

Chichester Planning Board
Minutes of Meeting
Thursday August 3, 2023

Members Present: Tom Jameson (Chairman), Andrea Deachman (Vice Chair), Sanford Way, Russell Blaney, Corie St. Germain, Frank Swirko, and Kristy Jobin (Planning Coordinator).

Others present: Jon Rokeh, Katelyn Setzler, Dean Setzler, JR., Curtis McConnell, Michael Martel, Sean Quigley, Brook DeYoung, Karolyn St. Germain, Valerie Koch, Jonathan & Rachel Strong, and other members of the public.

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

Approval of Meeting Minutes-

Ms. Deachman made a motion and Mr. Way seconded to approve the meeting minutes of July 13, 2023, with minor changes. **Motion passes.**

Mr. Jameson appointed Mr. Healy a voting member.

Public Hearing-Lot Line Adjustment

Owner: Sarah Ann Perry

Location: Map 9 Lot 63 & Map 9 Lot 63-1, 36 Ring Road

Engineer/Surveyor: Northam Survey, LLC.

Mrs. Perry's surveyor was not present, so Mrs. Perry did a presentation of the proposed lot line adjustment between two lots owned by herself.

Mrs. Jobin stated that she reviewed the plan and found it to be complete, however there are some items that need to be addressed.

Mr. Blaney made a motion and Mr. Swirko seconded to find the application for lot line adjustment complete. **Motion passes.**

Ms. Deachman made a motion to find no regional impact and Mr. Blaney seconded. **Motion passes.**

Mrs. Jobin stated that she had contacted the surveyor regarding the plan not being flagged for wetlands and requested either a letter from a surveyor that there are no wetlands or have it flagged in order to be able to determine that there will be a buildable acre on each lot. The surveyor proved a stamped letter from Christopher Albert, a wetland scientist, who walked the property and certified that no jurisdictional wetlands, vernal pools, or ephemeral streams were found on the property.

Mrs. St. Germain stated that she had a concern with the setbacks being wrong on the plan according to zoning.

Mrs. Jobin recommended it that be a condition of approval to update the setbacks on the final plat and the surveyor adds a note that there is at least one acre of buildable land meeting criteria of Chichester's definition of buildable on each lot.

There were no abutters present for this public hearing.

Mrs. Deachman made a motion and Mr. Blaney seconded to approve the lot line adjustment with the following conditions of approval: adding a note on the plan that each lot has at least one buildable acre, and the correct setbacks

are added to the plan. Roll call vote. Jameson, aye. Way, aye. Blaney, aye. Swirko, aye. St. Germain, aye. Deachman, aye.
Motion passes.

Public Hearing-Site Plan Review

Owner: Douglas and Kathryn Valley

Location: Map3 Lot 25, Dover Road

Mr. Rokeh came before the Board to discuss a plan for site plan review for the Valley's. He started with a brief history of the property which was originally permitted as a junkyard for Cruiserparts. Since then, the approval has lapsed and due to a site walk done by the Selectmen who found the site to not be in compliance with the approved site plan. He has come before the Board with a conceptual plan for housing, but in the meantime, they are looking to bring the site into compliance with its current uses.

They have decided to discontinue the junkyard use due to the changes in the zoning with requirements that are difficult to meet. They are proposing a single building for Cruiserparts used as an office and distribution center. They will have parts sent to the building and they will distribute from there, but no breakdown of parts on site. There is also a site for manufactured sheds and tiny homes and a display area for sheds/tiny houses so people can see that driving by. They are also proposing a sales lot down by the entrance where they would sell vehicles under Cruiserparts license. There are also several areas that he would like to rent out areas for storage such as timber, bricks, and other building goods. He stated that it's off the road and the material storage would be hidden.

Mrs. Jobin asked if it would be strictly storage or would they be selling items from the site.

Mr. Rokeh stated that he believes it would just be storage and not sales. Items would be sold beforehand, and they would pick them up there.

Everything is all completely constructed, they have already acquired an AOT permit, they have gone through compliance through AOT and wetlands along with a D.O.T. permit. He stated that these are light uses and not many people come in and out. He also indicated that they plan to move the gate higher up as they realized that was not an ideal location.

Mr. Healy asked if all the storage is presold before people show up.

Mr. Rokeh stated that he was not sure exactly how it was going to work.

Mr. Blaney stated that he has a friend that purchased items and they were delivered directly to his house.

