

TOWN OF CHESTERFIELD, NH
PLANNING BOARD
MINUTES

MONDAY, MAY 21, 2007

The meeting was called to order by Chairman, Robert Del Sesto at 7:34 p.m.

Present: Bob Del Sesto (Chair), Valerie Starbuck (Vice-Chair), Jon McKeon (Select Board Rep.), Steve Pro (Secretary), Scott Coulborn, Blake Woodman (Alternate), and Padi Blum (Recorder/Secretary).

1. Minutes - Review of the minutes of May 7, 2007

Woodman moved to approve the minutes as written. Starbuck seconded, and the motion carried unanimously (voting members: Del Sesto, Starbuck, McKeon, and Woodman).

2. Don Emery & Kevin Beal – Application for a Major Subdivision of approximately 20 acres located off Route 9 in Spofford (Map 11B, Lot A12). Applicants propose a 4-lot subdivision that would result in 2 lots in the Residential zone and 2 lots in PDD3. This is a Public Meeting for accepting the submission of the application, followed by a Public Hearing for approval of the application.

McKeon moved to accept the application as complete enough to accept and continue with the review and public hearing contingent upon receipt of any additional further submissions required by the Planning Board. The motion was seconded by Pro and carried unanimously.

David Bergeron of Brickstone Masons presented on behalf of the applicants. Bergeron noted that the three applications before the Board this evening (items 2-4) were all submitted jointly with common plans to satisfy completion of the final phase of PDD3. Lots 12.2 & 12.3 will remain residential lots. 12.1 will be subdivided into 3 lots within PDD3. There will be a road constructed, identified as Pontiac Drive, ending in a cul-de-sac. All access to the new lots will be from the proposed Pontiac Drive, and not from Route 9. An All Terrain Permit will be required by the State due to the inclusion of road construction. There will be no impact on the wetlands from subdivision and there are no floodplain issues (confirmed that the land is not within the 100-year floodplain). Bergeron promised to email a construction cost estimate to the Planning Board Secretary the following day. He believes the figure is somewhere near \$157,000.00. The driveway permit has been issued by the State already; that is the only pertinent permit other than State subdivision approval for lots less than 5-acres. Tom Forest has already provided a suitable septic plan, and that has been submitted for approval as well. The engineer's review is not yet complete. A break-down for gravel/fill is to be provided as well. Bergeron noted that the excess of material that will be removed from construction of the road will be used on the Ames Performance site. Only gravel and crushed gravel is to be imported, as required for road approval.

Both residential lots are approximately 6-acres in size; there are no plans at this time for development on those lots. There will be overhead utilities (electric poles) due to cost. There will be a 24-foot wide paved road (built to Town specs). There will be a culvert under Route 9, as required by the State. The road will have a 2-foot rise, curb down slightly, 2% upward slope, 2% down, 4% up – to the cul-de-sac. There will be a 1% slope

at the cul-de-sac at the drive up into the first lot; the second lot slopes down. These lots are 5-acres and 2-acres. All lots are conforming to the requirements in their respective zones/districts. The plan submitted is comparable to the proposal to the Town (the General Plan approved at Town Meeting in March). There is no change in the subdivision area; the location of the boundary lines are the same, lot lines, size, and area are exactly the same configuration. A minor discrepancy was noted in the boundary description that was derived from the deed; this was changed by Mann – rather than using exact minutes and seconds, an approximation was used to allow for insignificant changes if they were required. It was noted that there was a missing line that was left out of the distance descriptions; this is now a part of the road. Bergeron stated that they would add a description of the zone line (to be a dotted line where it crosses the road), and he will verify that the directions and footage match and are correct. This will be identified as “PDD3 Zone Line”.

Starbuck moved to open the public hearing. Woodman seconded, and the motion carried unanimously.

