

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, January 20, 2020

Present: Joe Brodbine, John Koopmann, James Corliss, Roland Vollbehr, Jon McKeon and John Pieper

Excused: Davis Peach and Joe Parisi

Call to Order

James Corliss called the meeting to order at 7:03 PM.

Seat Alternates

John Pieper was seated for Davis Peach

Review of the Minutes

January 6, 2020

Joe Brodbine moved to approve the minutes from the January 6, 2020 meeting as amended. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Appointments

Harris Revocable Trust/Sandy Harris Trustee – This is a continuation of an application for a Minor Subdivision review for property located at 190 Route 9A (Map 5N, Lot B4) consisting of approximately 7.75 acres in the Residential Zone.

Sandy Harris was present and provided the board with one copy of an updated plan. Corliss noted that the list of items missing from the previous meeting was test pit locations, street name and lot numbers. Corliss noted that all have been addressed on the plan in front of him with a revision date of 1/20/2020. There was no public present for this application.

John Koopmann moved to approve the Minor Subdivision application for Harris Revocable Trust as presented. The motion was seconded by Roland Vollbehr and passed unanimously by roll call vote.

Headwater Precision, LLC - Application for Major Site Development for property located at Spaulding Hill Road/Route 9 (Map 14C, Lot D22.1) consisting of approximately 3 Acres in the Commercial/Industrial Zone.

Jon McKeon moved that the application is complete enough for review. The motion was seconded by Joe Brodbine and passed unanimously.

Dave Bergeron was present for the applicant. Bergeron noted that the property is across from Perkins on Route 9. It was previously Prospect Park Press and is the current location of Headwater Precision. Headwater is a machining company that makes sporting equipment. The lot is currently 4 acres with a building and parking behind the building. The building is 6000 square feet and the expansion will be used as space for manufacturing for different equipment in order to allow the full processing to happen in one location. Currently, items need to be sent out for finishing. Bergeron noted that the expansion proposal expands the building to the rear. The drainage will slope away from the building and will reduce current levels of runoff from the property. There is additional parking and landscaping on the proposed plans. Bergeron noted that they will most likely not have to cut any trees down between Spaulding Hill and will be adding some shrubs to screen the area. Bergeron explained that a retaining wall will be added to the edge of the parking lot which will not be visible from Route 9 or Spaulding Hill. Bergeron stated that there will be building mounted lights for security. All lights will be full cut off fixtures and light levels at the property line will be zero. There are no pole mounted lights being proposed. Bergeron noted there is a need to increase the electrical service in the building as the existing system will be inadequate for the new building. Bergeron noted that Public Service believes that Route 9 underground from the pole to the building to a new service panel will be the best way to address the services. A new HVAC system will be added to handle the additions. The process will be a system of vats products are put into and the product moves from station to station. There is a list of the small amount of waste generated to include membranes that are used to filter the products and some liquid waste. The system includes a recycling system allowing much of the products to be reused. Storage of the waste will be on-site until it is necessary to take it away.

Corliss asked about impervious coverage. Bergeron noted that the information is found on Sheet N-1 with a total of 26% for the site. Corliss asked about the height of the retaining wall. Bergeron noted that the height will vary with the highest point about 8 feet. Bergeron provided the board with a picture of a similar type retaining wall as an example. Corliss asked about security at the back of the building. Bergeron noted that they will have on-site security as they currently do. Bergeron noted that the building also has windows all around it.

Bergeron noted that the roof will have solar panels used to help supply electricity to the building. Pieper noted that the plan still indicates Headwater in some places and Headwaters in other places. Bergeron noted that will be addressed. Pieper asked if the fire department has been asked about any concerns and will they have access at the back of the building. Bergeron noted he has had preliminary conversations with the fire department and they have been ok with everything. Pieper noted that there is a place on Spaulding Hill Road where there is significant erosion and if it continues, it will impact the road. Pieper asked Bergeron if the proposed plan would make this situation better or worse. Bergeron noted that any water coming thorough from above the property will go through the driveway culvert, which will be replaced. Bergeron noted he will take a look at any erosion in the area that may be associated with the property. It was noted that the driveway culvert is within the right of way and there may be a possible permit required. Pieper asked if there was a need for a generator on site as there are frequent power outages in the area. Bergeron noted that the tanks are static and there is no need.