Mrs. St. Germain stated that she has purchased a granite slab off of Facebook marketplace from the location and she went to the site to look at options and pick it up. She stated that several other people were there with big trucks doing the same thing. There is traffic going in and out purchasing things.

Mr. Jameson asked why the sign location on the application was marked pending.

Mr. Rokeh stated that they didn't have that worked out yet, so it's not included.

Mrs. Jobin stated that she recommends that they include that as part of this application and add the location now, so they don't have to come back to update that later.

Ms. Deachman made a motion and Mr. Blaney seconded to find the application for site plan review as complete. Motion passes.

Ms. Deachman made a motion to find no regional impact and Mr. Blaney seconded. **Motion passes.**

Mr. Healy asked how they plan to keep control of the materials being stored and at what point does it become a junkyard or salvage yard.

Mr. Rokeh stated that access throughout the site needs to be maintained at all times so the area rented out would be the limit. If expansion happened, they would have to amend the application for AOT-Alteration of Terrian.

Mr. Healy asked about the number of vehicles.

Mr. Rokeh stated that cars will be sold through consignment under the Cruiserparts dealer's license.

Mrs. Jobin stated that her main concern is the driveway and how steep it is, especially in the winter when it's icy and large loads are being brought up and down onto Rt. 4. She asked if a driveway permit was approved by D.O.T for the current uses.

Mr. Rokeh stated that the driveway permit is for the original use of a junkyard so he will need to update that for the current uses.

Mrs. Jobin asked if there was currently a sawmill on the property.

Mr. Blaney stated that Mr. Valley does have a portable sawmill.

Mrs. Jobin stated that the original approval was given with the information that the junkyard was family run with few employees and only the employees would be driving up and down the driveway with occasional deliveries which is very different from very large loads of timber, tiny houses, and large trucks filled with bricks and building debris.

Mr. Rokeh stated that this was built in 2018 and has held up for five years.

Mr. Blaney stated that there is plenty of drainage.

Mrs. Jobin stated that she is not concerned about washouts, she is concerned about the large loads making their way down the steep driveway, especially during winter onto a very busy road.

Mrs. Jobin stated that anyone that is conducting business on this site will need a business permit. She recommends that a condition of approval be that a note is added that all rentals need to pull a business permit and that the property owner is responsible for them doing so.

Mr. Jameson asked about a lighting plan.

Mr. Rokeh stated that they are only proposing light packs for the building which he will provide the light plan for.

Mr. Healy asked for operating hours.

Mr. Rokeh stated that there would be normal business operating hours such as 7am-4pm and some weekend hours.

Mrs. Jobin asked if the owner intends to have anyone living onsite. She stated that there have been reports made that lights are on in a camper very late at night, vehicles are driving up late at night and she has seen someone driving down from the site before 7am to unlock the gate. She wanted to address this now as it came up in TRC as well. She stated

that living in a camper is not permissible and they intend to have someone living up on the site, they would need to be in an approved dwelling.

Mr. Healy asked what the plan is for selling wood. Will people be driving up there to pick up wood or will it be delivered.

Mr. Rokeh stated that he will need to lock this down with the property owner better to be able to answer more specific questions.

Abutters-

Valerie Koch- Ms. Koch wanted to ensure that the business would not be able to encroach on the residential portion.

Mrs. Jobin stated that no business is allowed to extend past the 1000ft. commercial setback.

Ms. Koch also stated that she as well as other abutters are concerned about noise volume. With the variety of businesses proposed, it sounds like there may be a lot of noise.

Mr. Jameson stated that there are zoning restrictions in the commercial zone. If there was an issue with noise, she would have a justifiable complaint.

Ms. Koch stated that there is not currently a sawmill running there.

Mr. Blaney stated that he runs a sawmill, and it sounds more like a riding lawnmower.

Dean Setzler, Jr.-

Mr. Setzler stated that light is a concern for him, and he wanted to make sure light would not be coming over onto his property.

Mr. Jameson stated that a lighting plan will be provided to ensure that doesn't happen.

Mr. Rokeh stated that any lighting will be cut down based on the zoning requirements.

Sean Quigley-

Mr. Quigley asked if they will be storing materials from reclaimed sites then how do they plan to mitigate issues with asbestos. He is concerned for his well as well as neighbors.