Del Sesto solicited public comment. Don Emery stated that the bank is ready to write the bond; they need to identify the Town’s requirements for the terms of the bond. Del Sesto stated that some of that will depend on the cost estimate to be provided by Bergeron. The draft bond will be presented to the Select Board – they have approval authority. The Planning Board may grant conditional wherein final signatures of approval would be contingent upon Select Board approval of the bond (prior to any construction). There was no further public comment.

Pro moved to close the public hearing. Starbuck seconded, and the motion carried unanimously.

Board discussion ensued. Del Sesto explained that relative to PDD3, we are now in the Detail Plan phase. Planning Board regulations stated the following (based on Zoning Ordinance **302.5.C.3**): “In the detail plan phase (**Par 302.6 C**) following the town’s adoption of a specific PDD, the Planning Board can not approve the Detail Plan or allow construction to proceed unless it first determines that said Detail Plan is consistent with the General Plan for the Planned Development District adopted by the town’s Legislative Body.” This is the first thing the Board must address. Also (based on Zoning Ordinance **302.6.C.2**): Detail Plans shall include no less than the information required for Major Site Developments by the Land Development Regulations of the Town of Chesterfield, New Hampshire and shall include additional information, as deemed necessary by the planning board, to assure compliance with both the town approved General Plan and Regulations for the specific PDD. Lot sizes, frontages, etc. must conform to PDD regulations; the following requirements were reviewed (from the Zoning Ordinance Section 210):

210.3 Area, Frontage and Coverage Requirements

- A. Lot Size: Minimum of two (2) acres
- B. Lot frontage: Minimum of 200 ft.
- C. Coverage: Building coverage shall not exceed twenty percent (20%) of the area of the lot. Total impermeable coverage (including building coverage) shall not exceed fifty percent (50%) of the area of the lot.

It was noted that Sections 210.4 and 210.5 were not applicable for subdivision review.

Starbuck moved that the subdivision phase was consistent with the General Plans relevant to PDD3 regulations and that they conform to subdivision regulations. Pro seconded, and the motion carried unanimously.

Pro moved to approve the Subdivision application contingent upon the addition of the zoning line, submittal of road construction cost estimate, revision block on subdivision plan, signature blocks on each page, submittal of a full set of plans as required and to be identified by the Board upon the final review of items 3 and 4, estimate of gravel/fill requirements, and approval of the bond; final approval shall also be contingent upon fulfillment of all PDD requirements, inclusive of conveyance of deed to SFD for the purpose of constructing a new fire department. Starbuck seconded, and the motion carried unanimously (Bob Del Sesto, Valerie Starbuck, Jon McKeon, Steve Pro, Scott Coulborn, and Blake Woodman).

Note: Plan Set Requirements identified after review of the Ames Performance Site Plan Review and the Spofford Fire Dept. Site Plan Review:

- *5 complete sets of paper plans with the Subdivision Plan cover sheet;*
- *1 complete set of mylar plans with the Subdivision Plan cover sheet;*
- *1 single-page mylar Subdivision Plan (for recording purposes); and*

- 3. Don Emery & Kevin Beal** – Application for a Major Site Development on approximately 5.06 acres located off Route 9 in Spofford. The proposed site development is currently a portion of Map 11B, Lot A12 (proposed Lot A12.4) in the zone designated PDD3. This is a Public Meeting for accepting the submission of the application, followed by a Public Hearing for approval of the application.

Pro moved to accept the application as complete subject additional submissions as required by the Board, inclusive of:

- *Setback dimensions, or a waiver request addressing this item;*
- *Signature Blocks on each page;*
- *All State and local permits as will be required; and*
- *Meeting full submission requirements addressing soils, drainage, sediment, etc. as to be determined by the Board. Coulborn seconded, and the motion carried unanimously.*

David Bergeron of Brickstone Masons presented on behalf of the applicants. Bergeron stated that on-site drainage will be handled by a series of catch basins as shown on the plans. The plans also show future (location of) catch basins to support future additions planned, as per the General Plan (Phase I) that was approved at Town Meeting in March, and as they were shown on plans at that time.

