would increase the signage in town. Koopmann noted that he agrees with the spirit of the ordinance, but the wording needs to be addressed more. Maibusch noted that because the board has so much discussion on the wording, it should wait and be worked on further. Brodbine noted that he does not believe the wording is complete, but it is better than nothing. Vollbehr noted that he agrees that this wording is better than none at this point.

The hearing was opened to the public:

There were no public comments or questions.

Shippee noted that she can see the points made but noted there is a limit on the number of signs one can have permanently and therefore that issue is already covered. Shippee noted that she does see how there may be some room in the current wording for people to do things that were not intended. John Piper (public) noted that he agrees that the ordinance may not be perfect, but it is a step towards perfect. Pieper noted that he can mention other things that are not perfect. Pieper noted that it is hard to word exactly what you want and get it right, but noted that for example, the ordinance allows for a two-sided sign, which clearly implies that both sides should be the same, but there was a business in town that had a presidential sign on one side of their sign. Pieper noted that this wording may not be perfect, but something needs to be put in place and going forward it can be made better. Koopmann noted that he agrees that something needs to go in but asked if there was

any assurance that there will be any effort made to clean it up after it is voted on. Vollbehr noted that it satisfies the needs of the distillery and that is why he is for it at this time. McKeon noted that the Planning Board should not make Zoning Regulations in Town for one person or business. McKeon noted that variances are designed to accomplish that goal. Brodbine noted that he does have questions about the person owning the business where the sign is proposed needing to get a variance as they are not the one that necessarily benefits from that placement. Brodbine noted it is a long process for someone to go through.

*Joe Parisi moved to **not recommend** the Board of Selectmen updated proposed amendment of section 401.1 “Setback” and 401.6 “Billboards to the Chesterfield Zoning Ordinances. The motion was seconded by Jon McKeon.*

*Discussion: Shippee asked if this motion passes what happens. Corliss noted it goes on the ballot with a note that it was not recommended by the Planning Board.*

*Roll call vote: Passes by Majority (Yes: McKeon, Corliss, Parisi, Koopmann) (No: Vollbehr, Brodbine, Shippee)*

Brodbine noted that the Planning Board can propose a sign ordinance in the future regardless of what happens at Town meeting with this vote.

**Town of Chesterfield Planning Board** - A continuation of a public hearing will take place to review and vote on the proposed addition of section 220 “Spofford Lake Watershed Steep Slope Overlay District Ordinance” to the Chesterfield Zoning Ordinances. Please see the Town website for full draft of proposed regulation. ([chesterfield.nh.gov](http://chesterfield.nh.gov)).

Corliss noted that the current wording is the only wording that will be allowed to be put to vote. Board discussion:

Maibusch noted that he has spoken about this a number of times but wanted to note that it is very obvious and has been stated several times that if this ordinance passes, it will be challenged in court. Maibusch noted that it is a bad place for the Town to be if something is passed that will be brought to Court. Maibusch noted the proposed ordinance is highly restrictive and does not believe it will hold up.

Open to the public:

Corliss noted that the board received another letter from Tom Woodmann and the Conservation Commission wrote in favor with a letter signed by the Chairman. Maibusch noted that he wanted to note that the conservation commission letter in support was not a unanimous decision. Maibusch noted that the vote was 4-2. Brodbine noted that in the most recent letter from Woodmann, he mentioned that he thinks his comments are falling on deaf ears. Brodbine noted that he does not believe his comments are falling on deaf ears. Brodbine stated that he has listened to him and tends to agree with him. Brodbine noted that he wanted to make sure to mention that Mr. Woodmann was being listened to. Briony Angus noted that Tom Woodmann was not on the zoom meeting yet, but she would pass the feedback along to him.

*John Koopmann moved to add the proposed addition of section 220 “Spofford Lake Watershed Steep Slope Overlay District Ordinance” to the Chesterfield Zoning Ordinances. The motion was seconded by Jon McKeon.*

Corliss noted that he is opposed to putting the regulation before the Town as written as it is unlikely it will be approved the way it is. Corliss noted that he believes the Planning Board will burn some of its capital. Koopmann noted he disagrees with Corliss as the regulation is not unique and there

are many similar regulations throughout the State. Koopmann noted that a lot of work has gone into this regulation.

*Roll call vote: Passes by Majority*

*(Yes: McKeon, Parisi, Vollbehr, Koopmann, Brodbine, Shippee) (No: Corliss)*

*Joe Parisi moved to approve and accept the Steep Slopes Overlay District Map Poster (February 3, 2020). The motion was seconded by John Koopmann and passed unanimously by roll call vote.*

It was noted that the map is available on the Town Website.

**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.

Corliss noted that Shippee had some comments about this item and the board has received a request for a continuation. Corliss noted that the request is to continue until after Town Meeting 2021. Shippee noted that she spoke with Town Attorney Ratigan and he stated that when a road is discontinued it reverts to the abutter. Shippee noted that the road was discontinued in 84 or 85. McKeon asked if the road was thrown up or just moved. Shippee noted that she does not think the roadbed can be moved. Shippee noted that they straightened the road. Corliss noted that for the purpose of the planning board, we need to see ownership of the entire property they want to subdivide. Corliss noted that his hope is that they come back after Town Meeting and there is no area in question. Wendy Pelletier noted that she researched all the Town meeting records and found no formal discontinuance of that portion of the highway. Corliss noted that after that is accomplished, the applicant can come to the board with a surveyor stamp showing ownership.

*Joe Brodbine moved to continue the hearing to March 15, 2021 at 730 via zoom. The motion was seconded by John Koopmann and passed unanimously by roll call vote.*

### **Items for Discussion (7:00)**

Reminder second meeting in February is the 22<sup>nd</sup>

It was noted that the second meeting in February is in 3 weeks assuming that it is needed. Corliss noted that he will cancel the meeting by the 19<sup>th</sup> of February if it is not needed.

Fedex wetlands application

Corliss noted that the Planning Board did receive a Fedex wetland permit. Parisi noted that it was already signed off before we received it.

Shippee noted that Town meeting starts on the Feb 27<sup>th</sup> and finishes on March 3<sup>rd</sup>. and elections are on March 9<sup>th</sup>. Parisi noted that those dates were listed as informational. Shippee noted that the budget and warrant articles will be voted on the 9<sup>th</sup>. There will be 5 different ballots on that date, School and Town warrant and Town and School ballot for elections and Zoning amendments. Shippee noted that there is a meet the candidates on March 6<sup>th</sup> via Zoom. Voting on the 9<sup>th</sup> is from 10am to 7PM.

**Items for Information**

**Other Business**

**Items for signature**

**Adjournment**

*Joe Brodbine moved to adjourn at 8:11 P.M. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.*

The next meeting will be held virtually at 7:00 PM February 22, 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:

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**James Corliss, Chair**

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**Date**