

TOWN OF CHESTERFIELD
PLANNING BOARD
MINUTES
October 16, 2006

Present: Davis Peach; Chairman, Bob Del Sesto; Vice-Chairman; Jon McKeon; Selectmen's Representative, Tom North, Valerie Starbuck, Susan Lawson-Kelleher (arrived at 7:50 pm) , Stephen Pro, Scott Coulborn; Alternate, Blake Woodman; Alternate, and Elaine Blake; Alternate/acting secretary

Peach called the meeting to order at 7:35 p.m.

1. **Minutes** – Review of minutes of October 2, 2006 and October 9, 2006.

The Board reviewed the portion of the minutes pertaining to Very Mill Corporation. In good faith, the Board is okay with these as written for continuing the public hearing.

Starbuck moved to defer the review of the minutes for October 2nd and 9th to follow public hearings. Woodman seconded the motion, which unanimously carried.

2. **Very Mill Corporation** – This is a continuation of the public hearing of September 11, 2006 for review of a final application for a Major Subdivision of properties identified as Chesterfield Heights (Phase V), Map 8 Lots C2.1, 2.516, 2.514, 2.503, 2.1, and 2.505, in the Rural/Agricultural Zone. This subdivision is a proposed addition to an existing cluster development and would be incorporated into the Very Mill Association.

Bergeron and Clarkson were present. Bergeron presented the Board with revised 2-page plan. Bergeron stated the revised plans indicate that septic/leach fields are now in each individual lot instead of two septic/leach fields on one lot as previously shown.

Bergeron revisited the concerns addressed at the last meeting to include:

1. Meeting the cluster subdivision regulations – requirements are met
2. Calculations (%) of wetlands had been delineated but not included on previous plan – these revisions are on the revised plans with a keynote-indicating %'s.
3. Long range Land Management Plan – The requirements of the original declaration that a forestry management plan was to be completed within 5-years – Clarkson had completed this plan, which they are currently unable to locate, and if they are unable to find it another will be done. All the original restrictive covenants they are keeping.
4. Indicate how they are meeting the open space requirement - A handout indicating they meet the open space requirements were submitted for review and filing with the application.

There were no public comments.

Pro moved to close the public portion of the meeting with reserving the right to reopen the public meeting if new information is provided. Starbuck seconded the motion, which unanimously carried.

Board discussion included the applicant meeting the questions the Board, the possibility of getting a legal opinion, covenants, Land Management Plan, the possible precedence they may be setting (or not) with this application, it was noted that the public previously stated they would prefer to see homes there instead of a convenience stores, the area being preserved meets the requirements, discussion of what details should be put into the final motion.

Del Sesto moved to submit the legal opinion submitted by the applicant and the intent of the application to our attorney to determine his opinion on the legality of it. Lawson-Kelleher seconded the motion for purposes of discussion.

Starbuck read a section of the letter from Bragdon pertaining to the Simpson Cluster Development. Discussion continued. Lawson-Kelleher called the question.

(Yes: McKeon, Del Sesto, Lawson-Kelleher; No: Pro, North, Starbuck, Peach) the motion failed.

Starbuck moved to approve the subdivision plans with the contingency of the receipt of the covenants and forest management plan and wetlands permits. Pro seconded the motion.

Starbuck withdrew her motion. Pro withdrew his second.

Starbuck moved to accept these amendments to the cluster development in view of our findings that this amendment meets the ordinance that only significant amounts and/or types of natural features and open spaces for preservation with the contingency that the signed covenants and Land Management Plan for the open space will be submitted. Pro seconded the motion. (Yes: Mckeon, Pro, North, Starbuck, Lawson-Kelleher, Peach; No: Del Sesto) The motion passed.

3. **Scannell Properties/Richard Youngman** – This is an application for a Minor Subdivision of property located on Coachman Road in West Chesterfield (Map 12, Lot A1.28), in the Commercial/Industrial zone. Subdivision of approximately 65.66 acres will result in two lots. This is a Public Meeting for accepting the submission of the application. It may be followed by a Public Hearing for approval of the application.

Pro recused himself. The Board reviewed the application for completeness.

Starbuck moved to accept the Minor Subdivision application for Scannell as complete. North seconded the motion, which unanimously carried.

Hitchcock presented the plans for the subdivision on Coachman Road. Attorney J.R. Davis and Stephen Pro were also present for this application. The total site is currently 65 acres +/- with frontage on Route 9, Coachman and Stowe Drive. The proposal is to have a 22.83 acres parcel with 250' +/- frontage on the cul-de-sac and the balance of 42.38 acres +/- with frontage on Coachman and Route 9. Coachman is a private road, which they would like to turn into a town road. Frontages on Coachman (remainder of Lot 8) are 246', 478', and 123' with 120' on Route 9. The requirement is 200'. The distance along the cul-de-sac is 185' with 30' along the reverse curve. For purposes of this application, the frontage will be off Coachman Road. It was noted that the notice should have read 65.66 acres and not 22.83 acres.

The property line is in question on the south side, so a clause was put on the plans stating they may own to the middle of the old road.

