

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD**

**Monday, January 7, 2019**

**Present:** Joe Brodbine, Joe Parisi, John Pieper, Davis Peach, John Koopmann, James Corliss, Rolland Vollbehr and Jon McKeon

**Call to Order**

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

**Seat Alternates**

John Koopmann left the meeting and John Pieper was seated in his place at 9:45 PM.

**Review of the Minutes**

December 17, 2018

*Davis Peach moved to approve the minutes from the December 17, 2018 meeting as amended. The motion was seconded by Joe Brodbine and passed with one abstention.*

**Appointments**

**Camp Spofford Evangelical Free Church** – This is a continuation of an application for a minor site plan of property locate at South Shore Road (Map 5N, Lot A-1) consisting of approximately 17.5 acres in the Residential Zone.

Dave Bergeron provided new plans and a new use intensity statement to the board. Bergeron noted that the proposal is to remove a basketball court and use the impervious square footage gained to add additional parking spaces. Bergeron noted at the last meeting, the board asked for parking on the site. Bergeron stated that the applicant went through all of the buildings and sleeping accommodations on site as well as the summer employees. Bergeron noted that the camp has three types of employees, full time people, college students and high school students. Bergeron noted that the high school students are not allowed to drive to the camp, and only approximately 75% college students do bring cars. Bergeron noted that the table on the plan breaks down the number of parking spaces and it appears that the site requires approximately 122 spaces and with the added parking as requested in this application, the site will have 124 spaces. Bergeron noted that they also looked at what happens when campers come and go, which is addressed in the use intensity statement. Bergeron noted there are 40 girl and 40 boy campers. Pickup is on Saturday from 10-1 and Sunday is drop off in the afternoon also with a 3 hour window. Bergeron noted that not all campers are picked up at the end of the week as it depends on how many weeks they are staying. Bergeron noted that typically people park on the athletic field for pick-up and drop off. It was noted that this process works great for the camp and does not harm the grass as it is used twice a week for a six week period of time. Bergeron noted that this has been happening for a very long time and the grass has never been damaged. Dave Nelson noted that that area is aerated on a regular

basis. Koopmann asked how many residents are housed in each of the 34 trailers noted on the plan. Bergeron noted that they are pull behind trailers and it is a family thing with usually a couple of adults and one or two kids but they all come in one vehicle. Koopmann noted he would like to see the delineation of the parking and the location of the trailers in that area. It was noted that the board asked for parking on the site and parking happens in that area and the spaces are not noted on the plan. Bergeron noted that it was difficult to nail down the necessary parking due to the fact that all of the buildings are on one lot and the same people are utilizing all of the same facilities. McKeon asked if anyone from outside the camp uses the facilities. Bergeron noted that some people from the lake do come to the camp and use the chapel. Corliss noted that he remembered a concern from the public on how big the camp can get. Brodbine asked if the impervious coverage of the lot includes the area covered by the trailers. Bergeron noted that yes they included that information by using the average size of the trailers. Dan Syversten (Director of the camp) noted that it was his recollection that there were no clear regulations on what kind of minimum was appropriate for the site, and the applicant was being asked to show what was there and that it was working. Syversten noted that they did assess the site and found that the parking will be adequate with the additional spaces. Syversten noted that with more people attending Sunday mornings, the added parking is necessary as people are currently parking in an area not designated for parking. Parisi asked if they are actually increasing the number of parking spaces. Bergeron noted that what drove the application is the fact that people are parking there currently. It was noted that there are boulders preventing people from parking on the grass area once the basketball court is removed. Parisi asked if there were other areas around the site that will become utilized if more parking is necessary. Bergeron noted that most of the parking issue was created by the office and the chapel and the new parking spaces will solve that issue. Parisi noted that it may be prudent for the camp to put up signs or boulders preventing people from parking on the grass in other areas. Koopmann noted that the camp is expanding because of its success and the crowds are increasing. Koopmann noted the lake is a sensitive resource and he is looking for a sense of site capacity. Koopmann noted he wanted to see that in the use intensity statement. McKeon noted that the ultimate capacity is limited by zoning ordinances with things such as impervious coverage and parking. McKeon stated that those things will limit expansion. McKeon noted the Town gets questions all of the time about the site and its exposure and proximity to the lake. McKeon noted this discussion will assist in answering those questions when they come up in the future. Bergeron noted that this application will set a new benchmark going forward for use of the site. Vollbehr noted he would like to see the trailer and parking spaces delineated in the camping area. Corliss noted he agreed with that, but the board did not ask for that. Corliss noted that the board asked for a description of parking. Pieper noted that on the overall plan (Sheet 1) the calculations for impervious coverage appear to be incorrect. Bergeron noted he will check the numbers.