Bergeron noted that the colors and style of the proposed building aimed to keep the current aesthetics of the building and area. There will be an enclosure with doors to hide any solid waste. Koopmann noted that one of the doorways exists directly into the drive. Bergeron noted he could stipe out a walkway to the parking spaces from the doorway. McKeon noted that Bergeron should look at the regulations in this matter. McKeon noted that 610.5 (4) states that pedestrian walkways need to be separated from parking areas. Bergeron noted he will look at the regulation and noted the driveway may need to be widened in the even a walkway needs to be added.

Bergeron noted that the current septic system will be looked at and if it needs to be replaced, excavation will need to happen in that area. There are no floor drains in the current building and none will be put in the additions. Koopmann noted that when he was there, there was a large pile of snow right at the exit. Bergeron noted that snow storage is planned to be located behind the building and parking lot. Koopmann noted on the western side of the building, the slope limits the ability for additional plantings, but asked if it would be feasible to soften the presence of the building. Bergeron noted he can look at it, but there is a lot of brush growing there on the slope now and he would want to research what might work there. Bergeron noted that this time of year it is hard to see. Bergeron noted that the same type of arborvitae as used in other places could be used, but the applicant does not wish to block the windows.

The meeting was opened to the public:

Fran Dennis (lives across from GS Precision) asked if they anticipate more staff and traffic. Bergeron noted that the original plan filed with the town included 15-20 people and Headwater is looking to get to that number. Pam Walton (Route 63) noted that with the increase in deer population, arborvitae may not be the best choice. Norm Van Cor noted that he would like to see zero runoff and his hope is that in the future the Planning Board and Conservation Commission can require this. Bergeron noted that a study was done of runoff from the property today and then after the proposed development and noted that the runoff after the development will be less than what it is today.

It was noted that the Boundary Line Adjustment has not been signed as the board has not received the right amount of copies to date. It was noted that the spelling of Headwater(s) needs to be addressed, comments need to be obtained from the Fire Department, the driveway culvert issue needs to be addressed, the walkway from the building exit to parking lot needs to be addressed and the septic needs a new design.

Bergeron handed out a letter from a septic guy. Bergeron noted that the soils are good and there will be the same number of employees, Bergeron noted if the septic does need replacing, it will be removed and replaced in the same location.

Joe Brodbine moved to continue the hearing to February 3, 2020 at 7:30 in the Town Offices. The motion was seconded by Jon McKeon and passed unanimously.

Town of Chesterfield Planning Board - A public hearing will take place to review and vote on proposed amendments to the Chesterfield Zoning Ordinances as follows:

Addition of Ordinance 220 Spofford Lake Watershed Steep Slope Overlay District

The public were provided copies of the proposed regulations. The map was hung up on the wall for the board and public to see. One map was passed around for any public to view. Corliss read the purpose and intent of the ordinance. Corliss noted that there are some typographical errors that will be addressed and asked if anyone in the public was interested in going over those items. Nobody in the public was interested in the typographical errors/corrections. Corliss asked if the board had anything since the last meeting to add. There were no additional comments from board members.

Pieper noted that slope should be defined ahead of where it is used in 220.2. 220.2 (B) was changed to 220.2 (C) and (D) was moved to (B).

Pieper asked if a current 2 acre lot in this zone is buildable, does it get grandfathered and the owner is still able to build on it or does it lose its buildable status. Pieper noted that he understands the purpose of the regulations, but believes there should be greater concern about wetlands. McKeon

noted there are already regulations that deal with wetlands. It was noted that there is an exemption for lots of record.