Michael Martel-

Mr. Martel stated that he often sees equipment lights through his backyard moving, who knows what around at all hours of the night. He has also had issues with Mr. Valley causing water runoff onto Mason Road ruining the road.

Mr. Rokeh stated that he has heard from Mr. Valley that the Town has been causing all the drainage to go onto his property and creating wetlands.

Mrs. Jobin stated that some things that would be good to get clarification on are how many sites on the property does he plan to rent out, location of proposed sign along with potential lighting, parking for the building and rental sites, appropriate facilities, updated DOT permit with intended uses, and on approved dwelling for anyone that wants to live on site and operation hours.

Mrs. Jobin stated that there needs to be clarification on the dealer license as well, and if there needs to be a certain amount of sq. ft. dedicated to car sales along with specific signage. She also stated that the fee needs to be paid as well.

Ms. Deachman made a motion and Mr. Swirko seconded to continue the public hearing until the September meeting. Roll call vote. Jameson, aye. Way, aye. Blaney, aye. Swirko, aye. St. Germain, aye. Deachman, aye. **Motion passes.**

Public Hearing-Site Plan Review

Owner: DBU-Adam Towne

Location: Map4 Lot 151, Dover Road

Mr. Rokeh presented an amended site plan review for the previously approved doggy daycare that fell through. Before that approval, they had a larger building approved for similar uses. They have scaled back the building and are proposing a two bay commercial building.

Mrs. St. Germain made a motion and Mr. Healy seconded to accept the application as complete. **Motion passes.**

Ms. Deachman made a motion and Mr. Blaney seconded to find no regional impact for this proposal. **Motion passes.**

Mr. Rokeh stated that they did a full traffic study for DOT for the doggy daycare which is drastically more than this proposal. He is updating the DOT permit to the two commercial uses, such as electricians or plumbing. He stated that the lighting plan can be updated for the proposed use as well.

Mr. Jameson would like a sheet provided to show the entire site to have a full view.

Mr. Rokeh stated that he will provide that.

Mr. Blaney made a motion and Mr. Healy seconded to grant conditional approval for the proposed site plan review with the following conditions: all professional stamps, light plan, overall view of site, note stating property owner is responsible for tenants pulling business permits, the appropriate fee, add building elevation to plan set, and a signature block. Roll call vote. Jameson, aye. Way, aye. Blaney, aye. Swirko, aye. St. Germain, aye. Deachman, aye. **Motion passes.**

Conceptual Discussion-Jonathan Strong, Map 4 Lot 63 located at 340 Dove3 Road

Mr. Strong came before the Board to discuss him taking over Chase Auto and starting his own business doing the same use.

Mrs. Jobin stated that Mr. Chase is retiring, and Mr. Strong wants to take over the location under his own business name. Mr. Strong came into the office and because there is no site plan on file, she wanted him to come and discuss the change with the Board. She stated that the current business has a current dealer license and inspection station. Mr. Strong has been working on the property the last five years. He would be doing the same business that currently takes place without selling the attachments. She doesn't believe that its enough of a change of use to trigger a site plan, but because there is not one on file then she wanted him to come in to determine how many cars are allowed on the lot and business hours.

Mr. Strong stated that he intends to have some cars for sale, but the majority of his business is car repair. He would have only what he could comfortably fit. He has seen up to 30 cars on the lot previously, but he doesn't intend to have that many. He stated that it will be cars and light duty trucks, and no campers.

Mrs. Jobin stated that after driving by the site today, she noticed that there is more than the allowed signage on the property, and he would have to apply for a sign permit and receive approval from the Building Inspector.

The consensus of the Board was that it was not a change of use and to allow operation of the business without a site plan with the following requirements: No parking on Rt. 4, no deliveries on Rt. 4, a handicap spot and customer parking be provided, not to exceed 30 cars on the lot, a sign permit be pulled, all lighting must comply with Chichester Zoning, and any change or expansion of use will require a site plan.

Next meeting: September 7th, 2023

Adjournment- Having no further business, a motion was made by Mr. Way and seconded by Ms. Deachman to adjourn the meeting at 8:29pm. Roll call vote. Jameson, aye. Way, aye. Blaney, aye. Swirko, aye. St. Germain, aye. Deachman, aye.

Motion passes.

Respectfully submitted,

Kristy Jobin, Planning Coordinator

Chairman, Thomas Jameson

Not approved until signed.