

**TOWN OF CHESTERFIELD, NH  
PLANNING BOARD  
MINUTES**

Monday, June 18, 2012

Present: James Corliss, Vice-Chair, Jon McKeon, Selectmen's representative, Bob Del Sesto, Roland Vollbehr and Brad Chesley (8:14PM)

### **Call to Order**

In Chesley's absence, Corliss called the meeting to order at 7:28 PM

### **Review of the Minutes**

June 4, 2012

*McKeon motioned to accept the June 4, 2012 minutes as amended. Vollbehr seconded the motion which passed unanimously.*

### **Appointments**

- Work session for board

### **Items for Discussion**

- Land Development Regulations – Proposed Amendments to the Land Development regulations are as follows:

#### 705.17 As-Built Plans

As-built plans of all improvements shall be submitted to the Town *within 30 days of project completion or, in cases of phased projects, within 30 days of phase completion.*

#### 707 SANITARY SEWER CONSTRUCTION.

The materials, sizes and installation of all new sanitary sewers and appurtenances in or off-site of a land development shall meet all of the standards of the ~~NHWSPCD- NHDES, currently codified at NH Admin Rules Ws Chapter 700.~~ The Town Engineer shall review and approve all plans and specifications for the construction of new sanitary sewers.

#### 800.3 Town Engineer

~~The Town Engineer shall be specifically responsible for final approval of all new streets, utilities and drainage improvements required by approved plans.~~ The Town Engineer shall be responsible for inspecting all land developments to ascertain that development is in accordance with approved plans.

800.4 Coordinator

In fulfilling these responsibilities the Town Engineer and Building Inspector may so apportion their inspection responsibilities so as to avoid duplication, provided the ~~Planning Board~~ *Board of Selectmen* is made aware of such apportionment and provided the apportionment assures adequate attention to the enforcement of these regulations.

801 ENFORCEMENT.

The Planning Board, acting through its Chairperson, *the Board of Selectmen*, the Building Inspector, Town Counsel, or Police Chief shall take whatever actions are necessary to enforce these regulations. Such actions *may* include, *but are not limited to* injunctive relief as permitted by RSA 676:15 *as amended or succeeded*; enjoining transfers of property as permitted by RSA 676:16 *as amended or succeeded*; and punishment by civil fines as permitted by RSA 676:17 *as amended or succeeded* and the Chesterfield Zoning Ordinance.

802 FINES AND PENALTIES.

Penalties for violation of these regulations shall be as provided by NH RSA 676:17 *as amended or succeeded*. ~~Any person who violates any of these regulations:~~

- ~~A. Shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.~~
- ~~B. Shall be subject to a civil penalty not to exceed \$100 for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that he is in violation, whichever is earlier.~~

803 RECOVERY OF LEGAL COSTS.

As permitted by NH RSA 676:17 *as amended or succeeded*, the Planning Board will seek to recover its costs and reasonable attorney's fees in any legal action necessary to enforce these regulations.

STREET: Any roadbed, way or drive serving as access to more than two dwellings or two *residential or two* non-residential uses.

RESOLUTION OF DISPUTES OVER MEANING OF WORDS: Where there is disagreement over the meaning of words used in these regulations, the following rules shall apply:

1. The definitions listed above shall govern.
2. Otherwise, definitions used in the Chesterfield Zoning Ordinance shall govern.
3. If a word is not defined above or in the Chesterfield Zoning Ordinance, it shall be given the meaning ascribed to it by any state statute or administrative regulation applicable to land development.
4. If none of the above apply, the common meaning of the word, as defined in standard dictionaries shall be applied. Where dictionaries offer multiple definitions, the definition most applicable to the land development context shall apply *as determined by the Planning Board*.

- Tire Warehouse/Midas Muffler – The board reviewed a letter received from Tom Forest of Forest Designs regarding the sewage disposal system for Tire Warehouse. The board reviewed the letter and determined there is no action required. The letter will be placed in the file.
- Tim Hanson – The board reviewed an email received from Attorney John Rattigan regarding that proposed note to included on the prosed subdivision on Farr Road. Attorney Rattagin does not have an issue with adding the note to the plan.

*Del Sesto motioned to add the note to the drawing as written. McKeon seconded the motion. McKeon motioned to amend the motion to state on Sheet one of two and sheet C-1. The amendment was seconded by Vollbehr. The amendment and the motion passed by unanimous vote.*

- Glen Powers – The board reviewed an email received from Glen Powers regarding property at 20 Brook Street. The board would like a change in use application. The board would like Lachenal to respond to the email and indicate that the board would like the application. She will direct him to the Land Development Regulations and let him know of the availability of a conceptual consultation.
- Cersosimo – The board reviewed a letter from Attorney Rattigan regarding Cersosimo’s lack of response to requests from the board. It was noted that Attorney Lane has contacted Attorney Rattigan and offered to come to the next board meeting. The board would like Attorney Rattigan present for this meeting.

*McKeon motioned that the planning board invite Attorney Rattigan to the next meeting where Cersosimo will be present, to represent us in the discussions with Cersosimo. Del Sesto seconded the motion which passed unanimously.*

McKeon will contact Rattigan regarding his availability to attend the July 2, 2012 meeting.

**Items for Information**

**Items for Signature**

- Approved minutes May 21, 2012
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**Adjournment**

*Corliss motioned to adjourn at 9:30PM, Vollbehr seconded the motion which passed unanimously.*

Respectfully Submitted by:

**Patricia Lachenal**  
**Planning Board Secretary**

Approved by:

\_\_\_\_\_  
**Brad Chesley, Chairman**

\_\_\_\_\_  
**Date**