The meeting was opened for public comment:

Scott Riddlemoster noted that he is concern is that there will be over reach to other parts of town. Scott asked if there is a RSA allowing the Town to break this out and move the border. Scott noted he is concerned about timbermen. Corliss noted that for this regulation to become enforceable, it must be approved by this board and then the Town votes on it. It was noted that this ordinance will only be for the specified zone and cannot encroach other areas of Town without going through the entire process over again. Koopmann noted that there are two types of steep slope ordinances and there are a number of towns that have enacted regulations that do encompass the whole town, but Chesterfield is currently concerned about the slopes near the lake. It was noted that if accepted by the Planning Board, it will be on the ballot in March for Town vote.

John Caveney (Lincoln Rd) asked if an existing lot inside the boundary that has steep slopes could now be considered a non-buildable lot due to these regulations. Corliss noted that the prohibitive slope comes into play when a new subdivision happens. Caveney noted that the regulations talk specifically about harvesting timber and says it will not be affected, but he is concerned as the ordinance talks about removal of vegetation. Caveney asked for a definition of vegetation. McKeon noted that he does not believe that vegetation is defined in the proposed regulations, but it is defined in the Shoreline Protection Act and the Best Management Practices. Corliss read proposed regulation 220.4 A(1) "Forestry, logging and/or woodcutting activities allowable under State Law and permitted and/or performed in accordance with all state requirements", noting that the proposed regulation seems clear. Caveney noted it seems like someone can remove tress from their lot and this activity is not something they could be prevented from doing. McKeon noted that his understanding that the board cannot do anything outside the proposed regulation. Caveney asked if there was a determination of how many land owners would be affected or how many acres are inside the district.

Norm VanCor noted that he has comments on punctuation and capitalization and will give them to Lachenal.

VanCor noted that he would like the board to add "and Town" to 220.4 A(1). McKeon noted that would make it more consistent with other ordinances in Town. Caveney asked if anyone could think of any current Town regulations regarding forestry activity and if none exist in Town, then by adding that wording, it implies that the Town anticipates that kind of regulation in the future. VanCor noted that the Town is responsible for the Intent to Cut paperwork and such and the Town does have a little bit of say in how things are done. VanCor noted that there are other things to consider such as stream crossing and road weight limits. Caveney noted that Wetlands, stream crossing and road weight limits are all state regulations and enforced by the State. Caveney noted that NH has a right to harvest law. McKeon noted that Town road weight limits are under the purview of the Town. Koopmann noted that things could change in the future and the inclusion of the word would just be for future if needed. Corliss noted that the Town is limited on what it can and cannot do to affect logging. Caveney noted that he is concerned about the Town trying to limit the amount of activity. Corliss noted that State law will not allow the Town to limit activity. Riddlemoster noted that he agrees with Caveney and logging should remain the focus of the State.

John McKeon moved to add "and Town" after the word State in 220.4 (a) (1). The motion was seconded by John Koopmann and passed by majority. (No: Pieper) (yes: McKeon, Brodbine, Koopmann, Vollbehr and Corliss)

220.4(A) (2) and 220.5 (A) (3)

James Corliss moved to remove “drainage lines” and add “water management”. The motion was seconded by Jon McKeon and passed unanimously by roll call vote.

VanCor noted that if 220.7(B) was changed from retained to preserved, it would explain the intent more clearly.

Joe Brodbine moved to change 220.7 (B) from retained to preserved. The motion was seconded by Roland Vollbehr and passed by majority. (No: Pieper and Koopmann) (yes: McKeon, Brodbine, Vollbehr and Corliss)

Jon McKeon moved to change 220.8 (2) removing “town highway” and adding “Public Works Director”. The motion was seconded by Roland Vollbehr and passed unanimously.

Jon McKeon moved to hold a second public hearing on February 3, 2020 in the Town Offices at 7:30 on the proposed Spofford Lake Watershed Steep Slope Overlay District. The motion was seconded by Joe Brodbine and passed unanimously.