The meeting was opened to the public.

Jeff Scott noted that there was previous talk about working with DES on a rain garden and asked if there was any progress on that issue. Syvversten noted that they are waiting on DES and on the grant information. Syversten noted that the conversation will most likely pick back up in the Spring. Syversten noted that he recognizes there is some tension and he has tried to do well being a good neighbor and continuing the great work being done with families and kids. Syversten noted that he does not feel the need to stop local people from enjoying the camp, but he is not intending to see the day camp grow. Syversten noted he feels that they have maxed out the summer program. Syversten noted that he does feel the winter has some room for growth. Barbara Girs asked if the discussion regarding the rain garden was a direct result of runoff into the lake from the property. Girs stated that if that was the case, then why would that not be included in the plan with or without grant money. Corliss noted that the spot was picked as a good location to have one. Corliss noted that it is a multi-year process and is inclusive in many spots around the lake. Peach noted that the rain garden

project includes the Southwest Regional Planning Commission and the Spofford Lake Association and they have been meeting to address different situations that were identified by a survey last year. Peach noted that the rain garden is part of a greater project that is being run by them along with the State of NH.

Board discussion:

Corliss noted that the calculations on the plan are potentially incorrect. The board discussed the need for delineations of parking spaces and trailer spaces in the camping area.

McKeon noted that the applicant indicated that there is one parking spot per camp site and he believes that should be a rule implemented by Camp Spofford. McKeon noted that he would like to see parking for the camp site area. Vollbehr noted that there are 34 parking spaces and 34 camper spaces. It was noted that there are water and electric hookup for some sites, and some are tent sites. Parisi read from the November 19, 2018 minutes stating that the board asked for how many spaces were on the site and where they are located. Parisi noted that Phippard stated they would come back with a plan showing existing parking. Corliss noted that while they were here, the board indicated they wanted to get a handle on the parking and maximum capacity of the site and Corliss feels like they have done that. Corliss asked for a straw poll vote to see where the board was leaning.

Corliss asked if the applicants response to the parking information and requirements is adequate.

No votes: Koopmann, Vollbehr, McKeon and Parisi. Yes votes: Peach, Brodbine and Corliss.

It was noted that in one place on the drawing the square footage of campers is listed at 220 square feet and another has them at 240 square feet.

Corliss noted that there are 2 outstanding issues, the calculations and the majority of the board believes the existing camp site is not adequately documented.

*James Corliss moved to conditionally approve the Minor Site Plan application for Camp Spofford Evangelical Free Church with the following conditions:*

*Corrected impervious coverage calculations are less than or equal to the 19.4% limit.*

*New Plan showing the 34 parking spaces for the existing camp sites.*

*The motion was seconded by Joe Brodbine and passed unanimously.*

**Arborclimb/George Thomas** – This is an application for a Change in Use of property located at 20-22 Mill Road (Map 13, Lot E9.1) consisting of approximately 2.29 acres in the Commercial/Industrial Zone.

Dave Bergeron noted that this is an existing site on the east side of Mill Road. Bergeron noted that there is a truck service and a vacant lot next door and a truck terminal across the street. Bergeron noted there are several buildings on the site. Bergeron noted that ArborCimb has been renting the property. Bergeron stated that the employees go out each day to a residential or commercial site and take down trees. Bergeron noted that the majority of the tree is chipped on site, and the large butt logs come back to the site and are stored out behind the pole barn until there is enough there for a large log truck to come pick them up and take them to the mill. Bergeron noted that they operate from 7:00 AM to 4:00 PM. Bergeron noted they do plan on fixing up the building for office space in the future. Corliss noted that looking at the plans, the trucks go around the South side of the pole barn to put the wood behind the building. Corliss noted that area is in the side set-back. Bergeron noted that the area used to access behind the barn is already graveled and they are not increasing the use. Bergeron noted it is a pre-existing use. McKeon noted that they may have used it that way previously, but that does not mean it was permitted at that time. McKeon noted that the applicant

