

TOWN OF CHESTERFIELD, NH
PLANNING BOARD
MINUTES

MONDAY, FEBRUARY 1, 2010

Present: Susan Lawson-Kelleher (Chair), Jon McKeon (Selectmen Representative), Helga Frohn and Brad Chesley

Absent: Stephen Pro, Bob Del Sesto

Call to Order

Lawson-Kelleher called the meeting to order at 7:25 PM.

Review of the Minutes

December 21, 2009 – Frohn motioned to accept the minutes as amended. McKeon seconded. The motion carried unanimously.

January 4, 2010 – Frohn motioned to accept the minutes as they are. Chesley seconded. The motion carried unanimously.

January 18, 2010 - Chesley motioned to accept the minutes as amended. Frohn seconded. The motion carried unanimously.

Appointments

- ❖ Cersosimo – Conceptual consultation regarding the River Road Gravel Pit
There were no minutes taken as consultations are non-binding to either party

Items for Discussion

- Cersosimo – Board discussion
The board had some discussion on RSA 155E and the old zoning regulations which were in effect when the Cersosimo received the approval on the 1990 plans. Chesley noted that he believed that requiring Cersosimo to submit a new site plan application did not open the entire pit for discussion, only the changes. Lawson-Kelleher said that she believes that the as long as the new site plan only changed a couple items and follows the old plan on the rest, there should not be a problem. McKeon noted that Cersosimo's view is that they are digging for the pond, but they are not digging below their "floor" and therefore they do not have to do a new site plan application. Frohn stated that if the board has legal standing to request a new site plan, then they should request one. Lawson-Kelleher notified the board that at the Westmoreland hearing, we asked Westmoreland to require drainage calculations and it was mentioned that they may do a conditional approval with one condition being the

approval of the drainage by Chesterfield. The board would like some guidance from LGC. McKeon will speak with LGC and ask: What is our ability to make them come see us for an amended site plan? Are we able to require a reclamation bond now, even though we did not request one earlier? If they do not end up coming back for an amended site plan, is the updating information binding? If not, how do we make the new plans binding without a new site plan application?

McKeon noted that at the Westmoreland meeting, there were people for it and against it. The people that are against it seem to be really against it. Chesley asked if they were speaking with facts or feelings. McKeon noted that there was a lot of feelings with some facts mixed in. The meeting was continued to February 9, 2010, needing more information.

➤ **Browne Limited Partnership** – Status of Engineering Review of Subdivision

Lawson-Kelleher opened the report from Holden regarding the Browne Limited Partnership. Rebecca Todd was in attendance and requested a copy of the report. Lawson-Kelleher noted that she could have a copy, however the board was not accepting public testimony on the report until the next meeting. The report was received on February 1, 2010 and the board would review it tonight and it will be noticed and open to public comment/testimony at the next regular meeting.

The board reviewed the report. McKeon asked why the report suggested diminishing the town right-of-way. It was noted that there was a suggestion to move a couple driveways and Frohn asked if the topography would allow it. McKeon noted that it would allow for this change. Lawson-Kelleher noted that there was 10-50 year calculations, and she was surprised that the 50 year was less. McKeon noted that 50 is usually over several days. Lawson-Kelleher mentioned that Holden was keeping the 22nd of February open in the event we requested that he attend the meeting. It was agreed that Holden should attend the meeting. Lawson-Kelleher will notify Holden to attend the February 22nd meeting at the Town Hall. Lawson-Kelleher noted that there was a petition to make Atherton Hill a scenic road. Frohn asked if that changed the driveway restrictions. Lawson-Kelleher noted that it only had to do with cutting of trees and the disruption of stone walls. Chesley asked what that means if a driveway already proposed goes through a stone wall. McKeon noted that was probably happening and they would need permission to disturb the stone walls. Frohn asked who filed the petition, and noted that she saw it as a backdoor way to attempt to stop the development. Chesley mentioned that there was nothing the board could do at the moment as it will go to vote at the Town Meeting.

Lawson-Kelleher requested the Planning Board secretary send a copy of the report to Browne Limited Partnership through the attorney Robert Dietel. This will be done February 2, 2010.

➤ **Paul Saba** – *The board reviewed the submitted plans and use intensity statement against the conditional approval. Frohn motioned to accept, Chesley seconded. The vote passed unanimously.*

Items for Information

- Shoreland Permits – Lawson-Kelleher spoke with a lady at the State and it has been decided that to cut costs, we will no longer receive a copy of the application.

Items for Signature

Adjournment

Frohn motioned to adjourn at 10:36 PM, Chesley seconded the motion, which carried.

Respectfully Submitted by:

Patricia Lachenal
Planning Board Secretary

Approved by:

Susan Lawson-Kelleher, Chairman

Date