

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

Monday, November 19, 2012

Present: Brad Chesley, Chair, James Corliss, Bob Del Sesto, and Roland Vollbehr and Susan Lawson-Kelleher (7:20 PM)

### **Call to Order**

Chesley called the meeting to order at 7:11 PM

### **Review of the Minutes**

Del Sesto noted that because Chesley recused himself from the Kwader application, he cannot vote to approve minutes that include the Kwader information. Corliss noted that he was not sure if that was the case.

November 5, 2012

Chesley recused himself from the discussion of the minutes. Corliss took over the meeting.

*Lawson-Kelleher motioned to accept the November 5, 2012 minutes as amended. Vollbehr seconded the motion which passed unanimously.*

Chesley took the meeting back

### **Appointments**

**Cersosimo Industries - Cersosimo Industries, Inc** – This is a public hearing on an application for a Minor Site Plan of property located at River Road (Map 1, Lot B2) consisting of approximately 17.75 acres in the Residential zone and 17 acres in the R/A zone. This is a public meeting and it may end in an approval or denial of the application.

Andrew Geffert was present for the applicant. Geffert provided the board with a letter dated 11/19/12. Geffert noted that the plans have been modified.

The board and Geffert discussed his letter which is numbered 1 through 8.

1. Traffic Control Language has been added to Notes on Sheet 1. Wording changed to indicate that plan has been approved.

2. Standing water – Geffert noted that even though under 155-E it states there is no standing water allowed, the AOT permit allows the pit floor to be used as a temporary pond, therefore under 155E:4 a VIII, “Nothing in this chapter shall be deemed to supersede or preempt applicable environmental standards or permit requirements contained in other state laws, and no exemption under this chapter shall be construed as an exemption from any other state statute.” Geffert noted that he reads that as if it is a requirement under another permit then it is allowed. Lawson-Kelleher noted that it is not a requirement but approved on the AOT plan that allows the pit floor to be used as a temporary pond. Geffert noted that even though he believes RSA 155E:4-a.IV does not apply, he has added an operational note to sheet 2 stating “Area shall be maintained to allow storm water to infiltrate into the ground. No standing water shall remain after 7 days. Lawson-Kelleher noted that the plan indicates 5 days. Geffert will change the plan, as it should say 7 days.

3. Geffert noted that he changed the wording on Sheet 2. Sheet 2 is a “Partial AoT plan”. Geffert noted that if the board would like any more information from the AOT transferred, they can request it be added. Geffert noted that the AOT permit is to be provided to board every 5 years and the board will review and if changes not significant the board will not require revised site plan. Corliss asked if the AOT has revision blocks or if they are new plans. Geffert noted if plans have not changed, probably a revision block, but if significant change have been made, it could be whole new plans. Del Sesto would like the applicant to provide information as to what has changed with each AOT plan. Geffert noted that is fine.

Chesley noted that although there is more clarity under number 3, he would like to discuss this more before the board makes a decision.

#### 4- Permit expiration date:

Geffert noted that a 20 year expiration date would be good as long as review is similar to Westmoreland’s review. Del Sesto noted that his concern is when Town feels things have changed and we want some review. Del Sesto noted that maybe it would be a noise problem. Corliss noted that the board covers what it can cover and we cannot drag them back in after the fact. Corliss believes that #4 is fine the way that it is. Lawson-Kelleher noted that on face of it, it seems to makes sense, however the wording may create a problem with applicant if they have a problem with a substantially different request. Need to think about this some more. Rolland does not believe it needs to be discussed any further; he likes it as it is stated. Chesley is ok with the way it is written noting that you cannot over regulate a business. Chesley noted that the majority of the board thinks it is fine the way it is written. Automatic renewal if no material changes discussion Sue ok with it this way. Del Sesto noted that the word automatic bothers him. Geffert noted that the intent is that we don’t have to go through a lengthy process unless things have changed.

Majority of board believes without the word Automatic #4 is fine.

Lawson Kelleher noted that she will get information on the Westmoreland side, which may help this board.

#### 5 Bonding -

Geffert noted that he was unable to locate any correspondence between him and Holden. He will contact Holden to get the information.

6 – Geffert noted that he has added the Emergency Hours onto sheet 1 notes. Majority of the board believes the wording to be ok as written Del Sesto is worried about “May” instead of “Shall.”

7 – Geffert noted that the setback from Coyote Canyon Road was corrected to 100’ on Sheets 1 and 3.

