

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, October 15, 2018

Present: Joe Brodbine, John Pieper, Roland Vollbehr, Davis Peach, Joe Parisi Jon McKeon, John Koopmann, Richard Aldrich and James Corliss

Call to Order

James Corliss called the meeting to order at 7:05

Seat Alternates

Richard Aldrich and John Pieper were not seated as full board was present.

Review of the Minutes

September 17, 2018

Jon McKeon moves to approve the minutes from the September 17, 2018 meeting as presented. The motion was seconded by Davis Peach and passed unanimously.

The meeting scheduled for October 1, 2018 was canceled due to lack of business

Appointments

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:

Corliss noted this is the first public hearing to discuss proposed changes to the Town of Chesterfield Zoning Ordinances.

Corliss read the first proposed change:

401.2 G

Currently Reads:

As part of a site plan review of gas stations, the Planning Board may allow the inclusion of a parent or vendor corporate trademark or logo on one side of the canopy, where it would benefit the public and be expected for the business as determined by the Planning Board. This sign shall not count as part of the total square footage

Proposed:

Remove entire regulation.

The hearing was open to the public (no public was present at the meeting)

Brodbine noted that he believes that the gas station canopies promote public safety allowing travelers to spot a gas station and know the brand from a distance. Peach noted that the gas stations around Chesterfield can be seen without a sign on the canopy. Brodbine noted that the current gas stations would not have to remove theirs and therefore it puts any potential gas station at a disadvantage and there is no benefit to the public. Corliss stated that the benefit to the town will be that it complies with the law. It was noted that the change stems from the Supreme Court decision and the Planning Board is being proactive in adjusting the regulations to comply. Parisi noted that he was tasked with asking the ZBA if they had any comments on the proposed change and they did not have questions or comments on this change. There was no public present to comment.

Jon McKeon moves to remove the Town of Chesterfield Zoning Ordinance 401.2G. The motion was seconded by Davis Peach and passed by Majority. (No: Brodbine)

The second proposed amendment to the Town of Chesterfield Zoning Regulations is:

401.9 Real Estate Signs

Currently Reads:

- A. Real Estate signs for properties for sale, rent or lease, provided they are removed (5) days after the property is sold, rented or leased. Directional Real Estate Signs are allowed off premises, one per length of same road, provided they are removed (5) days after the property is sold, rented or leased. Signs are to be limited to (6) square feet for two sided perpendicular or parallel with the road. These signs are permitted by notification to the building inspector in writing.
- B. Real Estate signs are allowed within the front setback

Proposed new:

401.9 Non Commercial Signs in residential districts

1. A single sign of no more than 6 square feet may be located on a residential property and may be located in the front setback if it is no higher than 6' and does not interfere with sightlines or road maintenance.
2. A second sign with the same restrictions is permitted when the property is for sale or rent and for 30 days after upon notification of the building inspector in writing.
3. Signs may be two sided.
4. Street number signs are permitted.

Aldrich asked why 6 feet high. McKeon noted it was so that the sign does not interfere with site line from driveways and roadways.

Jon McKeon moves to amend the Town of Chesterfield Zoning Ordinance 401.9 to read:

401.9 Non Commercial Signs in residential districts

5. *A single sign of no more than 6 square feet may be located on a residential property and may be located in the front setback if it is no higher than 6' and does not interfere with sightlines or road maintenance.*
6. *A second sign with the same restrictions is permitted when the property is for sale or rent and for 30 days after upon notification of the building inspector in writing.*
7. *Signs may be two sided.*
8. *Street number signs are permitted.*

The motion was seconded by Roland Vollbehr.

Discussion:

Parisi noted that a second sign could be an open house or any other sign. Parisi noted that this new regulation says you can have one on your property and one on another. Corliss noted that this new regulation does not allow off premises signs. Parisi asked if that meant that people will not be able to put an open house at the beginning of Chesterfield Heights (for example). It was noted that Parisi was correct, that would no longer be allowed. Peach noted that this board has already discussed this and passed it and there is no questions/comments from the public and we should move on.

Davis Peach moves to call the question. The motion was seconded by Jon McKeon and passed by majority. (No: Koopmann) (Abstain: Brodbine)

Vote on Amending Regulation: Passes by Majority (No: Brodbine and Parisi)

Items for DiscussionReview for Completeness – Change in use for Performance Motors of Keene – 1757 Route 9, Spofford

The board reviewed the application for completeness noting:

The fees are incorrect. It appears the applicant has overpaid. Lachenal will check the totals and notify the applicant. The application and abutters acknowledgment were signed on 9/5/18, the application submitted on 10/3/18 the requirement for abutters to be updated no more than 5 days before submission has not been met. The abutters list is not keyed to the drawing. The date on the inspection permission list is missing. All of 405.2C is missing. Regulation 401 has not been followed.

Corliss noted that it is not the Planning Boards job to come up with the correct submittals and most items looked at in this application are missing/incorrect. There are very few regulations that will be met by the drawing that was submitted. McKeon noted that the applicant needs to go down the checklist line by line and/or have a professional help him.

Roland Vollbehr moves that the application is not complete enough for review. The motion is seconded by Jon McKeon.

Discussion:

Parisi noted that sometimes the board provides a list of items that are missing but accept the application and sometimes we say it is incomplete, but also list the missing items. Parisi noted that the board is inconsistent in this regard. McKeon noted that he believes the board is consistent and if there are a small number of issues, the board does make a list and give feedback, but this application is missing a lot of information and it is not the boards job to complete the application for the applicant.

Vote: The motion passes unanimously.

Items for Information

Brodbine asked how the board justifies Zoning Regulation 401.8A. Brodbine noted that this regulation is content specific. It was noted that it is content specific and is not in compliance with the Supreme Court Decision.

It was noted that the SWRPC has new Land Use Regulation Manuals. They are being sold for \$10.00 per copy and there are options for CD’s or Ebooks for \$16.00. Lachenal will receive a hard copy, Corliss will receive a hard copy and there will be one for the office. Parisi would like an Ebook. Lachenal will check with the ZBA before ordering one for Parisi.

Parisi noted he attend the seminar on Solar. It was noted that there was talk about commercial intersts do’s and donts and there was talk about residential use. Parisi noted they did provide a sample ordinance but did mention it is only a starting point. Parisi noted that the attorney that the Town has on retainer was one of the speakers.

Other Business

Items for signature

Minutes September 10, 2018
 Anthony Souza Plans

Adjournment

Davis Peach moves to adjourn at 8:36. The motion was seconded by Jon McKeon and passed unanimously.

The next meeting will be held in the Town Offices at 7:30 PM November 5, 2018

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:

_____ **James Corliss, Chair**

_____ **Date**