

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, November 4, 2019

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

Call to Order

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

Seat Alternates

John Pieper was seated in place of Davis Peach.

Review of the Minutes

Pieper noted that the minutes reflect that the subdivision is now 4 lots, which is inaccurate. Parisi noted that he had quite a number of issues with the minutes that he believes is important to this application continuation and should be included. Parisi noted he recommends that the board request Lachenal to review the tape and revise the minutes. Parisi noted that he has a list of 5 or 6 items, but stopped going over them as it is not a good use of his time. Pieper noted that it states that someone read a regulation into the record, but the wording is not included in the minutes. McKeon noted that if something is read with the intention of it being part of the record, it could be in the minutes or in the file. McKeon noted that there are 5 members of the board present that attended the meeting and those members should be able to review the minutes and assure they accurately reflect what was done in the meeting. Parisi noted that he does not believe that is a good use of the boards time. Brodbine noted that he is not aware of anything significant enough to warrant redoing the minutes. Roland noted that with the exception of it stating it is now a 4 lot subdivision, he has no issue with the minutes. Parisi asked what the downside would be to having the minutes redone. McKeon noted that the Town would have to pay Lachenal to do it and it would delay the approval of the minutes for a least another 2 weeks.

Jon McKeon moved to approve the minutes from October 21, 2019 as amended. The motion was seconded by Joe Brodbine and passed by majority. (No: Parisi)

Appointments

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

Corliss noted that his understanding of the purpose of tonight's meeting is to discuss the environmental impact study.

Koopmann noted that he went to many firms to request quotes for the environmental impact study. He received interest from three (3) firms. One of the firms has since backed out and is no longer interested in the project. Koopmann noted that he has a couple of questions about the scope of the project and would like the board's direction before going forward. Koopmann noted that the wetland delineations are signed by a certified wetlands engineer. Koopmann noted that based on his understanding they need to be flagged and should be accompanied by a wetlands report. Koopmann noted that no such report exists for this project. Koopmann noted that all of the people he has spoken with have indicated this is a standard practice for delineation. It was noted that the firm that is selected for the environmental impact study can generate the report for an additional cost. Koopmann noted that he would like to know if the board wants to accept the data given by the engineer or have the third party generate the report. Corliss asked the applicant how the wetlands are delineated. Robert Maibusch noted that they were flagged with wire flags back in February and they were reconfirmed in June. Maibusch noted that he put up red stakes out where the flags were located as they were hard to see. Parisi noted that he saw the red stakes and they seemed to adequately show the wetlands boundary. Maibusch asked if the board generally requires a wetlands report for applications. Corliss noted that depending on the property, different items may be required. Maibusch noted that the application does not include any development of the property. There will be no changes made to the property. Maibusch noted he has agreed to go over and above and look at possible implications on someone building there in the future, but there is no way to know the size or orientation of the homes as none are currently proposed. Koopmann noted that it was his understanding that the environmental impact study should anticipate a post development impact based on the max development of each of the 5 lots. Koopmann noted that his follow up question to the board is does the board have a responsibility to anticipate a worst case scenario based on experience knowing that people will ignore regulations and do whatever they want. Does the board have a responsibility to look at the potential impact of that happening. McKeon noted that the board should not anticipate that someone is going to break the rules and should task the firm with the post impact if the properties are developed to the max allowed by the Town, DES etc. Maibusch asked what is typical in the village and that should be used as the standard. Maibusch noted that the site impact analysis is more expensive than the environmental impact study and redundant. McKeon noted that there are two (2) possible firms willing to do the study and the board needs to make a directive and move forward. Maibusch noted that he has seen two (2) proposals, but has not seen the third. It was noted that nobody except Koopmann has the third proposal and that is one of the ones still interested. Koopmann gave Lachenal and the applicant a copy of the last proposal. Koopmann noted that the applicant is saying that the wetlands are flagged and some of the board has seen the markings, does the board want a wetlands report to accompany the drawings or do we want the environmental impact study to confirm the delineation and generate the report. Parisi noted that the plans are signed by a certified wetlands engineer and he does not see a need to verify what they have done. McKeon noted that a piece of what the board is looking for is a 3rd party to validate what is there matches what is on the plans. McKeon noted that if the company the board chooses is comfortable with what is there, that is up to them. McKeon noted that whoever did the delineations will have a report as it is how they support where the delineations are located. Maibusch noted that as far as he is aware a report does not exist. Maibusch asked if the firms could work together to make this happen. It was noted the directive is to assess the max allowable development on all of the proposed lots. Koopmann asked if the board wants the 3rd party to create the wetlands report. Corliss noted that if they get enough data from the applicant and their firms, they will not need to generate a report.