Bergeron reviewed septic, leach, and test pit locations. He noted that the leach field did have to be relocated due to the planned expansions; he felt that the location on the former plans were inappropriate. The required permits have been requested and are listed on the index page. It was noted that State septic approvals require prior approvals by the Town.

Parking Lot lighting was reviewed. Lighting is shown on sheet 2, with details on sheet 6. Also reviewed were the slope of the drive, parking, drive around delivery area, dumpster area (shown on page 3), screening plan and legend/landscaping (page 2). There will be a 6-foot high solid wood fence. It was noted that the dumpster area could not be seen from Route 9, but could possibly be viewed from higher elevation abutting lots. The Residential area does abut and development of the residential lots may entail clearing lots.

Drainage was reviewed. A retention pond will utilize an 8-inch pipe (controlled outlet) that will not allow an outlet rate greater than the current flow rate (as per submittal to the State for the All Terrain Permit). The Site Specific application has been submitted as well. This has not been received to date by the Planning Board for their review. This has been submitted to the State for their approval as well.

Setback requirements have been met (30'/50' from Route 9). Additions will not add up to more than 30,000 square feet. Parking areas are broken up into sections as per requirements (not more than 20' before broken into landscaped islands). There will be no manufacturing on-site, as per regulations. 100% downcast lighting will be utilized. Lot size and building size conforms as well. Lot coverage is 18,400 (= 8%), paving is 22,900 (= 11%), total lot coverage is 19%. Coverage is also provided for parking and Phase II planned development. Total build out is expected to be 38,400 square feet = 30% total lot coverage, which meets PDD3 specs. Future predicted expansion is identified as "Future Addition – Phase II" and "Future Addition – Phase III".

It was noted that each application would require its own set of plans with individual cover pages; title pages would need to include an identifier in the title, "– Phase I". Plans would also need to include in the caveat statement that any revision, including the actual development of Phase II and Phase III would require prior approval of the Planning Board.

Erosion controls include silt fence, rip-rap, and stone check dams – details are provided on the Detail Sheet. Wetlands are delineated and catch basin details are also included on the Detail Sheet.

Pro commented on the pipe handling all three stages. Bergeron stated that at 50 it gets a little spill-over, it balances out. There are actually plans for 2 retention ponds. The second is in the wetland area. There will be a berm around the construction area. The 2 stages working together makes it all work. Wetlands are not an issue as there are none in the area of disturbance. It was noted that the second retention pond is on the residential lot. They do intend to get a wetland permit for the fire retention pond. There will be maintenance required; they are working on the details at this time. If the permits are rejected, they won't be able to build the pond and there will be no need for an easement. If they get the okay, an easement will be required. They are working with Mike Bentley to draft the easement and write it into the deed. The Board noted that the easement would be required for approval.

Architectural elevations were provided on smaller sheets that were included in the application, but not shown on the full-size paper plans. The smaller 11x17 sheets are the sheets that were submitted with the original General Plan. The buildings will have vinyl siding, brick-face along the office, and asphalt roof shingles. The views are consistent with the approved General Plan. The slight changes were deemed insignificant (doors moved,

etc.). The Board noted that heights must be shown on the plans (less than 30'). There are no sprinklers, as none are required in an S-2 warehouse as per the State Fire Marshall.

Board discussion identified that the Major Site Plan meets all site requirements as per PDD3, there is no outside storage, there are only 10 parking spots between islands, and all lighting is 100% downcast. It was noted that proposed signage is to meet Town regulations and a plan must be submitted to the Code Enforcement Officer. The location must be identified and details to be provided for Greenwood's approval. Code Enforcement would ensure compliance. It was felt that lighting would be provided by placement under the light at the curb cut. The Use Intensity Statement satisfies 210.5.F. There have been no revisions since submittal for the approved General Plan. Hours would be from 8:00 a.m. to 6:00 p.m. Upon review of 210.5.G, it was felt that the fence around the dumpster was definitely a requirement.

