

**Chichester Planning Board
Minutes of Meeting
Thursday September 2, 2021**

Members Present: Stanley Brehm, Michael Williams, Richard Bouchard (ex-officio), Tom Houle, Tom Jameson, Allen Mayville, Dan Humphrey and Kristy Jobin, Secretary.

Others present: Susan Schrier, Erin Schrier, Keith Babb, Tim Bernier, Sanford Way, Charles Schey, Scott Frankiewicz, Author Presby, Christin Presby Swain, Justin Chase, Donna Chagnon and other members of the public.

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

Approval of Minutes-

Mr. Bouchard made a motion and Mr. Mayville seconded to approve the minutes of August 5, 2021. **Motion passes.**

Public Hearing: Conditional Use Permit, 2 Family Conversion

Property Owner: Susan Schrier

Location: 112 Pleasant Street, Map 10 Lot 10-1

Mr. Humphrey recused himself from this public hearing.

Mr. Williams made a motion and Mr. Bouchard seconded to approve the proposed waivers for the requirement of a plan outlining property boundaries, existing structures and buildings, proposed additions or structures, and all other items pertaining to other structures, boundaries, traffic flow, and parking at the property located at 112 Pleasant Street in Chichester. Roll Call vote. Brehm, aye. Williams, aye. Bouchard, aye. Houle, aye. Jameson, aye. Mayville, aye. Humphrey, abstain. **Motion passes.**

Mr. Williams made a motion and Mr. Bouchard seconded to find the application for Map 10 Lot 10-1 for a CUP complete. Roll Call vote. Brehm, aye. Williams, aye. Bouchard, aye. Houle, aye. Jameson, aye. Mayville, aye. Humphrey, abstain. **Motion passes.**

Mr. Williams made a motion and Mr. Houle seconded finding there is no regional impact for the proposed CUP. Roll Call vote. Brehm, aye. Williams, aye. Bouchard, aye. Houle, aye. Jameson, aye. Mayville, aye. Humphrey, abstain. **Motion passes.**

Mr. Williams made a motion and Mr. Houle seconded to approve the application for CUP for Map 10 Lot 10-1. Roll Call vote. Brehm, aye. Williams, aye. Bouchard, aye. Houle, aye. Jameson, aye. Mayville, aye. Humphrey, abstain. **Motion passes.**

Public Hearing: Lot Line Adjustment

Property Owner: Scheys/Way

Location: Map 5 Lots 70 and 71-6 located at 48 Deer Meadow Road and 7 Kara Drive

Surveyor: Tim Bernier

Mr. Bernier presented for the Scheys, property owner of 48 Deer Meadow Road and the Ways of 7 Kara Drive.

He stated that the Ways have a piece of upland that the Schey's would like to acquire. The proposed plan shows 7,928 sq. ft. transferred. The Way's lot will remain in compliance with zoning and will have the minimum one-acre buildable requirement.

Mr. Bernier will make a note on the plan with RSA 676:18 notated due to property being on the Epsom Town line but with no impact.

Mr. Jameson made a motion and Mr. Mayville seconded to grant the proposed waiver to not require wetlands delineation on the plan. **Motion passes.**

Mr. Bouchard made a motion and Mr. Houle seconded to grant the proposed waiver for contours on the plan. **Motion passes.**

Mr. Humphrey made a motion and Mr. Houle seconded finding that there is no regional impact for this LLA plan. **Motion passes.**

Mr. Williams made a motion and Mr. Bouchard seconded to find the application for the Lot Line Adjustment complete. **Motion passes.**

Mr. Williams made a motion and Mr. Houle seconded to grant conditional approval with the following conditions: Add a plan note stating there is one buildable acre on the 7 Kara Drive parcel and add the RSA 676:18 note to the plan. **Motion passes.**

Public Hearing: Site Plan

Property Owner: Keith Babb, K&B Crushing

Location: Map 8 Lot 50 located at 200 Suncook Valley Road

Engineer: Varney Engineering

Mr. Babb came before the Board to review his proposed site plan for a newly added structure he had already erected. Mr. Babb stated that he didn't feel a site plan was required for the structure, however the Building Inspector had advised him otherwise.

Mr. Williams stated that this project should be required to go the TRC-Technical Review Committee since it's a major site development with over 5,000 sq. ft. of development.

The Board also had concerns on whether the structure was set within the wetland setbacks. The Board stated that the wetlands on the property may be a second order stream and the appropriate setback needs to be determined. The Board was also concerned that the structure was built in the State Road right of way.

The Board discussed sending Mr. Babb to TRC on October 4th, the week before the next meeting and then revisiting this plan at that time.

Mr. Mayville made a motion and Mr. Houle seconded to continue the public hearing for K&B Crushing until the next meeting on October 7, 2021. **Motion passes.**

Public Hearing: Lot Line Adjustment

Property Owner: Presby/Love

Location: Map 4 Lot 53 and Lot 54-A located at 86 & 96 Horse Corner Road.