would need to have proof that it was being utilized that way and it was permitted previously. Koopmann noted that he visited the site today and the number of logs concerned him. He noted that they were on the top of the slope which may be a problem, but the pile was as high as the building. Koopmann noted that he believed there to be more than one truck load there already. Bergeron noted that originally they had planned on chipping on site, however reading the regulations, he believed they would have had to get a variance in order to do that onsite. Bergeron noted that some of the current pile was slated for chipping and will not be able to be picked up by the truck. Bergeron noted that the owner began using the property unaware that he needed to come before the Planning Board for a change in use. Bergeron noted that the Building Inspector came and spoke with him. Parisi asked how difficult it would be to remove a corner of the barn to allow access to the back. Corliss noted that the planning board is not allowed to approve a site plan that shows access via a side setback. Jonathan Royce (Owner of ArborCimb) noted that the logs do not have to be located there and could be in front of the building. Royce noted that his end goal would be to have a building where he could house all of his equipment and would like to leave the structures there for now. Koopmann asked about the volume of logs on site. Royce noted that the pile is currently about a years worth of logs and they typically wait for the roads to be posted and they are unable to reach customers homes to start removing the pile. Corliss asked if the board had any concerns with the logs being stored between the road and the building. There were no concerns from the board.

Bergeron noted he will get a plan that has either the corner of the building gone or storage in the front of the building. The board did not object to a plan with the option of either way, as long as it was clear that it was one way or the other, not both. Royce noted he liked the idea of having the option as he has not stored any logs in front of the building and is not sure how that will work out. It was noted that one of the driveways is also in the setback. McKeon noted that there are driveway easements. Bergeron stated he did not have the language from the easement at the moment. The board would like the driveway easement language and a plan that shows log storage that does not require crossing of side setbacks.

*Jon McKeon moved to continue the Change in Use Hearing for Arborclimb/George Thomas to January 14, 2019 at 7:30 in the Town Office Building. The motion was seconded by Joe Parisi 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: Change definition of Impermeable Coverage, Change the definition of structure and Change 503.1 for clarification purposes.

John Koopmann left the meeting, John Pieper seated in his absence.

Corliss noted that the first proposed change to the Town of Chesterfield Zoning Ordinance is a change to the current definition of structure.

Corliss read the current regulation for structure as follows:

**STRUCTURE:** Any temporary or permanently constructed, erected or placed material or combination of materials in or upon the ground, including, but not limited to buildings, manufactured housing units, radio towers, sheds and storage bins, storage tanks, portable carports, swimming pools, tennis courts, parking lots, driveways and on-site waste disposal systems.

Corliss read the proposed definition as follows:

**STRUCTURE:** Any temporary or permanently constructed, erected or placed material or combination of materials in or upon the ground, including, but not limited to buildings, manufactured housing units, radio towers, sheds and storage bins, storage tanks, portable carports, stairs, decks, patios, solar panels swimming pools, tennis courts, parking lots, driveways and on-site waste disposal systems.

The hearing was opened to public comment.

Jeff Scott noted that he had a question specifically about solar panels and noted that he would like them to not be included and is an advocate of solar panels and would rather see the Town more encouraging of solar panels. Corliss noted that the definition of structure includes solar panels and noted that he believed Scott was confusing this with impervious coverage. Corliss noted that the board is voting for a definition of structure, which solar panels are structures, but could later on decide to exclude them from impervious coverage calculations. Parisi noted that one reason that solar panels need to be included in the definition of structure is because they are not allowed in a setback. Bergeron noted that the onsite waste disposal systems are specifically allowed in setbacks as part of the Zoning Ordinances. Parisi asked if on-site waste disposal was septic system or dumpster. It was noted that it was septic systems. Parisi noted that dumpster should be added to the definition. Kristin McKeon noted that the Zonign Board of adjustment were the ones that were having issues with the definition and have been challenged more and more about what is considered a structure.

*Jon McKeon moves to add dumpster to the proposed definition of structure. The motion was seconded by Davis Peach and passes unanimously.*

*Joe Parisi moves that adding dumpster is a minor change. The motion was seconded by Jon McKeon and passed unanimously.*

*Jon McKeon moves that the board amend the Town of Chesterfield Zoning Ordinance definition of structure. The motion was seconded by Davis Peach and passed unanimously.*

Corliss noted that the second proposed change is to the definition of Impermeable coverage. Corliss read the current definition and the proposed definition as follows:

Current :

**IMPERMEABLE COVERAGE:** All that horizontal area of a lot, parcel or tract which because of manmade alterations to the natural surface of the land, including building, parking lot and driveway areas or other development, cannot be penetrated by rainwater substantially the same as the natural surface.

Proposed:

**IMPERMEABLE COVERAGE:** All that horizontal area of a lot, parcel or tract due to manmade alterations to the natural surface of the land, including structures, parking lot and driveway areas or other development. All area beneath a structure is impervious.

Corliss noted that the board may consider adding a statement that the area beneath ground mounted solar panels and onsite waste disposal systems being considered permeable. Parisi noted that he

learned at a seminar that all towns were excluding the array as impermeable. Parisi noted that the State does not want the Towns to put barriers in place to solar projects.