Starbuck moved to open the public hearing. Woodman seconded, and the motion carried unanimously.

There was no public comment.

Pro moved to close the public hearing. Starbuck seconded, and the motion carried unanimously.

Board discussion:

The Board felt it would be important to include in the contingencies that no construction shall begin until there was a registered deed conveying lot 12.1 to the Spofford Fire District.

Pro moved that the Planning Board determines that the detail site plans are consistent with the General Plans and Regulations for PDD3, and that they conform to the standards of the Town's Zoning Ordinance, Land Development Regulations and Building Ordinance as those standards are modified by PDD3 regulations. Woodman seconded, and the motion carried unanimously.

Pro moved to approve the application for a Major Site Development – Phase I on approximately 5.06 acres located off Route 9 in Spofford (Map 11B, Lot A12.4) in the zone designated PDD3 contingent upon the following:

- *“Phase I” shall be added to the title page of the revised plans to be submitted for review and final Board approval;*
- *caveat statement regarding any revision to the approved plan requiring Planning Board approval shall be amended to include the phrase, “including future additions, Phase II and Phase III” on the revised plans to be submitted for review and final Board approval;*
- *setback dimensions shall be included in the revised plans to be submitted for review and final Board approval;*
- *elevation showing maximum height of building shall be included in the revised plans to be submitted for review and final Board approval;*
- *signature blocks (for Board approval) shall be included in the revised plans to be submitted for review and final Board approval;*

- *proposed signage, location and related lighting details shall be included in the revised plans to be submitted for review and final Board approval;*
- *all required state and local permits;*
- *the easement that will be required for the proposed second retention pond that extends into the abutting property in the residential zone shall be duly executed;*
- *1 complete set of mylar plans with the (Ames Performance) Major Site Development – Phase I Plan cover sheet;*
- *2 complete sets of paper plans with the (Ames Performance) Major Site Development – Phase I Plan cover sheet; and*
- *no construction shall begin until the deed conveying a portion of land (Map 11B, Lot A12.1) to the Spofford Fire District for the purpose of constructing a new fire department has been recorded in the Cheshire County Registry of Deeds.*

Woodman seconded, and the motion carried unanimously (Bob Del Sesto, Valerie Starbuck, Jon McKeon, Steve Pro, Scott Coulborn, and Blake Woodman).

Woodman excused himself from the Planning Board meeting at this time.

- 4. Don Emery & Kevin Beal and Spofford Fire District** – Notification has been received in accordance with the requirements of **RSA 674:54 “Governmental Land Use”** from the Spofford Fire District relative to the construction of a new Fire Station on land currently owned by Emery and Beal off Route 9 in Spofford. The proposed site development is identified as Lot A12.1, consisting of approximately 2.03 acres in the zone designated PDD3. A Public Hearing was conducted for the proposed use.

Starbuck moved to open the public hearing. Pro seconded, and the motion carried unanimously.

Bergeron presented on behalf of the applicants. This is a 2-acre lot off the new entrance as shown on the plans. Bergeron reviewed parking (2 areas), culvert under drive, power from pole near entrance, generator near transformer, lighting (same type of downcast lighting on a 22-foot pole), garage, office/training room/lockers, pump septic system, well with a 75' radius surrounding, septic is in the setback, primary 4K area as required by the State is identified, and grading were reviewed. There is a large area to be lowered; materials excavated from other lots in the subdivision plan are to be utilized on the SFD lot. Slope and drainage were reviewed. There is currently a 2-1 slope. Test borings have been conducted by Soils Engineering as shown on the plan. They will hit ledge and blasting will be required. There will be 31 parking spots; 25 are required as per zoning. There will be 25% coverage; this is consistent with PDD3 regulations. The setbacks are also consistent with PDD3 regulations. Soils, landscaping, concrete pads, erosion controls, and parking construction details were all reviewed (Detail Sheet 6). Landscaping details are shown on page 2. Building elevations were reviewed. The beige (on plans) represents insulated metal siding. The red represents concrete block (looks like brick). Lighting is shown. The ridge is 30' above grade; the cupola adds 8' 1".

