Chichester Planning Board

Minutes of Meeting

Thursday February 7, 2019

**Members Present:** Chairman Stan Brehm, Michael Williams, Richard Moore, Tom Houle, Richard Bouchard ex-officio, Dr. Mara, DVM, Daniel Humphrey, John Healy and Kristy Barnouski Secretary.

**Others present:** Jon Rokeh, Bob Mann, Zach Boyijian, Tom Jameson, Marty Smith, Donna Chagnon and other members of the public.

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

Mr. Brehm announced that Mr. Humphrey and Dr. Mara would be voting members for this meeting.

**Subdivision/Public Hearing-**

**87 King Road, Map 3 Lot 87**

**Owner: Michael Hauge**

**Engineer: Rokeh Consulting, Jon Rokeh**

Mr. Rokeh came back before the Planning Board to add an additional lot to the already approved subdivision. The applicant changed his mind adding the additional lot before the plan was filed with the Merrimack County Registry of Deeds.

Due to our pending zoning changes the Board made Mr. Rokeh aware previously that he would have to follow the proposed zoning and if it were to fail then would be held to current zoning standards.

Mr. Rokeh was able to show that he meets current zoning standards as well as the new proposed zoning have more than a buildable acre.

The Board went through the checklist finding it to be complete.

Dr. Mara made a motion and Mr. Williams seconded to accept the subdivision plan for 87 King Road as complete. **Motion passes.**

Dr. Mara made a motion and Mr. Williams seconded to find no regional impact. **Motion passes.**

Dr. Mara made a motion and Mr. Williams seconded to approve the subdivision plan for 87 King Road. **Motion passes.**

**Continued Site Plan Reviews-**

**10 Dover Road, Map 4 Lot 151**

**Owner: D.B.U, Adam Towne**

**Engineer: Rokeh Consulting, Jon Rokeh & Aaron Wexler-Wetland Scientist**

**Subdivided lot-Site Plan**

Mr. Wexler a wetland scientist stated that he created a complete replanting plan including a variety of plants and trees for the propsed area where the wetland buffer would be disturbed.

Mr. Brehm asked how much fill would be in the area.

Mr. Rokeh stated that up to 22ft in areas.

Mr. Boyijian asked if the area had been stumped. Mr. Rokeh replied that it had not been yet.

Mr. Mann stated that is very important to maintain buffers for a variety of reasons and they should never be disturbed as the wetland functions would be impacted.

Mr. Boyijian stated that according the NRI (National Resource Inventory) this area is part of a high value wetland number 8. This wetland serves several functions including marinating water quality, flood storage and wildlife habitat and should be protected to the fullest extent.

Mr. Moore stated that he used a resource called Plan Link online to get responses from local experts. He asked the question what is the purpose of a wetland buffer. He stated that he did get about a half dozen responses. Responses included protect water, protect wildlife and natural habitat. Mr. Moore stated that he is very uncomfortable with 10-20 feet of fill.

Mr. Wexler stated that they are not asking to put impervious surfaces and that the highest value wetland are not on the actual property but quite a ways behind the property. He stated that it is his professional opinion that the disturbance of the wetland buffer can be disturbed with the plan to replant.

Mr. Humphrey stated that it is in the best interest of the Town to see this land developed and doesn’t see a huge issue with responsibly constructing slopes.

Mr. Boyijian urged the Board to look and see what is allowed in the wetland buffers.

Mr. Jameson stated that a retaining wall is a structure which is shown on the plan in the buffer.

Mr. Brehm stated that the wetland is not protected at all as of right now. Everything from Route 4 is now running down the hill directly into the wetland.

Mr. Moore wanted to take a vote to determine if the Board felt that the embankment what a “use”.

Tom Houle-Use

Dan Humphrey-Yes, but not a listed use. Should go to ZBA

Mike Williams-Passive use

Stan Brehm- Use

Richard Bouchard-Use but not listed

Kevin Mara- Not a use

Richard More- Use

John Healy- Use

Mr. Brehm made a motion and Mr. Houle seconded to send D.B.U. to the ZBA to seek a special exception for the retaining walls that do not meet zoning requirements. **Motion passes.**

**Continued Site Plan Reviews-**

**10 Dover Road, Map 4 Lot 151**

**Owner: D.B.U, Adam Towne**

**Engineer: Rokeh Consulting, Jon Rokeh & Aaron Wexler-Wetland Scientist**

**Back lot-Site Plan**

Mr. Williams made a motion and Mr. Houle seconded to accept the site plan as complete the back lot of 10 Dover Road Map 4 Lot 151. **Motion passes.**

Mr. Houle made a motion and Mr. Williams seconded that there is not regional impact for the site plan of the back lot of 10 Dover Road Map 4 Lot 151. **Motion passes.**

Mr. Rokeh presented the project with a paved driveway coming in off Route 4 leading to a small office building and parking lot. The road extends back to a large steel building which leads to three contractor yards. Mr. Rokeh stated that he has applied for all 3 driveway permits, an alternation of terrain permit (AOT) and wetland crossing applications.

