

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, September 9, 2019

Present: Joe Brodbine, John Koopmann, Jon McKeon and John Pieper

Call to Order

The Chairman, Vice-Chairman and Secretary were out. John Koopmann called the meeting to order at 7:09 PM as acting Chair.

Seat Alternates

John Pieper was seated in place of James Corliss.

Review of the Minutes

August 19, 2019

John Koopmann moved to approve the minutes from the August 19, 2019 meeting as amended. The motion was seconded by Joe Brodbine and passed unanimously.

Appointments

Pine Grove Springs Country Club, Inc. – Application for a Lot Line Adjustment for property located at NH Route 9A (Map 5K B8 and Map 5N B9.1) consisting of approximately 93 acres in the Residential Zone.

Koopmann noted that the applicant will have time to present, the board will ask questions if they have any, and then it will be open to the public for questions or comments. Koopmann noted that the public should address the board and not the applicant or their representation.

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

Michael Ploof, Land Surveyor was present representing Pine Grove Springs Country Club. Ploof noted that the purpose of the Lot Line Adjustment is to revise the lot lines between Map 5K Lot B8 and Map 5N Lot B9.1 and to consolidate Map 5K Lot A3 with Map 5K Lot B8. Ploof noted that this property is located in the residential district and all of the lots will have at least the required 2 acres. Ploof noted that the revision of the line between Map 5K Lot B8 and Map and Map 5N Lot B9.1 is to keep the property that currently houses the maintenance building and such as part of the golf course.

Ploof noted that the deed for Map 5K Lot A3 and Map 5K Lot B8 indicates it is one lot, but the Town records indicate it is separate and they would like to clean that up and make it one. Ploof noted that currently there are 3 lots and if this application goes through, there will be 2 lots.

Koopmann asked if moving the line that affords any benefit for the subdivision. Ploof noted that they want to keep the maintenance buildings as part of the golf course as they would not be able to maintain or irrigate the course without that portion.

Pieper asked who owns the Class VI Road. Ploof noted that the Town owns Channel Road but does not maintain it. Ploof noted that the road is not subject to gates and bars, but there is a gate at the end of the road. Koopmann noted that there is public access to the Channel Road. Ploof noted there is access, but not vehicle access.

The meeting was opened to public questions/comments.

Cliff Emery asked if the access to the B&K Club was going to change. Ploof noted that the B&K club has a Right of Way that cannot be changed. Norm VanCor asked about any implications of the Class VI road on the Lot Line Adjustment. Ploof noted there are no implications as it is a Class VI road. Valarie Starbuck noted that there is wetlands between the lake and Channel Road and asked what benefit adding that to the lots on the other side of the road was as no one can clear that area to put docks into the water. Laura White asked if the Planning Board could approve part of the application and deny the other part. Cliff Emery noted that he lives on Route 63 and the State Road cuts through his property, but he still owns the property under the road and asked if that is the same as Route 9A. Ploof noted that he is unsure if Route 9A is an easement or a Fee Title. Valarie Starbuck asked if this is approved if Channel Road would still be open. Ploof noted that the Town owns Channel Road and that is not going to change with this application. Linda Snorek noted that if Channel Road is developed and people are given access to it, it will ruin the area. McKeon noted that right now, the public does have access. McKeon noted that any development would be regulated by the State with the Shoreland Protection Act. Laura White noted that the lots are currently separate and that prevents dock development. Ploof noted that all docks are regulated by the State. Brad White noted that the golf course could apply for docks. Valarie Starbuck noted that by approving the Lot Line Adjustment, the board would be enabling the opportunity to put 5 docks out there and clear 5 more paths to the lake and she would like the board to discuss the impact that would have on the lake. It was noted that the board could not approve part of the application. The entire application would be approve or denied. Ploof noted that Map 5K Lot A3 and Map 5K Lot B8 can be merged without a hearing. It was included on this application because the applicant was already coming before the board, but this could be accomplished with a voluntary merger which does not have notice to abutters or a public hearing.