*John Pieper moved to add that all portions of any ground mounted solar panels other than the portion in direct contact with the ground are considered permeable to the proposed definition of Impermeable Coverage. The motion is seconded by Rolland Vollbehr and passed unanimously.*

*James Corliss moves to add that on-site waste disposal systems are excluded from Impermeable coverage. The motion is seconded by John Pieper and failed. (No: McKeon, Parisi, Peach and Vollbehr) (Yes: Pieper, Brodbine and Corliss)*

The board will discuss this again at the January 14, 2019 meeting and attempt to come up with new language for a public hearing on February 4, 2019.

Corliss read the third and final proposed change to the Town of Chesterfield Zoning Ordinances as follows:

Currently Reads:

**503.1 Expansion**

Expansion of non-conforming parts of buildings or structures is not allowed. Those parts of any building or structure which are conforming may be expanded provided the expansion is conforming and the use is not changed. For example, if a non-conforming building encroaches into a yard area established by this ordinance, the bulk of the building within the yard area shall not be expanded at all, either vertically or horizontally, within such yard area.

Proposed:

**503.1**

Expansion of non-conforming parts of buildings or structures is not allowed. Those parts of any building or structure which are conforming may be expanded provided the expansion is conforming and the use is not changed. For example, if a non-conforming building encroaches into a yard area established by this ordinance, the bulk of the building within the yard area shall not be expanded at all, either vertically or horizontally, within such yard area.

If buildings, structures, and other impervious surfaces are nonconforming due to excessive lot coverage, no part of building/structures/impervious surfaces may be expanded either horizontally or vertically regardless of whether building/structure/etc is in or out of any setbacks.

Corliss noted that the intent of the added wording is to make the regulation more clear. Dave Bergeron noted that it does make the regulation more clear. Parisi noted that most lots on the lake and many in the village are pre-existing non-conforming lots and they will not be able to change their footprint or go up. Corliss noted that is the intent of the regulation.

*Rolland Vollbehr moves to amend the Town of Chesterfield Zoning Ordinance 503.1 as stated. The motion was seconded by Davis Peach and passed unanimously.*

### **Items for Discussion**

Joe Parisi nominated James Corliss as Chairman of the Planning Board for 2019. The nomination was seconded by Davis Peach and passed unanimously.

Davis Peach nominated Joe Parisi for Vice Chairman of the Planning Board for 2019. The nomination was seconded by Joe Brodbine and passed unanimously.

Rolland Vollbehr nominated Davis Peach for Secretary. The motion was seconded by Jon McKeon and passed unanimously.

McKeon noted that Davis Peach's term is up and will need to sign new appointment paper.

### **Items for Information**

Corliss noted that there is a cell tower extension proposed. They are looking to go up 18 feet and add another array of antennas. Corliss noted under NH law, minor changes are not subject to review. Corliss noted that he looked into it and if it fell, it would breach the fall zone, but have been informed that the Town cannot require an increase the fall zone. McKeon noted that they spoke about it collapsing in on itself and not falling to the side. McKeon noted that there is legislation in the works that will take even more local control from items such as this.

### **Other Business**

The board reviewed a suggestion from McKeon adding a definition to the Chesterfield Zoning Regulations for trucking and freight terminal.

There is currently no definition. McKeon suggests adding a definition for future use.

Parisi asked if the Board of Selectmen planned on appealing the Superior Court Decision that sparked this idea. McKeon noted that at this time the Board of Selectmen have discussed not going forward with an appeal.

Proposed definition: "Trucking and Freight Terminal" shall be defined "as a use to mean a property with a trucking and freight building, where the building is used for trucking or freight processing or storage purposes. The use of the property for truck or tractor trailer parking or trailer exchanges, drop offs, or delivery unrelated to the use of the building is insufficient to satisfy this definition."

*Joe Parisi moved to hold a public hearing on February 4, 2019 at 7:30 in the Town Office Building on adding the suggested definition for Trucking and Freight Terminal. The motion was seconded by Davis Peach and passed unanimously.*

### **Items for signature**

#### **Adjournment**

*Roland Vollbehr moved to adjourn at 10:19. The motion was seconded by John Pieper and passed unanimously.*

The next meeting will be held in the Town Offices at 7:00 PM January 14, 2019

Planning Board January 7, 2019

Respectfully Submitted by:  
**Patricia Lachenal**  
**Planning Board Secretary**  
Approved by:

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**James Corliss, Chair**

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**Date**