

**Chichester Planning Board  
Minutes of Meeting  
Thursday January 7, 2021**

**Members Present on ZOOM:** Stan Brehm (Chairman), Michael Williams, Richard Bouchard (ex-officio), Tom Jameson, Allen Mayville, Tom Houle, Dan Humphrey, Dr. Kevin Mara, John Healy, David Jobin and Kristy Willey, Secretary.

**Others present on ZOOM:** Matt Monahan, Chief Quimby, Jonathan Halle, Mark Blasko, Cheryl Gilpatrick, Bob McKechnie, Donna Chagnon and other members of the public.

**Mr. Brehm called the meeting to order at 6:30pm**

**Mr. Brehm read this into the minutes:**

As Chair of the Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing ZOOM for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # **+1 253 215 8782, : Meeting ID: 812 4413 2712 & Password: 316915**

. Follow along using a digital copy from our website at: ChichesterNH.org. We will also be streaming the meeting as a webinar which you join by going to this link :

<https://us02web.zoom.us/j/81244132712?pwd=Mk9qUlhISE90b3ZDeTRqT1cvdGk4dz09>

*b) Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Board at: [www.ChichesterNH.org](http://www.ChichesterNH.org).

*c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call 603-798-5350 ext. 201 or email at: [KWilley@ChichesterNH.org](mailto:KWilley@ChichesterNH.org)

*d) Adjourning the meeting if the public is unable to access the meeting:*

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

Let us start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

A roll call vote was taken, and the attendees are listed above.

Mr. Brehm and Mr. Williams made some grammatical changes in the minutes and some missing members in roll call.

Mr. Williams made a motion and Mr. Houle seconded to approve the minutes with the previous mentioned corrections. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

### **Conceptual Discussion-Chucksters**

**Location: 9 Bailey Road, Map 2 Lot 81**

**Developer: Mark Blasko**

**Engineer: Anthony Costello**

Mr. Blasko explained to the Board that he would like to put in another attraction of bumper boats. He explained that its like the other attractions at the park and would be a roughly 3500 sq. ft. shallow pool with the bumper boats. He stated it would look like a inground pool with a fence around it.

Mr. Williams asked if it could set back from the state highway setbacks. Mr. Blasko stated yes.

Ms. Willey stated that she spoke with the engineer who had some questions on what would be acceptable regarding new plans for a site plan review. The engineer stated that his auto cad drawing for Chucksters was unusable and instead of recreating it he was hoping to create a new page for this attraction since there was already such a detailed site plan on file.

Mr. Blasko stated that the engineer could super impose a photo on an ariel view to show location.

Mr. Brehm stated that this is a large enough change that warrants a full site plan. Dr. Mara agreed.

Mr. Jameson stated that if they did an aerial view that he would want to see the state setbacks to show the relationship.

The Board discussed that there was already a very detailed site plan on file so the consensus of the Board was to allow Chucksters to use a ariel and pdf and place the new attraction on plan to scale showing the setbacks.

### **Public Hearing**

**Site Plan-Chichester Commons**

**Location: 114 & 114A Dover Road, Map 4 Lot 161 & 161-A**

**Developer: Jonathan Halle**

**Engineer: Bedford Design Consultants, LLC.**

Mr. Brehm stated that a new application has been made and reviewed by the engineer.

Mr. Halle stated that this is a new application for a 24-unit 1 bedroom, over 55 housing. It is the same footprint as the previous proposal and adds a third story. He acknowledged there were a few issues with the review, but they have been addressed. The height of the building has also been and issue, but he has submitted waivers.

Mr. Williams made a motion and Mr. Bouchard seconded to find the application complete. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

Mr. Brehm stated to keep things moving along he authorized the notification of regional impact.

Mr. Williams made a motion and Mr. Humphrey seconded to find regional impact for this project. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

Cheryl Gilpatrick and Bob McKechnie were present from the Epsom Planning Board.

Mr. Halle presented his five waiver requests to the Board.

Mr. Brehm stated that some of the members were not a part of the Board when the previous waiver requests were granted and did not recall a 41 unit ever being approved.

Mr. Halle stated that originally, he came before the Board with an attorney and was approved for 41 units.

Mr. Monahan walked everyone through the procedure and process. Mr. Halle went through the requests, but the Board needs to go through the criteria for each waiver and measure against those criteria.

**WAIVER 1: A Waiver is requested from Article II, Section 2.04(F); District CV: Commercial Village; Sub-section (VIII) Paragraph 6, and Sub-section (VI) Paragraph 12, of the Chichester Zoning Ordinance to permit: The construction of an affordable housing structure within the CV district, with a footprint of 7,548 square feet where a 5000 square foot building footprint is required.**

The Board went through the criteria for waiver request number 1 using the 5 criteria.

Mr. Williams made a motion and Mr. Humphrey seconded to approve the waiver request number 1 of 7,548 where only 5,000 sq. ft. is allowed having met all 5 criteria. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

**WAIVER 2: A Waiver is requested from Article II, Section 2.04(F); District CV: Commercial Village; Sub-section (VIII), Paragraph 11(b) of the Chichester Zoning Ordinance to permit: The development of a 24-unit multi-family structure on 5.5 acres, where 13 acres is required.**

The Board went through the criteria for waiver request number 2 using the 5 criteria.

