

**TOWN OF CHESTERFIELD, NH
PLANNING BOARD**

Monday, August 18, 2014

Present: James Corliss, Jon McKeon, Joe Parisi, Mike Lynch, Davis Peach, and Rolland Vollbehr
Susan Lawson-Kelleher (8:35)

Call to Order

Corliss called the meeting to order at 7:03

Seat Alternates

Mike Lynch seated for John Koopmann

Joe Parisi seated for Susan Lawson-Kelleher

Review of the Minutes

August 4, 2014

Peach motioned to accept the minutes as presented from August 4, 2014. The motion was seconded by McKeon and passed unanimously.

Appointments

Charles A Donahue, Trustee of the Charles A. Donahue Revocable Trust of 1988 – This is a new hearing to discuss the conditions of approval of property located on Rote 63 (Map 12A, Lot A-2) consisting of approximately 75.66 acres in the Residential zone. Charles Donahue and Dave Bergeron were present.

Corliss noted that there are two things to discuss regarding the Donahue property, the request for extension and the conditions of approval. Corliss noted that the conditional approval appears to have ignored State laws and the Planning Board regulations regarding a bond. Bonding needs to be in place for the first phase prior to the signing of the plans.

The board asked for advice on wording from the Attorney. The board shared the language sent by the Attorney with the applicant and the public.

Bergeron noted that they like the new conditions, but that they would like to get a letter of credit instead of a bond, noting that both State law and the PB regulations all it. Bergeron also noted they are still requesting an extension so that they have time to negotiate the letter of credit. It was noted that wording could be added to the suggested language to make clear a letter of credit is an acceptable in place of a bond. McKeon noted that the applicant will want to make sure they are using current pricing. There are no more questions or concerns from the applicant and no comments/questions from the public.

Peach moves to close the public hearing. Vollbehr seconds the motion which passes unanimously.

Board discussion:

Proposed #5 added to the proposed new conditions of approval from the Attorney: Land Development regulations 703.4 indicates letter of credit is an acceptable substitute for a performance bond per the conditions of 703.4

Parisi moves the following motion on the matter of the Charlie A. Donahue Revocable Trust of 1988 site plan review commonly referred to as Gateway Preserve on Route 63 in Chesterfield as allowed by RSA 676:4(I)(i):

That the Chesterfield Planning Board amend its conditional approval for Site Plan Review of the Gateway Preserve development in the following manner:

1. That prior to final approval of the plat, the Planning Board shall require the applicant to provide a performance bond which shall account for all costs of all required on-site and off-site improvements for, at least, Phase 1 of the development. The bond must be reviewed and approved by the Planning Board as well as any other designees by this Board to review same which could include but is not limited to the Chesterfield Board of Selectmen and/or Town Counsel.

2. That the applicant shall clearly acknowledge either on the recorded plat or a document accompanying the recording of same at the Cheshire County Registry of Deeds, a notice to all prospective purchasers that applicant shall not be authorized to proceed with any construction of the improvements on any subsequent phases of this project (beyond Phase 1) until applicant has satisfied the bonding requirements for any additional phases of this development. The bonding requirements for any additional phase shall require the same type of submission and approval as stated above. Upon approval of a performance bond for any subsequent phase, the Board shall record its approval of said bond and more importantly its approval of the next phase of development. In the event, that the applicant proceeds to another phase of development, without submission of an adequate performance bond and the approval of the Planning Board, the Board may pursue all legal remedies to address this matter including but not limited to revocation of the approved Site Plan in accordance with RSA 676:4-a.

3. That the applicant may request a release of any portion of the performance bond upon certification that any improvements, as secured by this bond, have been satisfactorily completed in accordance with the approved plans, the Board's regulations and any other applicable standards. Upon a showing of completion and approval by this Board for such a reduction in the performance bond, the bond shall be reduced in an amount that accounts for the completed improvements but, still provides sufficient security to complete any remaining improvements for that phase of development.

4. That the applicant shall also comply with any bonding requirements as set forth in Section 703 of the Town of Chesterfield's Land Development Regulations unless the Planning Board has voted to waive any said requirements.

5. Land Development regulations 703.4 indicates letter of credit is an acceptable substitute for a performance bond per the conditions of 703.4

McKeon seconds the motion which passes unanimously.

Peach moves to reopen the public hearing Parisi seconds the motion which passes unanimously.