8 – Truck Traffic - Geffert noted that at the last meeting the board requested some information regarding truck traffic. He also noted that it is difficult to determine how many truck because of different demand, different size trucks etc. Geffert noted that the peak traffic might be 20-30 trucks. Del Sesto stated that 30 18 wheelers in an hour would be prohibitive in his opinion. Chesley stated that he does not see a way to regulate this. Corliss noted that this is simply an informational statement, the board asked for information and the applicant has brought it back. Lawson-Kelleher stated that it is not part of approval it is only in response to our request. Del Sesto noted that this number is too high. That if the board does approve this with this number in the file, then it will be an issue. Del Sesto stated that he believes that the applicant needs to get more specific with size of truck and number of loads. Corliss noted that he does not have any objection to occasional peak traffic, noting that the current permit is unlimited. Lawson-Kelleher noted it is based upon demand and not something that can be controlled. Rolland noted that if there is a safety problem, wouldn't the police be involved. We can't regulate truck traffic. Del Sesto noted that it is unreasonable to have this much traffic stating that 20 years from now there will be more houses. Chesley noted that he disagreed. That if someone moves next to a sand pit, then they should expect truck traffic. Del Sesto noted that 30 trucks per hour is too high.

Lawson-Kelleher noted that she does not see limitation of depth of pit on plans anymore. Geffert stated they can add that.

Geffert provided a copy of the Traffic plan to board. Lawson-Kelleher read the plan. Corliss noted that he thought the plan would be more of a plan. Chesley noted that the plan might be lean, but he is unsure why would we want to change it. Lawson-Kelleher noted that previously the people on the road had issues with speed of trucks, which is why the plan was put into place. Del Sesto noted that the traffic control plan was done many years ago.

Chesley needs to contact Holden regarding the drainage report and the Lawson-Kelleher will get information on the Westmoreland stuff.

Chesley asked if board has anything more to discuss, noting that the board has a letter dated April 20, 2011 from Lane Letter which contained 12 items the board previously had issues with. Geffert noted that those issues have already been addressed. Geffert noted that his letter today tries to address concerns from last board meeting.

Lawson-Kelleher noted that 200,000 square foot reclamation limit is not on current proposed plan. Geffert noted that the 200,000 is unreasonable and makes working difficult. Lawson-Kelleher noted that a substantial amount could be open and worked on at the same time. Lawson noted she needs to look over the drainage again. Geffert stated that the AOT has limit in entire pit (Chesterfield and Westmoreland combined) He noted that on Sheet 2 of the AOT plan it states on item 10 that max area non stabilized is 27.6 acres for the entire pit. The board noted that Westmoreland is 45 acres and chesterfield is 35.6.

*Del Sesto motioned to continue the hearing to December 17<sup>th</sup> at 7:30 at the Town offices – James seconded the motion which passed unanimously.*

## **Items for Discussion**

- Driveway Plan and Wetlands Permit Application – Cersosimo Welcome Hill Road  
The board reviewed and discussed the application and driveway plan. Del Sesto recused himself as an abutter. He noted (as an abutter – not a board member) that he has some concern regarding the culvert. Chesley noted that the board can email Bart with concerns as

Bart deals with the Driveway Permits. Lawson-Kelleher noted that the conservation commission has signed, giving permission for the fast track. The board has questions about the Culvert size. Specifically noting that they are not sure if a 24 inch diameter pipe adequate for the flow. Chesley thought that is that the greater capacity might be needed. Consensus of the board is that 24inch might be inadequate to handle the flow. Not sure why it would be 55 feet long. Chesley will contact Bart Bevis, Road Agent and ask about the culvert pipe as 55x24.

- Single Family House with In-law apartment  
After approval from Zoning Board – the Immergut’s came here – they do not want to be considered a two-family house. Tuesday they went request a Re-hearing before the Zoning Board because of expansion restrictions put on house.  
Board discussion about zoning regulations.  
Lawson-Kelleher noted that the real question is if there are issues with the regulations as written.  
Del Sesto noted that the board should check and see what surrounding towns have done.  
Lawson-Kelleher noted that maybe Greenwood would be a good person to speak with.  
Chesley will speak with Greenwood.
- Davis Peach would like to get back on the board. He previously was on the board and resigned due to many other engagements. The board has no issues with him returning to the board.
- Del Sesto provided pictures regarding Big Deal for the file.
- Information received from Attorney Kelly Dowd and response from Attorney Rattigan. The board has information from Attorney Ratigan and it is attorney client privilege. Chesley left the room for Attorney/Client information because of his status as an abutter.  
Lachenal provided the board with the letter from Attorney Dowd dated 11/15/12. Lachenal provided the board with the response from Ratigan. The board would like Lachenal to write the response to Dowd and have Corliss sign.

**Items for Information**

**Items for Signature**

- Approved October 15, 2012
- NOD - Kwader

**Adjournment**

*Corliss motioned to adjourn at 10:14PM, Lawson-Kelleher seconded the motion which passed unanimously.*

Respectfully Submitted by:  
**Patricia Lachenal**  
**Planning Board Secretary**  
Approved by:

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

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