The requested waivers include: 1. the applicant not provide mylars until the plan is approved 2. The applicant not to go through the state subdivision process as both lots are over 5 acres.

Attorney Davis referenced RSA 674:41 – regarding the private road, which was Enterprise Drive and did originally, met TRA standards for a class V road.

Discussion included the road being brought to town specifications and being put on both applications, the need to verify the history pertaining to accessing the back of United Natural Foods (Stow Mills) and statements of what the use would be. It was noted the parking of trucks granted to United Natural Foods (Stow Mills) would be coming off.

Hitchcock stated Lot 8 would have an easement for the potential basin, as they do not want to cut themselves off. The well has 5/gal per minute and the waterline will serve UNFI. Lawson-Kelleher asked if estimated water utilized for proposed site be noted in the plans.

The hearing was opened to public input.

Paul and Karen LaRue are concerned about loosing their water. How deep is the well? 800' deep and 5/gal per minute. Who is responsible for maintaining a private road and what is the process of accepting the road? Many questions and concerns pertained to the Major Site Plan Review and will be addressed at the appropriate time. Peach advised the road acceptance is beyond the jurisdiction of the Board, the regulations are available online for public viewing, and the Board is obligated by the Town and State Statues to pay attention to the wetlands.

The history of the property was reviewed. Material found stated from old minutes that Youngman proposed to provide a protected buffer zone.

North moved to close the public hearing. Coulborn seconded the motion, which unanimously carried. (Lawson-Kelleher, Blake & Woodman not voting)

North moved to approve the 2-lot subdivision with conditions to include bringing the road up to Town specifications, the road design to be added to Site Plan, frontage for both lots are on Coachman Road. Starbuck seconded the motion, which unanimously carried.

4. **Scannell Properties/Richard Youngman** – This is an application for a Major Site Plan Review of approximately 23.2 acres located on Coachman Road in West Chesterfield (Map 12, Lot A1.28), in the Commercial/Industrial zone. This is a Public Meeting for accepting the submission of the application. It may be followed by a Public Hearing for approval of the application.

Pro recused himself. The application was reviewed for completeness.

McKeon moved to accept these plans as complete with the receipt of all state and federal permits required. Starbuck seconded the motion, which unanimously carried.

The waivers requested include not submitting mylars until final approval, having a reduced signature block, and from 403.3 2-b the setback dimensions must be shown for all structures, including parking area.

Hitchcock presented the plans. The proposed has a 24' paved driveway, with a proposed Federal Express building to include 2800' of office, 35,000 sq. ft. of warehouse and distribution area, 78 parking spaces of which 31 are required, 15 spaces are for long haul trailer storage. There will be no trucks idling. 150 round trips are estimated (300 trip ends) with allowing 100 for public usage. 31 spaces for delivery vans will be inside the facility. Final hours of operation and delivery times to be determined. The entire facility will be gated. The well is already drilled and the water line will be run over to the UNFI water system. There is a septic system and leach field with two tanks of 2500 gallons, comes out all gravity. 1200 gallons per day system piped with stone awaiting State and Town approval. The storm water detention has drainpipes into stone lined swale into a 24" pipe to 22,000 sq. ft. basin with a 2-year event holding capacity, which slowly bleeds out.

The wetlands consist of 9000' sq. ft. disturbance, for which the permit has been filed. Part of this is from the run-off from the above retention basin. A retaining wall will be from 0' – 32' high and 320'+/- long.

It was noted the future fuel line indicated is close to the wetland area. That may need to be addressed if a future application is submitted.

Trucks will be washed inside, which is disposed into a holding tank that is pumped. The building will use propane. There will be a 30,000-gallon tank for fire protection. The building will have sprinklers.

Proposed landscaping will include 14 trees, 2 1/2 " calipers, 24 shrubs, mountain laurel, and shrubs that are unknown at this time currently labeled L.B.. There was a discussion of a possible 50' buffer with the exception of the outlet point.

The detention pond depth is 4'. The structure is lower than the berme as that is the way it is designed as water rises it goes over into the spillway.

Proposed lighting includes shoebox style 25' poles with 100% downcast lighting and full cut-off wall packs for the building. The distance from the corner of the building to the property line is approximately 100'.

They estimate 71 employees to include 19 handling packages, 11 office and 41 drivers.

Peach stated the concerns include lighting, traffic to include hours of operations of vehicles, and drainage.

Peach asked if the water in the retention pond is going to spill out onto a pad then go into the wetlands, does that mean the state has jurisdiction over the wetlands as well? Hitchcock advised the plan is already at the state for a site-specific permit to include all drainage and wetlands.

The issue of hazardous material was addressed. Hitchcock advised he knows of no hazardous materials.

The manufacturer and company that his hired for that project will determine the design of the retaining wall.

Peach asked for public input.