Koopmann invited the audience to step up closer to the map for a better look if anyone wanted and noted if there were additional questions after that, the board would answer them.

Barbara Girs asked if the applicant could do a voluntary merger or if it could be contested. McKeon noted that he has never seen a voluntary merger rejected.

The public discussion was closed.

Board discussion:

Koopmann asked the board if anyone had any concerns with the adjustment as proposed making the maintenance area and buildings become part of the Golf Course lot. McKeon noted it makes sense to tie it together as that portion of the property holds necessary buildings and systems for the Golf Course. Pieper, Brodbine and Koopman agreed it makes sense to adjust that boundary line.

Koopmann asked if the board members had any concerns about the other portion of the application. Pieper noted that there is an obvious concern from the public about adding docks in that area. Pieper noted that consolidation is a good idea, but the subdivision application that is following does allow for more docks. Koopmann noted that with consolidation it becomes buildable and a buyer could

put structures or accessories on the property. Pieper noted that the applicant indicated that they could merge this property through a voluntary merger and therefore would not need permission so it sounds like they will accomplish this if the board likes it or not. McKeon looked up RSA 674:39-a and noted that they would be able to merge the lots through a voluntary merger.

Joe Brodbine moved to approve the Pine Grove Springs Country Club Lot Line Adjustment application for property located at Route 9A (Map 5K, Lot B8, Map 5K Lot A3 and Map 5N Lot B9.1) as presented. The motion was seconded by John Pieper and passed unanimously by roll call vote.

The board moved on to the Subdivision Application:

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

Mike Ploof noted that the subdivision proposes 4 lots, all just above 2 acres. Ploof noted that North of Channel Road is being proposed to split into 5 parts of lots corresponding with lots on the other side of Channel Road and one on the other side of Route 9A. Ploof noted that they have added some easements in order to gain sight lines for driveways and follow the Town regulations. Ploof noted that all lots show well locations and all 5 lots do meet the Town regulations. Koopmann asked about side setbacks on the plan for the pieces North of Channel Road. Ploof noted there is not enough room to put in any setbacks and nothing can be built there. Ploof noted that all proposed structures will have to be close to the road. McKeon noted there is a lot of wetlands. Ploof noted there is room enough in the front (Route 9A side) of the lots for buildings. Ploof noted that this application is for a subdivision and there is no development planned. Koopmann asked about septic plans. Ploof noted that septic plans are part of a building permit. Brodbine noted that proposed Lot 5 does not have access to the portion of the lot that would belong with it. Noting that the owners would be unable to access that part of the property without crossing Route 9A and Channel Road. The meeting was opened to the public.

Linda Snorek noted that she walks Channel Road and she knows for a fact that there is not 50 feet from the road to the lake. Laura White noted that she also walks Channel Road and if docks were added there, she would be concerned about all of the wildlife being displaced. A B&K Member (Larock?) noted that she would like to purchase one of these lots and is very environmentally conscious and would happily stay within the limits to have a piece of property on Spofford Lake. Jeff Scott asked if the board was able to ask for an Environmental Study to be done to see the potential impact on to the lake. Kathy Thatcher noted she would also like to see a study done. Thatcher noted that the lake is in jeopardy and removing more trees and shrubs will cause more runoff and do more damage. Bayard Tracy noted that there was a chemical changes study done on the lake and the main reason that the quality is deteriorating is that people are filling in the lake with beaches, the erosion and the runoff from development. Tracy asked what the plan was to eliminate runoff. Ploof noted that there are many engineer controls such as rain gardens and detention basins but in order to know what would be best for that area, the size and placement of buildings needs to be known and there are no buildings or development proposed with this application. Tracy noted that he would like to see something put in place if this is accepted so that it is clear these things need to be considered when the property is sold and a building permit is requested. Cliff Emery noted that he is concerned about privacy for the B&K Club and asked about a fence being required. Valarie Starbuck noted that the State is supposed to regulate things, but they are not enforced. Starbuck noted that the State is always saying they do not have enough people or money to do all of