Mr. Houle stated that he did not feel that the density of this project fit what the master plan wants for the Town.

Mr. Humphrey agreed that the density is too large.

Mr. Bouchard asked questions about the extra rooms in the facility. Mr. Halle stated that there will be community rooms for residents for nurse visits or professional services.

Mr. Brehm stated he uncomfortable with the precedent this may set with the amount of density on this site and is having a hard time justifying the amount of overage.

Mr. Halle stated that he would like waiver tabled until next meeting so he can provide more info. He stated he did not have access to old files at home and wanted to address the old waivers that have been granted. This project falls in an innovative performance zone and it has been approved twice before.

This waiver was tabled until the next meeting.

**WAIVER 3: A waiver is requested from Article II, Section 2.04F; District CV: Commercial Village; Sub-section (VIII) Paragraph, and Sub-section (VIII) Paragraph h, of the Chichester Zoning Ordinance to permit: the development of a three story building with a maximum height of 49 feet, where the building cannot exceed 35 feet from its foundation at ground level to the highest point on the building.**

The Board went through the criteria for waiver request number 3 using the 5 criteria.

Mr. Humphrey stated that some flags have been raised regarding the height of the building and the nature of the building with it being elderly housing.

Mr. Houle does not feel that a three-story building would fit in the Commercial Village.

Chief Quimby urged the Board caution to approve this waiver as the department do not have a ladder truck that will reach the roof or the manpower to rescue off a third floor. He felt it would be setting them up to fail should this waiver be approved.

Mr. Williams stated that the conditional use permit requires the Fire Chief write a letter stating that plans meet life safety codes. He asked Chief Quimby if he would be able to write a letter stating as such.

Chief Quimby stated that he could regarding the sprinkler but not in regard to fire apparatus or manpower.

Mr. Williams made a motion and Mr. Bouchard seconded to deny waiver request number 3 regarding the height of the building based on criteria number 1 as it is detrimental to public safety.

The Board held some discussion on the motion.

Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

**WAIVER 4: A Waiver is requested from Article II, Section 2.04(D); District CV: Commercial Village; Sub-section (IV), Paragraph I(t) of the Chichester Zoning Ordinance to permit: a Conditional Use permit to allow a multi-family use in the CV District.**

The Board tabled this waiver until the next meeting.

**WAIVER 5: A Waiver is requested from Article II, Section 2.04(E); District CV: Commercial Village; Sub-section (VI), Paragraph II(b) of the Chichester Zoning Ordinance to permit: 1.5 parking spaces, where two parking spaces per one bedroom apartment are required.**

The Board went through the criteria for waiver request number 5 using the 5 criteria.

The consensus of the Board was that the 2 spot per unit was bare minimum and that number needed to be met.

Mr. Halle asked if a compromise could be made that he shows a buildout of a parking lot out back for overflow parking if it becomes an issue.

Mr. Humphrey made a motion and Mr. Mayville seconded to deny the waiver as it is not reasonable and appropriate with the size of the project and is detrimental to public safety. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

Mrs. Gilpatrick and Mr. McKechnie from the Epsom Planning Board. They asked if they have done a state traffic study or have they received any feedback from D.O.T.

Mr. Halle stated that they do have D.O.T. approval and recently submitted an updated letter from them.

Mr. McKechnie asked about the new development at the other end of Route 4 that has a no left turn sign. Will that also be required here.

The Board explained that it was a D.O.T. requirement for that project but they didn't not require it for this project.

Mr. Williams made a motion and Mr. seconded to table the public hearing for Chichester Commons until the next meeting on February 4, 2021. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

### **Conceptual Discussion**

**Location: 38 Mason Road**

**Property Owner: Dan Clark**

**Engineer: Joe Wichert**

Mr. Clarke stated that he is currently building a home on Mason Road and would like to do a 1 lot subdivision. He was directed by Mr. Wichert to ask the Board if he could have a waiver to not do the back lot of the contour and topography as long as he can

show in both lots the appropriate building area and meet all guidelines.

Mr. Brehm stated that the Board has allowed this in the past, the engineer just needs to show that both lots are buildable.

The consensus of the Board was that they would be inclined to grant this waiver.

**Other business:**

The public hearing for the proposed zoning will be on January 18, 2021 with a second hearing date on January 28, 2021 if needed.

**Adjournment-** Having no further business, a motion was made by Mr. Williams and seconded by Mr. Houle to adjourn the meeting at 8:36pm. Roll call vote. Brehm, yes. Williams, aye. Bouchard, aye. Jameson, aye. Houle, aye. Mayville, aye. Humphrey, aye. Healy, aye. Jobin, aye. **Motion passes.**

Respectfully submitted,  
Kristy Willey, Secretary

Not approved until signed.

Chairman, Stan Brehm