Addition to Ordinance 207 Requirements Applicable to all use districts: 207.7 A through C

Brodbine noted that on his street alone there is at least 1 RV that will have to be moved if this regulation passes. Brodbine noted that the wording in 207.7 (C)(1) “in use” is too vague. McKeon noted that in use is using it as intended. Brodbine stated that many campers do not expand and it seems unfair for people with sliders to have to close up when preparing for trips. Brodbine asked how the regulation is enforced. McKeon noted that it would be easiest to ask them and if that does not work, going to an administrative injunction would be the next step.

McKeon noted that he does believe that the proposed regulation allows people to have and use camping units but prohibits use of camping units in unsanitary ways. McKeon noted that State regulations are similar to these regulations, but Town regulations afford the town a way to enforce the regulations. Pieper noted that he is unsure that tents should be included as this will prohibit people from putting up a tent in their backyard all summer for their kids when the kids are going in the house to use the facilities.

John Caveney noted he owns a wood lot and is an avid hunter. Caveney noted he camps from September 15 to December 15 which exceeds the 45 days. McKeon noted that the current zoning regulations do not allow that. McKeon noted that current regulations do not allow you to have a structure on a piece of property without having a primary structure. McKeon noted that in order to do that, a variance is required, which people in Town do have. McKeon noted the intent of the regulation is to have water and sanitary conditions when people are camping. Corliss noted that the ZBA had addressed an issue that is popping up in other communities of people living in RV's or tents and not having the proper facilities or utilities. The Town needs to have a way to handle this kind of situation before it becomes out of control here like it has in other places.

It was noted that 207.7(B)(2) indicates a limit of 45 days, however it is in direct conflict with Zoning Regulation 408's limit of 30 days.

Jon McKeon moved to change proposed regulation 207.7 (b)(2) from 45 days to 30 days. The motion was seconded by Roland Vollbehr and passed by majority. (No: Brodbine) (Yes: McKeon, Vollbehr, Koopmann, Pieper and Corliss).

Jon McKeon moved to hold a second public hearing on proposed regulation 207.7 RV's Travel trailers, & Tents herein referred to as CU (Camping unit) on February 3, 2020 in the Town offices at 7:30 PM. The motion was seconded by John Pieper and passed unanimously.

Items for Discussion

February Meeting Schedule

February 17, 2020 is a holiday. Corliss would like to hold the second meeting in February on the 24th. It was noted that the Conservation Commission meets on that night and will be asked OEM room for their meeting that night. The board will hold the second meeting in February on the 24th.

9A,LLC

The board received a request to move the public hearing on the Subdivision Application to a later date. It was noted that notice of a hearing date has not been sent. The board noted they see no reason not to honor the request of the applicant to hold the public hearing on February 24, 2020.

Joe Brodbine moved to hold the public hearing on the 9A, LLC subdivision application on February 24, 2020 at 7:30 in the Town Offices. The motion was seconded by John Pieper and passed unanimously.

Items for Information

D&T Partners – Conditions

D&T Partners, LLC plan received a conditional approval. Plans were provided to the board noting that conditions have been met.

The board reviewed the new plan dated 1/15/2015 with a revision date of 1/9/2020 and noted the conditions have been met.

Roland Vollbehr moved to accept the D&T Partners Plan dated 1/15/15 with a revision date of 1/9/2020 as complete. The motion was seconded by John Koopmann and passed unanimously by roll call vote.

The board will sign the plans tonight.

Other Business

Items for signature

December 16, 2019

Zoning Proposals if finalized

Planning Board January 20, 2020

Adjournment

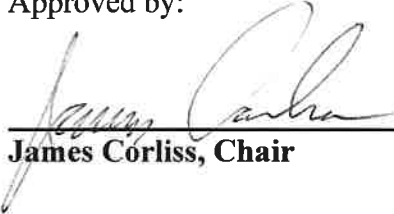
Jon McKeon moved to adjourn at 10:32 P.M. The motion was seconded by Joe Brodbine and passed unanimously.

The next meeting will be held in the Town Offices at 7:00 PM February 3 , 2020.

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:



James Corliss, Chair

24 FEB 20

Date