Mr. Brehm asked if the contract yards exceed the Commercial District which is 1000ft from the center line. After reviewing the plan Mr. Rokeh stated it did appear to be somewhat out of the Commercial zone on areas and he would have to make some adjustments.

Mr. Mann of the Conservation Commission wanted to discuss the four points on the plan that are impacted with the wetland crossings. Mr. Mann asked that the process be respected and he is not comfortable with the impacts of this project on the wetland and wetland buffers.

Mr. Williams stated that looking at the zoning it states four requirements regarding wetland crossings which he read aloud.

1. The proposed road shall be essential to the productive use of the land not part of the wetland area.
2. Road design, construction, and maintenance methods shall minimize detrimental impact upon the wetland or wetland buffer, and shall maintain the site as close to the original grade and condition as possible.
3. No feasible alternative route which has less of a detrimental impact is available. Financial impacts and constraints may be considered when determining feasibility.
4. Drainage systems shall be designed to minimize impacts on the wetland and wetland buffers.

Mr. Rokeh stated that the project met all of these requirements.

Mr. Brehm stated that he would like to see the contractor yards be marked with granite or concrete posts to clearly outline the area.

The consensus of the Board was that it is not necessary to have the Town engineer review the plans.

* The Board reviewed the checklist.
* The findings of the Board:
* Add a disposal system on the plan.
* Lighting plan needed.
* Signage plan needed.
* Approved permits from D.O.T., DES-Alteration of Terrian (AOT), DES-septic and well and DES wetland crossing permits.
* Building elevations.
* Rework contractor yards into the 1000ft Commercial zone.

Mr. Brehm made a motion and Mr. Houle seconded to continue the public hearing to 3/7/2019. **Motion passes.**

Mr. Williams wanted to revisit the motion he made earlier sending DBU to the ZBA.

Mr. Brehm made a motion to amend his previous motion to say: to send D.B.U. to the ZBA to seek a variance to allow use of the retaining walls and to fill in the wetland buffer that do not meet zoning requirements. Mr. Williams seconded. **Motion passes.**

**Site Plan Review/Public Hearing-**

**332 Dover Road, Map 3 Lot 59**

**Owner: Showcase Consignments, Marty Smith**

Mr. Smith proposed adding an 1800 sq. ft. storage building for overflow of his business to the rear of his current building. Mr. Smith had a previous site plan that he updated himself. The Board reviewed the plan.

Mr. Brehm made a motion and Dr. Mara seconded to accept his plan as complete. **Motion passes.**

Mr. Williams made a motion and Mr. Houle seconded that there was no regional impact. **Motion passes.**

Mr. Brehm stated to Mr. Smith that he would have to get his plan updated by a professional and add the proposed building to the plan.

Dr. Mara made a motion and Mr. Williams seconded to grant conditional approval pending the update of his site plan with the appropriate additions. **Motion passes.**

**Conceptual Discussion- Braiden Tescher and Erik Jones of Greenwave Development**

Mr. Tescher and Mr. Jones explained to the Board that they were interested in buying and developing the White Birches of Chichester located on Dover Road. Mr. Jones explained that he owned and abutting property to the White Birches and was thinking of utilizing that property which has an access easement for egress/ingress due to having issues with lending with access on Route 4 deemed being unsfe. He stated that they had been before the Loudon Selectmen to discuss the possibility of using Trap Road which extends into Loudon turning into Ricker Road. He stated that he wants to explore the possibility of upgrading the road and wanted to find out if Chichester would be willing to plow trap road to the Loudon line which would be an additional 1500 sq. ft.

The Board told Mr. Tescher and Mr. Jones that they would have to contact the Board of Selectmen who would have to approve any additional use of the Road and or paving. They were urged to contact the Selectmen’s office regarding this matter.

**Adjournment-** Having no further business, a motion was made by Mr. Williams and seconded by Mr. Houle to adjourn the meeting at 10:13pm.

Respectfully submitted,

Kristy Barnouski, Secretary

Not approved until signed.

Chairman, Stan Brehm