Jon McKeon moved to provide John Koopmann the authority to move forward in the process of hiring a firm to generate an Environmental Impact Study for the Pine Grove Springs Subdivision

Application. The motion was seconded by Roland Vollbehr and passed by majority. (No: Parisi, based on not having seen the "third" and likely to be chosen proposal)

Jon McKeon moved to continue the hearing on the Pine Grove Springs Subdivision application to November 18, 2019 at 7:30 PM in the Town Offices. The motion was seconded by Joe Parisi and passed unanimously.

Items for Discussion

Review for Completeness – Peter & Rochelle Mitchell – Boundary Line Adjustment

The board reviewed the application for completeness noting the following:

There is a request for a waiver, but no explanation given as to why the applicant is requesting the waiver.

The board noted that there is no narrative explaining the proposal and it is not clear by the plan.

Joe Parisi moved to reject the application due to the proposal being unclear. The motion was seconded by Jon McKeon.

Jon McKeon moved to amend the motion to state that the drawing presented is not clear in what the applicant is proposing or what is existing. The amendment is seconded by Roland Vollbehr.

Discussion:

Parisi noted he located on the lower right side of the plan a detail of lot line adjustment. Parisi noted that it is now two (2) lots and they want to get rid of a stone wall lot line and move it to create a new lot. It was noted that a narrative would have been helpful, but it is explained.

The amendment passed (Yes: Koopmann, Vollbehr, Brodbine, Pieper) (No: McKeon, Parisi, Corliss)

The full motion: Failed. unanimously

Joe Parisi moved to hold a public hearing on the Boundary Line Application of Peter & Rochelle Mitchell on November 18, 2019 at 7:30PM in the Town Offices. The motion was seconded by Jon McKeon and passed unanimously.

Steep Slopes

Corliss noted that there is a proposed modification to Zoning Regulations relating to steep slopes in the Spofford Lake watershed. It was noted that some of the board has received a hand out of the proposed regulations. All members were provided a copy of the proposed regulations tonight. Corliss noted that if the board is interested in pursuing the regulations, a map will need to be created to delineate the area encompassed by the ordinance. It was noted that Southwest Regional Planning should be able to assist in the creation of the map, but it will require an expenditure. It was noted that if the board does agree on regulations, two public hearings will be held and then it will be presented at Town Meeting.

McKeon moved to expend money to create an overlay map and be ready at the next meeting to discuss the proposed ordinances. The motion was seconded by John Koopmann.

Joe Brodbine moved to amend the motion to include a cap of \$1,000.00. The amendment was seconded by Joe Parisi. The motion to amend passed by majority. (No: Vollbehr)

The full motion:

To expend up to \$1,000.00 to create an overlay map and be ready at the next meeting to discuss the proposed ordinances. passed unanimously.

Corliss will contact SWRPC to get a map created.

Items for Information

Corliss noted that on his own he has been working on a Town of Chesterfield health regulation pertaining to waste water disposal in the Spofford Lake District. Corliss noted that it is not a Planning Board effort, but a draft is available if any of the board members would like to read it.

Parisi noted that the Zoning Board of Adjustment has been conducting significant proposed revisions to the zoning ordinances. Parisi noted that they are approximately 10-20% through the ordinances and have significant proposed revisions. Parisi noted that he does have some concern that there will not be enough time for the Planning Board to review and vote on the proposed changes prior to Town Meeting. Parisi noted that as of right now, the proposed changes are significant and will require a lot of review from the Planning Board. Parisi also noted that he is concerned about the Town's ability to absorb the significant number of proposed changes at the polls. The board will look over the proposed regulations once they are received and make decisions about how many and which ones will be appropriate to take to the Town this year.

Pieper noted that he was told he should go walk Channel Road and did so. Corliss stopped the discussion as the property Pieper is mentioning has a current application before the board and the public hearing has ended.

Other Business

Items for signature

October 7, 2019 minutes were signed.

Adjournment

McKeon moved to adjourn at 8:55 P.M. The motion was seconded by Brodbine. and passed unanimously.

The next meeting will be held in the Town Offices at 7:00 PM November 18, 2019

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:

James Corliss, Chair

Date