

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD
MINUTES
Monday, May 6, 2019**

Present: Joe Brodbine, Joe Parisi, Davis Peach, James Corliss, Rolland Vollbehr, John Pieper and John Koopmann. Jon McKeon was absent due to work conflicts.

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

Seat Alternates: It was agreed John Pieper would sit for John Koopmann during the Public Hearing as Koopmann is an abutter in that case.

Review of the Minutes:

Rolland Vollbehr moved to approve the minutes from the May 6, 2019 meeting as presented. The motion was seconded by Brodbine and passed unanimously.

Items for Discussion:

Rules of Procedure proposed change - document signatures: Corliss read the proposed change regarding signing of meeting minutes from an email dated 4-16-2019. *Peach moved to insert this paragraph after the list of meeting items and include correction to "chair's" signature in the last sentence. Vollbehr seconded the motion and it passed unanimously by roll call vote.* There was unanimous consent to amend the rules as per paragraph 7.

Corliss said the Zoning Board would like to have a joint session with the Planning Board to discuss areas to improve and clarify rules. Peach thinks Zoning should come with a list of terms they think need to be clarified. Parisi said there were no specifics brought forth from the Zoning Board. Corliss will talk with Kristin McKeon to determine if a meeting would be helpful.

Appointments:

Bruce K. Beach Revocable Trust – This is an application for a Boundary Line Adjustment of property located at Turkey Hill Road and Route 9 (Map 8, Lots A3, A4, A5 & A6) consisting of approximately 121.5 acres in the Rural/Agricultural Zone.

Corliss read the boundary line description from the agenda. Pieper is seated in place of Koopman. Koopman has excused himself, as he is an abutter.

Corliss reviewed the documents for a complete application. Mr. Mann said there will be no monuments. *Parisi made a motion that the application and drawing is complete. Peach seconded the motion and it was approved unanimously by roll call vote.*

David Mann, Surveyor, approached the Board with a drawing of the proposed change. Mann represents Bruce Beach, applicant. The drawing includes 5 tracts of land. He said they would like to revise the non-conforming lots into four conforming lots. Beach would like to build caretakers quarters on one lot, and the balance of the lot adjustment is for estate planning purposes. There is no

proposed building site at this time, said Mann.

Mann explained: Lot 5 would total 6.47; Lot 6 would be 44.73 acres. Lot three would have access from Turkey Hill Road. He said the Select board had previously granted access to this location, which was the Old Route 9 and is a private road. This agreement prohibits access to Route 9 and is gated. There is no change to that situation. This agreement is referenced in the plan notes, said Mann. Brodbine confirmed with Mann that the five lots would be reduced to four lots. Mann said yes, and lot 3 has access rights from Blodgett Road. Corliss confirmed they access the lot through Turkey Hill Road then turn left on the old Blodgett Road.

Public Comment:

Jeff Scott asked if the purpose is to create a new building lot. No, said Mann the purpose is to reduce from five lots to four. It also provides an opportunity to build a home. Mann said three lots are pre-existing and non-conforming, they do not want to be confined to a small lot. Access is part of the agreement with Turkey Hill Road, said Mann. Lots 7, 5, 4 & 6 are part of the access agreement.

John Koopmann, abutter, asked if Turkey Hill Road is a historic designation or a recent designation? Mr. Beach said part of the agreement with the Town was this would be a private road. Mann said when a road is discontinued and it passes from one Town to another, both towns should work to discontinue the road. He only found the discontinuance on the Chesterfield side, but no objections have been made. Koopmann said the discontinuance between Forest Rd and Glieb Road is not on the applicant's plan. Koopmann said the Town has chosen not to maintain the road but did not abandon it. He said the road was discontinued and now half is Beach's and the other half is owned by DeMarrais's. Koopmann said the plan provided does not reflect the current Town map.

Attorney Rob Kasper said if the town discontinued this part of Forest Ave there should have been a warrant including land notification to abutters. If the sticking point is that this should be amended on the plan, they will be happy to correct it to reflect half belongs to Beach and half to abutter DeMarrais. They are the only two users of this road.

Koopmann said the discontinuance was done at a Town meeting and it is in the Town minutes from 1983. Corliss said this would be a great time to get a drawing of these changes so the map is up to date. With approval there will be a new articulation of deeds, said Beach. Yes, said Corliss, but the drawings should reflect reality.

Koopmann said the access to Turkey Hill Road does still go over private land owned by DeMarrais and another abutter. The applicant should know he does not have continuous coverage to Forest Ave. There is a narrow strip off Forest Ave and to the middle half owned by neighbor Chabot. There is a small gap between Forest and Turkey Hill, said Koopmann. Corliss would like to have a clearer understanding of the road and access.

Attorney Kasper said the Surveyor who drew map is certified and Koopmann is not presenting facts. Mann said that part of the road was never discontinued. The State record shows Forest Ave down to Old Route 9 was discontinued, said Kasper.

Mann requested a continuance to revise the plan and address Mr. Koopmann's comments. Brodbine said the map does need to be corrected but asked if there are issues with the balance of the

plans. He does not have issues with the plan for the lot changes. Corliss agreed the drawing should be updated. Piper said in terms of what is presented, the road confusion is irrelevant to the boundary line.

Parisi said regarding zoning regulations about frontage, the lot adjustment meets the letter of the requirement but not the spirit. We should decide on the legal frontage, said Parisi.

Kasper said this is a win for the town. Mr. Beach bought 50 acres and will put it into the 4 parcels he has access to. He is adding 50 acres with still only 4 building lots.

Koopmann said there should be a copy of the agreement made with the Select board regarding Turkey Hill Road in the application. Mann said he could include this agreement.

Peach asked if the road changes were done, why we are doing this again. He does not want to open this issue again; the minutia does not impact the decision. He would like to agree on the balance of the changes and limit the road issue discussion.

Rolland said he likes the plan but he questions the access to Turkey Hill Road.

DeMarrais said the discontinued road and ownership is not reflected on the drawing. This is his concern.

Corliss said the Board cannot do a conditional approval. The Board is here to determine if the dividing of the land can be done. Parisi said we are here to approve the drawing, and the drawing is not clear. Mann said he believes the road was discontinued, but he will do further research.

Brodwine made a motion to continue the Beach Public Hearing until May 20th at 7:30 at the Town Office. Parisi seconded the motion and it was voted unanimously to continue the hearing to May 20, 2019 at 7:30 in the Town Offices. The Board would like to be sure McKeon can attend the continuance.

Adjournment

Parisi made a motion to adjourn at 8:26. Vollmer seconded the motion and it was approved unanimously by roll call vote.

Respectfully submitted
Susan Rigg, Acting Secretary

Respectfully Submitted by:
Susan Rigg, Interim Planning Board Secretary

Approved by:



James Corliss, Chair

3 JUN 2019

Date