McKeon moves to grant an extension of conditional approval of the Charlie A. Donahue Revocable Trust of 1988 site plan application to the second (2nd) meeting in February 16, 2015. Chesley seconds the motion which passes unanimously.

McKeon moves to continue public meeting on Charlie A. Donahue Revocable Trust of 1988 site plan application to September 15, 2014 here at 7:30 Brad seconded the motion which passed unanimously.

Grace Community Evangelical Free Church - Application for a Minor Site Plan review for property located at 49 Old Swanzey Road, (Map 10, Lot B1.1) consisting of approximately 28.2 acres in the Rural/Agricultural zone. Dave Bergeron was present for the Applicant.

Bergeron provided the board with a new plan. He noted that he had received the list of items that needed addressing from the review for completeness. The first page is existing conditions and the second is the proposed. Bergeron noted that the intent of the project is to add more parking as there is a shortage of parking during the service change. The parking lot is currently gravel and will stay that way with the exception of a small part that will be paved for ADA parking.

Bergeron noted that abutting dwellings distance from the property line have been added. Bergeron noted that there has been an issue with run off on the south side of the property, and they are proposing adding an under drain system. The current ditch is not taking the water and it runs under the parking lot. There will be a small detention pond by the driveway.

Dimensions have been added from the property line to the parking lot.

Bergeron noted there is proposed fencing in the parking lot which will assist in delineating parking spaces. The fence will have stripes to indicate spaces. Parisi asked if it will be clear that the lines are intended to mark spaces. Bergeron noted that they will announce it during services and people will learn. McKeon noted that the electric pole appears to be at 100, which is cutting 2 feet. Bergeron will look at this item.

The tax map references, acreage and setback dimensions have been added/corrected.

Bergeron noted that there are only 2 lights, they are both existing and will be relocated or staying in place. They are high pressure sodium lights. Bergeron noted they are removing one tree to extend the parking lot. It was noted that there is a dumpster located in back of the shed, which will be added to the plans.

There were no more comments/questions from the applicant. There were no comments/questions from the public.

McKeon moves to close the public hearing. The motion was seconded by Parisi and passed unanimously.

*Peach moves to **CONDITIONALLY APPROVE** the application with the condition of the dumpster location being added to the plans. The motion was seconded by McKeon and passed unanimously.*

Items for Discussion

Letter to Brown Limited

A Lot was sold. This triggers the cistern bond and cistern. Letter as drafted was signed by the Chairman. *Peach moves to approve the letter as written and send to Brown Limited Partnership. Vollbehr seconds the motion which passes by majority. (Parisi abstained)*

Next Step for Camp Spofford

Bergeron noted they are ready to file building plans and a third party review of plans was on the conditional approval so they are here to find out the next step. Corliss noted that the board was planning to work on the plans with Code Enforcement. Bergeron noted that Deblois was the company that did the review of the Chapel.

McKeon noted there are three different parties the board uses. Bergeron noted that Keene has a list of reviewers that they chose from and he will email that list to Lachenal.

Peach moves to give Corliss the authority to check out the list of reviewers, make a decision and go from there Vollbehr seconds the motion which passes unanimously.

Review for completeness – Bob Nicol Emri, LLP

Lachenal noted that the Spofford Fire Chief has been notified that there are plans to review, but has not reviewed them to date.

The board reviewed the application noting:

LLLP is on the plat. Appears to be a spelling error.

There is a monument needed (400.2D8)

There is no acreage noted (401 G)

Soils plan is missing (404.3)

Corliss moves complete enough for review. Vollbehr seconded the motion which passed unanimously. The public hearing will be held September 15, 2014.

Master Plan update

There is still a need for more volunteers. The committee is still waiting to hear from Lisa from SWRPC.

Route 63/9 traffic study update

McKeon has notes that he will send along to Lachenal to distribute to the board. Options were discussed at the last meeting including rumble strips, taking trees down, bigger signs, and/or flashing lights

There is another meeting scheduled for September 4th at the Town Office Building.

McKeon noted that there were several near collisions while they were visiting the site.

Items for Information

Items for Signature

Adjournment

Peach moves to adjourn at 9:04 PM. Chesley seconds the motion which passes unanimously.

The next meeting will be held in the Town Offices at 7:30 PM September 15, 2014.

Respectfully Submitted by:

Patricia Lachenal

Planning Board Secretary

Approved by:

James Corliss, Chairman

Date