the things they are supposed to do and therefore the Board should be considering that. Starbuck noted that she is concerned about new septic and the steep slope in the area. Darren Horn noted that he owns 57 Canal and feels the area is overgrown and could use some clean up. Horn noted he is in full support of the application. Cheryl Maibusch noted that the lake drains out in that area and that anything that happens in that area is being funneled out of the lake, and will not affect most of the lake. Valarie Starbuck noted that with 5 lots with frontage, that is the potential for 5 docks and the Channel is too narrow for that. Starbuck noted that there are no exotic weeds in the lake but adding 5 more docks will make it doubly hard to get down the channel. Sandy Harris noted that environmental impact is her biggest concern with this application. Harris noted that it deems that there are too many houses being squeezed onto that lot. Cheryl Maibusch noted that there are no docks being proposed today and if someone buys the property, they may or may not want a dock. Barbara Girs noted that some of the lots, in particular proposed lot 3 is asking for someone in the future to claim hardship and get permission to build into the wetlands. Ploof noted that with proper controls, that would not be an issue. Norm VanCor noted that he would like to see an environmental impact study be required before the board makes a decision. Valarie Starbuck encouraged the board to review a case study from the NH Supreme Court with Limited Editions Properties as one of the parties. Starbuck noted that a subdivision was denied for some of the same reasons given tonight and the Court upheld the decision. Cheryl Maibusch noted that the Master Plan was done in 2016 and 45 % of respondents thought that the growth rate was good and many wanted more single home development. Valarie Starbuck noted that the Master Plan also has a lot of data about keeping Spofford Lake open space available. Starbuck noted that she is not against development in that area, but believes that 5 houses is too many there. Pam Walton noted that the area is currently filled with older trees and even if the developed lots are well landscaped, the new landscape will not have the same filtration ability that the old trees and their root systems currently provide. Walton noted that recent knowledge has shown there are real problems around the lake. Cheryl Maibusch noted that it seems that a lot of the issues with the lake are coming from the older homes as the new systems are far more advanced and ecologically sensitive.

Board Discussion:

Pieper noted that some of the audience has expressed environmental concerns and are requesting an impact study. Pieper noted it may be best to have the study done and defer any other action until that is accomplished. McKeon noted that it is the Planning Boards job to do what is best for the Town and believes that an Environmental Impact Study is important with this application. McKeon noted that there are regulations indicating minimum lot sizes, however impact on the surrounding area is also a consideration. The board discussed the limits of the impact study and decided it would be best to limit it to the proposed development and the abutting lake.

McKeon noted the board can give someone on the board the authority to come up with three (3) choices and work with the applicant to pick one. It was noted that the board has an application in front of them and unless the applicant requests it, that is the study that will be requested.

Jon McKeon moved to give John Koopmann the authority to find three (3) firms in the area that can do an Environmental Impact Study and work with the applicant to come to an agreement on which firm to hire. The motion was seconded by Joe Brodbine and passed unanimously by roll call vote.

McKeon noted that it may be worth the applicants time to have the firm do the impact 4 and 3 lots would have in addition to the proposed 5, but that is something that Koopmann and the applicant can discuss.

Jon McKeon moved to continue the Pine Grove Subdivision application to October 21, 2019 in the Town offices at 7:30 PM. The motion was seconded by John Pieper and passed unanimously by roll call vote.

Items for Discussion

Items for Information

Letter – Alfano Law Office – Anthony Martini Sr.

The Planning Board was cc'd on a letter to the Selectboard.

McKeon noted that the property owner believes that people are traveling on his property and does not want that to continue.

Wetlands permit application – 519 North Shore Road

Board reviewed

Other Business

Items for signature

The Brady Plans were signed by the Board members present and Vice-Chairman Joe Parisi will be asked to come in and sign this week.

Adjournment

Joe Broddbine moved to adjourn at 10:08 PM The motion was seconded by John Pieper. and passed unanimously.

The next meeting will be held in the Town Offices at 7:00 PM September 16, 2019

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:

James Corliss, Chair

Date