Surveyor: Scott R. Frankiewicz, LLS

Mr. Frankiewicz presented the lot line adjustment to the Board. The plan proposes that the Presby's and Love's swap the exact amount of land, 1.84 acres. He stated that there was a full boundary survey, wetland delineation, and topography all completed.

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

Mr. Williams made a motion and Mr. Humphreys seconded to find no regional impact for this proposed plan. **Motion passes.**

The Board required a note be added to the plan stating that both lots have the minimum one buildable acre required.

Mr. Williams made a motion and Mr. Houle seconded to grant conditional approval with the note added on the plan that each lot has the minimum one buildable acre required. **Motion passes.**

Public Hearing: Subdivision

Property Owner: Presby

Location: Map 4 Lot 53, located at 86 Horse Corner Road.

Surveyor: Scott R. Frankiewicz, LLS

Mr. Frankiewicz came before the Board to propose a 2-lot subdivision. He stated that upon completion of the survey it was found that the neighbor was encroaching on the property line. When preparing the subdivision plan, they self-contained the house lot so there are no encroachments. The proposed house lot is 2.5 acres and 250 ft. of road frontage. The new lot will be 10.8 acres and will have 298 ft. of road frontage.

Mr. Frankiewicz stated that the State subdivision approval has been applied for and they are awaiting approval.

The Board stated that this subdivision will require granite bounds marking out the unusual lot shape.

Mr. Humphrey made a motion and Mr. Williams seconded to find the application for subdivision complete.
Motion passes.

Mr. Humphrey made a motion and Mr. Houle seconded to waive the requirements for symmetrical lot lines.
Motion passes.

Abutter: Christine Presby Swain

Ms. Swain, the applicant's sister, stated that she had just found out about the encroachment a few months prior and questioned how the subdivision would impact her property when that home sold.

Mrs. Jobin explained that the new house lot is self-contained, meaning that the new parcel wraps around the house lot so when the house lot was sold there would be no issues to dispute with them. Instead, she would have to work out the encroachment with the existing owner.

She had concerns over the fairness of land swapping. The Board advised her that it was a civil issue she would have to dispute.

She was also concerned if there was enough road frontage and acreage for a two family. The Board reviewed the requirements with her and answered her questions.

Mr. Williams made a motion and Mr. Humphrey seconded to grant conditional approval for the subdivision plan for Map 4 Lot 53, with the conditions of adding language in a note that there is contiguous buildable land and State Subdivision approval. **Motion passes.**

Conceptual Discussion- Justin Chase, 361 Dover Road. Map 2, Lot 83

Mr. Chase came before the Board to discuss an issue with him obtaining an electrical permit for a storage container that he put on his property to use as a woodworking shop. He stated that the Building Inspector will not issue the electrical permit without the Planning Board signing off. This property currently has a single-family home with an accessory dwelling unit and sits in the Commercial Industrial Zone.

Mr. Williams stated that this property is mixed use. It has a residential home but also is used to store property from Mr. Chase's fathers' business, Chase Auto, which is located just down the road and across the street. He stated that he has witnessed items for sale from the dealership with price tags stored on the property which is commercial activity. Due to the totality of circumstances, it is his opinion that this site requires a site plan.

Mr. Chase stated that the property is only used as residential and not commercial. He would like a shop to do woodworking in. He stated that the equipment on the property is for maintaining the lot and not for sale.

The Board discussed that this property should only be used for residential use and not any commercial use. Storing equipment is commercial use and requires a site plan, just as other commercial property owners must do. No vote was taken. The consensus of the Board was that due to the commercial activity on the lot and totality of circumstances, a site plan is required.

Other Business-

Update on CM Truck & Trailer-

Mrs. Jobin updated the Board that the Town Engineer and Building Inspector have recently visited the property and found multiple violations. They have applied for an AOT permit and will be completing a new site plan. The Town Attorney is handling communication between the Boards and the property owner's attorney. They will be discussing a mitigation plan and how to move forward.

Youngs Paving-

Mr. Brehm stated that Youngs Paving put in a new driveway on Route 4 on the vacant lot. D.O.T. was contacted and there is a permit pulled, however it says it's for a vacant lot and not the paving business which needs to be updated. Mr. Brehm would like to close the communication gap between the Town and State regarding driveway permits in the future.

Mrs. Jobin stated that Mr. Young has been advised via certified letter that he needs to update his Site Plan.

Adjournment- Having no further business, a motion was made by Mr. Jameson and seconded by Mr. Bouchard to adjourn the meeting at 8:34pm. Roll call vote. Brehm, aye. Williams, aye. Houle, aye. Jameson, aye. Mayville, aye. Bouchard, aye. Humphrey, aye. **Motion passes.**

Respectfully submitted,
Kristy Jobin, Secretary

Not approved until signed.

Chairman, Stanley Brehm