Mike Wiggin stated that all emergency service buildings must be sprinkled. Water is to come from the pond they intend to construct; they have applied for a permit to allow for the pond. There will be a culvert into a pit 12-14' down. There will be a supplemental pump to wash trucks. A Geo-thermal heating system is expected (system to be donated). They

expect to drill 60'. They will have to drill for a water source if they cannot get permits for ponds. They need visibility for the fire department and there will be signage at Route 9. There will be solar-powered emergency lights at the intersection if approved by the State. These lights will be radio-controlled upon SFD activation only. The new SFD will house an Emergency Services Center. There will be a generator. Emergency Sirens (provided by VY) are to be installed on a pole outside the station. The siren currently blows 3 times for a rescue call and 7 times for a fire call. The sirens are computer programmed and may be programmed for additional purposes.

Wiggin stated that the expected construction schedule is 1 month for site preparation, construction to begin mid-summer (currently lined up for June), and completion will run into next year.

Starbuck moved to close the public hearing. Pro seconded, and the motion carried unanimously (Woodman absent).

The Planning Board voted by unanimous decision not to issue non-binding comments relative to the construction of the new Fire Station.

The Board requires only 1 mylar and 1 paper copy of the SFD site plan set, as it is expected that Chet and Bart can obtain copies for Code, Road Agent and/or Fire Department-related business. The mylar will go to the Town's file and the paper will remain in the applicants' Planning Board file.

5. Old Business -

- *Pierre & Tilia Saba/Riverside Hotel - Del Sesto updated the Board on the status to date. There are ongoing issues related to PB approval and the cistern, a generator that has been relocated to outside of the building, an addition and egress. The applicant may choose to come back before the Board for approval; but if the Board deems the changes as significant a new hearing must take place, and the applicant will need to file for another amended site plan review. There are other ongoing issues that will rest in the hands of Greenwood and Bevis for compliance/enforcement. Del Sesto has spoken to Mike Bentley in the presence of Saba, and the PB Secretary will contact the applicant's agent to be sure that they understand what needs to happen from here.*
- *Capital Improvement Plan - no discussion took place this evening.*
- *Planning Board Rules of Procedure - no discussion took place this evening.*
- *Fed Ex Site - A fax was received from Rob Hitchcock regarding the 30,000 gallon water supply. Bevis has requested a 2,000 gallon tank next to a dry hydrant that was not shown on the PB approved site plan. Del Sesto stated that this was not significant enough to warrant a public hearing and he has directed Hitchcock to provide the information to be included in the Planning Board file, and that he must provide and as-built to the Planning Board upon completion.*

6. New Business -

- *Code Enforcement – Letter from Greenwood requesting an amendment to Zoning Ordinance to concur with RSA:32 that takes precedence over local ordinance. The Board requested that Greenwood remind the Board in December.*

- McKeon – Town Information Flow Chart. *The Board considered the chart. They will return with suggested changes.*

7. Information -

- NH Superior Court Settlement Agreement – William H. Seelicke vs. Bernard A Wood and Claudia S. Wood, Asgard Road
- LGC – NH Town and City, May 2007 edition
- How to Regulate Junk and Junkyards: A Guide for Local Officials – LGC publication. *The Planning Board Secretary will request one copy of the publication.*
- NHDES Dredge and Fill Application – Bruce Potter drive on North Shore Road

8. Adjournment

Starbuck moved to adjourn at 11:28 p.m. McKeon seconded, and the motion carried unanimously.

Respectfully Submitted by:

Patricia L. Blum, Secretary

Approved as amended on June 4, 2007:

Robert Del Sesto, Chairman

Date