Paul and Karen LaRue – the concerns include lighting, noise, traffic, the definition of buffer zone, who manages the plan, would like the Board to consider pines or hemlocks, will the facility be visible town wide, what would a comparable size building be? What are prime wetlands? Prime wetlands is a achieved by voting and is a lengthy process. How is the 2-year period amount arrived at? This is a statistical standard procedural figure. Is this setting precedence for future similar businesses? Peach advised to the extent that it is a permitted use and meets town regulations and zoning ordinances. Do we have an engineering firm? If needed the Town has the ability to hire one. Will the traffic require the first stop light in town? The issue of gas tanks. What about pollution/exhaust? These concerns will be addressed as the Board continues discussing the application.

Peter Brady asked if there is an oil maintenance / truck maintenance plan. Not to Hitchcock's knowledge, but he will look into it. What is the height of the building? 20' and will not be visible from Route 9 and will not exceed regulations.

Hitchcock will confirm 900,000' of total disturbance as stated on the permit. Attorney Davis suggested language for vegetation usage.

Del Sesto moved to continue the public hearing to November 6, 2006 at 7:30. Starbuck seconded the motion, which unanimously carried.

5. **Perkins Home Center/PJB Real Estate, LLC** – This is an application for a Major Site Development on 7.02 acres located on Route 9 in West Chesterfield (Map 14A, Lot A6) in the Commercial/Industrial zone. This is a Public Meeting for accepting the submission of the application. It may be followed by a Public Hearing for approval of the application.

The only changes from the original Major Site Development are in the parking. The Board reviewed the application for completeness.

Starbuck moved to accept the application as complete for the submittal. Lawson-Kelleher seconded the motion, which unanimously carried.

The original plan showed overflow parking on the side which the Board is aware of. There are approximately 115 spaces required, they have about 84 in the front, and they looked in other areas that customers do park and where they can put parking spaces. The proposed meets zoning requirements. With adding parking to the area, surround the lumber area that will bring the spaces to 135 which is 20 more than required by zoning.

The applicant would be willing to line the spaces if required.

Del Sesto moved to close the public hearing. Lawson-Kelleher seconded the motion, which unanimously carried.

The applicant was thanked for being concerned enough about the issues and going back and finding ways to accommodate those concerns.

Del Sesto moved to approve the Major Site Development Plan for Perkins Home Center with the one condition that the parking spaces are lined. The motion failed for the lack of a second.

Pro moved to approve the Major Site Plan for Perkins Home Center. North seconded the motion, which unanimously carried.

6. **Cellco Partnership d/b/a Verizon Wireless** - This is a continuation of the public hearing of September 11, 2006 to review an application for a Telecommunications Conditional Use Permit and Major Site Plan Review. The applicant, represented by Kermit J. Zerr of McLane, Graf, Raulerson & Middleton, seeks to construct a new personal wireless communications facility, including a 160-foot monopole tower, 12' x 30' equipment shelter with cable tray, and 12 panel antennas at a site located at 65 Pine Crest Drive (Map 6, Lot A22), approximately 51 acres in the Rural/Agricultural zone.

Starbuck moved to continue the Public Hearing to November 6, 2006 at 7:30. Pro seconded the motion, which unanimously carried.

7. **Don Emery and Kevin Beal/PDD #1** – This is a conceptual consultation. Emery and Beal would like to know how they might proceed in relation to the proposed PDD #1.

This conceptual consultation was cancelled.

8. **Minutes** – Review of the minutes of October 2nd and 9th, 2006

North moved to accept the minutes of October 2, 2006 as amended. Starbuck seconded the motion, which unanimously carried.

Pro moved to accept the minutes of October 9, 2006 as amended. Woodman seconded the motion, which unanimous.

9. Old Business

- Bella Domani/John Allard – Restoration Plan Approval. A restoration plan has been approved. The Board awaits notification of full compliance with a one-year period.
- SWRPC Fall meeting and Dinner

10. New Business

- Riverside Motel/Pierre Saba – Code Enforcement has issued a letter identifying a problem with parking and the lack of a fire lane on the approved site plan. Davis read the memo. The Board needs to review the plans.

11. Information

- The Source (Newsletter of the NHDES Drinking Water Source Protection Program) - Fall 2006 edition
- "Obtaining Community Acceptance of your Building Program" - LGC Workshop: Thursday, November 30, 2006. Pre-registration required by November 22, 2006.

- Comprehensive Environmental Incorporated - Announcement of New Services: Letter dated October 4, 2006
- Land Lines - October 2006 edition
- LGC 2006 Annual Conference - Local Government: Citizens in Action: November 15-17, 2006

Lawson-Kelleher moved to go into executive session pursuant to RSA 91:A:3 II (e). Starbuck seconded the motion, which unanimously carried.

Del Sesto moved to adjourn from executive session and seal the minutes. Starbuck seconded the motion, which unanimously carried.

12. For Signature

- Minutes of September 11, 2006
- Minutes of September 18, 2006

13. Adjournment

Pro moved to adjourn at 11:35 p.m. Del Sesto seconded the motion, which unanimously carried.

Respectfully submitted,

Elaine H. Blake
Secretary

Approved:

 //s// **Davis Peach**
Davis Peach, Chairman

Date: November 20, 2006