

Meeting Minutes
December 7, 2021
JK, KS, HK, JS, BH, RC, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
December 7, 2021**

DATE: December 7, 2021

TYPE: Public Hearing

APPROVED: 1/4/2022

TIME: 7:00 pm

CALL TO ORDER: 7:00pm

ROLL CALL MEMBERS: Jonah Ketola, Holly Koski, Julie Sementa, Bob Hamilton. Katelyn Smith

ROLL CALL ALTERNATES: Robert Chamberlain

ABSENT: Sam Bouchie. Kim McCummings, Joel Aho

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: Robert Chamberlain for Sam Bouchie

OTHERS PRESENT: Tyler Deruosi, Larry Cleveland, Roniele Hamilton, Fred Dodge, Paul Grasewicz, Dennis D. McKenney/NEFCO LLS 691, Richard Mellor, David Drouin, Jed Paquin, Matthew Routhier Bedford Design Consultants, Rasihib Amin, Al LeFebvre, Crystal Maguire, Terry Aho, Ashley Saari, Eli Leino, Matthew Olson

Call to order and Pledge of Allegiance

Roll call by Chairperson

Appointment of alternates: Robert Chamberlain to sit for Sam Bouchie

Approval of Minutes:

1. November 2, 2021

MOTION: Holly Koski moved to accept the minutes as written. Julie Sementa seconded the motion. Vote: 4-0-2 Jonah and Katelyn abstained.

New Business

1. CONCEPTUAL CONSULTATION: Matthew R. Routhier, PLA, Bedford Design Engineers & Surveyors, Map 2 Lot 59-3-7

Matthew Routhier said that the parcel of land they are looking at is adjacent to an elderly housing complex. His client is looking to construct a gas station, perhaps some contractor buildings, and then to subdivide the front portion which is zoned Business Light Industry. On the back piece, they would probably do something residential but that hasn't yet been worked out. This is a very preliminary plan and there has not been any wetlands studies completed at this time.

The following items were discussed:

- Distance from Sears Drive entrance

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- Right of way that appears to go through this parcel
- Possible wetlands issues
- This lot is zoned Business-Light Industry and Residential-Agricultural
- The lot is approximately 70.37 acres
- There is a culvert and apron coming off of the highway
- The applicants are still debating whether the proposed gas station would service larger trucks.
- The applicants are debating a possible higher end mobile home park.
- There appear to be three areas with frontage of 795 feet; 460 feet and 150 feet
- Adjacent to this lot appears to be the site of the Monadnock Full Gospel Church.

Planning Director Kirk Stenersen provided the Board with the following excerpt from the Zoning Ordinance.

“ARTICLE V
Residential-Agricultural District

The following provisions shall apply to the Residential-Agricultural District:

A. Uses Permitted:

1. *All future mobile homes shall be located in mobile home parks and mobile home subdivisions. Such parks and subdivisions may be established in the Residential-Agricultural District in accordance with the Subdivision Regulations and Site Plan Review Regulations adopted by the Planning Board. Mobile homes situated within a mobile home park community need not comply with dimensional requirements so long as they are accessed via a private road. ...”*

Planning Director Kirk Stenersen said that a PURD (Planned Unit Residential Development) may be required for a mobile home park as our Zoning would otherwise require each dwelling to be on a separate lot and meet the 2 acre per lot requirement.

Chairman Jonah Ketola said that the applicant may want to meet with Rick Donovan, Director of Life Safety, to be sure that this meets all those requirements.

Matthew Routhier thanked the Planning Board for their time.

Old Business/Continued Public Hearings

2. **Continued from November 2, 2021, CONSIDERATION OF** an application for a Major Site Plan submitted by Tyler Deruosi, P.O. Box 124, Rindge, NH, 03461, for property located on NH Route 202, Rindge, NH Map 2 Lot 44 in the Business- Light Industry District. The applicant is seeking approval for an amendment to the Discount Tire and Automotive Services to increase the building size to 18,000 square feet and adjust parking and storage areas accordingly.

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Paul Grasewicz provided the Board with a new set of plans for this project and called the Board's attention to Sheet 6. