

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, February 24, 2020**

**Present:** Joe Brodbine, John Koopmann, James Corliss, and Jon McKeon.

**Call to Order**

James Corliss called the meeting to order at 7:06 PM.

**Seat Alternates**

**Review of the Minutes**

February 3, 2020

*Joe Brodbine moved to approve the minutes from the February 3, 2020 meeting as presented. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.*

**Appointments**

**Pine Grove Springs Country Club, Inc.** – This is a continuation of an application for a Major Subdivision review for property located at NH Route 9A (Map 5K, B8 and Map 5N Lot B9.1) consisting of approximately 93 acres in the Residential Zone.

Corliss noted that the board received a letter from Pine Grove Springs Attorney Patricia Panciocco today.

Bob Maibusch noted that they would like to continue the application to the 16<sup>th</sup> of March in order to get the paperwork in order.

It was noted that once the Planning Board receives the documents from the applicant, the packet will be reviewed and Corliss will then be able to assemble a scope of work to send out to the 3<sup>rd</sup> party consultant companies for a final quote on the work being asked of them. It was noted that the applicant will present the plans to the Planning Board on the 16<sup>th</sup>, but if they are received prior to that date, the scope of work can be sent off to the companies so they are able to set a scope of work. McKeon noted that the Planning Board would like to have the plans as soon as possible to enable Corliss to review and assemble the scope of work to get out to and hire a 3<sup>rd</sup> party to review them. McKeon noted that the applicant's representative should attend the meeting on the 16<sup>th</sup> and present the application.

*Jon McKeon moved to continue the Pine Grove Springs Country Club, Inc subdivision application to March 16, 2020 at 7:30 in the Town Offices. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.*

**Nine A LLC** - This is an application for Subdivision of property located at 271 Route 9A (Map 5K Lots B3 & 3.1 and Map 5N Lots B9, B1 and B2) consisting of approximately 10.97 Acres in the Spofford Lake District and 95.28 in the Residential Zone.

Jim Phippard was present on behalf of Nine A LLC. Phippard noted that the plans that have a revision date of January 15<sup>th</sup> are the current plans. Phippard noted that he is the “guilty party” Mr. Koopmann was referring to previously. Phippard noted that he is aware of the late submittal and is not asking the board to make a decision this evening on the application.

Phippard noted that originally a waiver was requested for the drainage and after attending another hearing he decided that he would go ahead and provide the board with a detailed drainage report. Phippard noted that there were some items previously mentioned by the board that have been addressed.

Phippard stated that there was a reference on the notes page that talked about “Grace Church” and that has been removed. Phippard noted that the current plans have been done to make them easier to read. Phippard noted that the proposed name of the private road has been added to the plan and it is proposed to be John’s Way. Phippard noted that the applicant is aware that any road name is subject to the approval of 911. Phippard noted that monuments have been added to both sides of the road. Phippard noted that sheet C3 now contains well location and shows the protected radius. Phippard noted that they are typical locations, not exact locations as the applicant is not proposing to build structures. Phippard noted that a cost estimate has been added. Phippard stated that the private road includes utilities and in the center of the area of the cul-de-sac holds the sewage collection. The sewage is collected and travels under the road, across the street to where the sewer treatment plant is located. Phippard noted that it will then go into the leach fields. Phippard noted that there are 5 leach fields, and 2 will be used for this purpose. Phippard noted that the leach fields have been inspected and the only work that needs to be done is some removal of vegetation to prevent any root complications. The manholes were opened and scoped and they were found to be clean and stable. Phippard noted that they were both found to be in excellent shape. Phippard noted that they are required to get NHDES to sign off on them at a later date. Phippard noted that sheet C7 added a plan to show the areas of steep slopes and wetlands in the proposed open area. Phippard noted that the draft covenants are in the works. Phippard noted with the added information presented this evening, he believes the application is complete.

*Joe Brodbine moved that the application is complete enough for review. The motion was seconded by Jon Mckeon and passed unanimously by roll call vote.*

Phippard noted that there are 5 lots involved and they are partially in the Spofford Lake District and the Residential District. Phippard noted that the lot that currently holds Spofford Hall in in this application. It was noted that Map 5K, Lot B3.1 is noted on the application but is not affected by the subdivision. The lot was mentioned in the application because there is information about the lot being presented. Phippard noted there is a brook that will not be disturbed. Phippard noted that there is a driveway that leads to the top of the hill where the old treatment plant is located. Phippard noted that the plant will be disassembled and salvaged. Phippard noted that the underground tanks will be removed and the area will be filled, seeded and restored. Phippard noted that the 2 leach fields will be utilized for 5 single family homes. Phippard stated that this brings the waste over 900 feet away from Spofford Lake. Plan D1 is the demolition plan for Spofford Hall. The building, paved areas, underground tanks and catch basins will be removed with the exception of a couple of catch basins. The culvert under Route 9A is owned by the State and when Phippard spoke to them, they were unable to find an easement. They will continue to look for this information. Phippard noted that the catch basin is runoff from Route 9A and the applicant has no control over it. Phippard noted that the applicant will rebuild some catch basins and hooded outlet pipes will be installed which will force a lot of sedimentation to be captured and retained. Phippard noted that in 1979 these types of measure did not exist and that is why they are not in place today. Phippard noted that

removing the building is a two-step process due to asbestos and mold. Phippard noted that an expensive abatement program is required with a State permit. Phippard noted that the size of the building will trigger an alteration of terrain permit from DES which will be filed soon. The impermeable coverage of the lot will improve by 55% even after the new road is built and after 20% impermeable coverage on each of the 5 lots. Phippard noted that the the drainage will have to be addressed from the roadway with roadside swales and site collections areas. There will be no increase in runoff from the site. Phippard noted that the land across the street and up the hill contains the former sewer treatment plant will become all vegetative area with only the driveway remaining for access to the leach fields. Phippard noted that a distribution box will be used to start by using one leach field. Each leach field was designed for 20,000 gallons per day and with 5 single family homes each having 4 bedrooms the daily gallons would only be 6000. Phippard noted that if there is a change needed in the future, a leach field will already be available and hone simple change at the distribution box will allow the other field to be utilized. Phippard noted that the use intensity statement follows the Land Development Regulations. They are not proposing any impact to wetlands for this project. Phippard noted that of the 422 properties in the Spofford Lake District 346 are less than 2 acres in size. This makes the proposed lots similar to lots around it. Phippard noted that 267 existing lots are smaller than the smallest lot proposed in this application. Phippard noted that none of these lots will look out of place. Phippard noted that traffic counts were done in August during peak busy time and the addition from the 5 lots is minuscule. The proposed lots may have 4 additional trips in the morning peak hour and 5 in the afternoon peak hour. Phippard noted that the school district will not feel a disruption with the addition of 5 homes, but even if there was an uptake in children in the school, the additional taxes generated will more than cover the cost. Phippard noted that if the lots are assessed at \$300,000 that is \$33,000 in property taxes. Phippard noted that with homes, the value jumps to around a million making the taxes approximately \$111,000 per year. Phippard noted that he has spoken with Steve Dumont the Spofford Fire Chief and was informed that dry hydrants from the lake are not reliable and therefore the applicant is proposing a fire protection system at the intersection of the private road. Dumont has indicated that he will be happy with the plan. It was noted that an easement will be provided to the Town of Chesterfield and the Spofford Fire Department. Phippard stated that the covenants are still being worked on and each lot will have 20% ownership of the private roadway, the sewer pump station, the fire protection system and the drainage system. Phippard noted that this will be at least initially managed through a private company and in the future if the homeowners prefer, they can transition into an association. Phippard noted that common areas will be maintained by the company or the association. McKeon asked if the catch basins will be part of the maintenance plan as well. Phippard noted that they are still searching for the easements and if they are not found, then the management company will have to contact DOT to maintain the catch basins. Corliss asked if the demolition will be completely accomplished prior to selling the lots. Phippard noted that they cannot sell the lots until the road exists and everything exists. Phippard noted the abatement and then demolition are next on the list of items. Attorney Bill Satterly was prsent and noted that he has been in touch with John Rattigan and was informed that the Town will need values for a bond to cover the demolition and that an escrow fund will be created. Koopmann asked if the demolition requires any federal or EPA permits. Phippard noted that the State will be overseen by the EPA and if they want to intervene then have the right. Koopmann asked if the board members have permission to inspect the site. Phippard noted that anyone that wishes to go on the property will need to notify the property manager prior to doing so. There are motion detectors on the property and the manager will need to accompany any visits.

The meeting was opened to the public:

Bob Brockman asked about a generator for the pump. Phippard noted that if the pump goes out, a service company comes with a generator and hooks it right up and pumps. Phippard noted that if they need to order a part to fix an issue, they will come every day with the generator until the pump is fixed. Simon Jones asked about the lake wall. Phippard noted that there is a stone wall that covers much of the lake frontage. Phippard noted that the applicant has decided to hold off on doing anything with the wall as the people who buy the property and build houses, will want to decide where they want their access. Jones noted that he is concerned that the wall will fall into the lake. Phippard noted that he is not going to apply for a wetlands permit now as he is unsure where owners will want access and the wall does not have to be rebuilt. Jones noted that he is also concerned about 4 or 6 pine trees on the property and want to make sure they never come down. Corliss noted that Jones can express his desire for them to be left on the property.

Richard Aldrich asked if the annual work that will be required of the catch basin will end up the responsibility of the Town. Corliss noted that it is his understanding that there will be a discussion with the State and that will be addressed prior to approval.

Cheryl Maibush noted that they are proposing selling lots and are not being required to show the placement of the buildings and driveways as their application has been required to show. Cheryl Maibusch asked what makes our application (Pine Grove Springs Country Club) different in terms of requirements. Cheryl Maibusch noted that they are in the same vicinity and have been required to go through much more time and expense. Maibusch noted that many items have been required from them that are not being asked of this applicant. Corliss noted that the Planning Board has not received an application that complies with the Land Development Regulations of the Town to this point from them Pine Grove Springs (SIC). McKeon noted that the application in front of the board complies with the Regulations format.

Jeff Foster noted that he believes this is a great project and taking Spofford Hall down will be great to see. Foster asked what allowing the smaller lot sizes for this subdivision will do to Chesterfield in the future. Corliss noted that cluster developments have different requirements and through many ZBA hearings and the Supreme Court, Nine A, LLC was granted a variance. Foster noted he has been to all of the hearings and said Phippard has done a great job. Foster noted he is concerned that it now opens the flood gates for more. Corliss noted that it would require a variance from the ZBA. Norm VanCor noted that when the board receives the covenants, it sounds as if they will be complicated. VanCor noted that he was not sure, but wondering if the need for a professional management company can be required. Corliss noted that the board can make the subdivision responsible by deed, but it would not be in anyone's best interest to have a particular company named. VanCor noted that when the sample covenants come in, there will be a lot to consider. There were no additional question/comments from the public.

Phippard noted that he will be out of the State until March 18<sup>th</sup> which means that the Planning Board meeting scheduled for April 6<sup>th</sup> is the next one he will be able to attend. Phippard noted that the covenants should be completed the last week of March. McKeon noted that one of the criteria for a cluster development (under 301.1, Purpose) "in order to permanently preserve areas within the development which contain significant natural features and/or open spaces." McKeon noted that the significant piece is not the piece of land that is being preserved. McKeon noted that Phippard may want to spend some time on this. Phippard noted that if you read the entire regulation, and not just one part, the intent of the ordinance is met by this application.

*Joe Brodbine moved to continue the Nine A, LLC subdivision hearing to April 6, 2020 at 7:30 in the Town Offices. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.*

## **Items for Discussion**

McKeon noted that Davis Peach has resigned from the Planning Board.

Koopmann noted that he received information on the applications over the weekend and thanked Lachenal for working on the weekend.

Koopmann noted that that he believes it is important to be familiar with information on the applications prior to the meeting and some information on an application that is on the agenda for tonight, was received today. Koopmann noted that he would like to not have discussions on things without having adequate time to review them. Corliss noted that sometimes the information received is clear. Corliss noted that he does agree that there are times when things are received by the board just before the meeting that are difficult to understand, but the board does have the option of talking about the new information at length or that more time is needed.

McKeon noted that a few months ago the Board of Selectmen asked the Planning Board to look over a proposed health ordinance dealing with septic systems around the lake. McKeon noted that the board has not received any feedback from the Planning Board and time is running out. Lachenal will put this discussion on the next agenda for March 2<sup>nd</sup>.

David Gale was in the audience and asked for a quick conceptual consultation regarding Copper Canyon Distillery. Gale noted that they would like to brew beer on the property as well and wanted to make sure the Planning Board did not require anything from them prior to this happening. *Corliss noted that conceptual consultations are non-binding on either party and minutes are not taken.*

### **Items for Information**

### **Other Business**

### **Items for signature**

January 20, 2020  
Harris Subdivision plan

### **Adjournment**

*Jon McKeon moved to adjourn at 8:53 P.M. The motion was seconded by Joe Brodbine and passed unanimously.*

The next meeting will be held in the Town Offices at 7:00 PM March 2, 2020.

Respectfully Submitted by:

**Patricia Lachenal**  
**Planning Board Secretary**

Approved by:

  
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**James Corliss, Chair**

6 APR 2020  
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**Date**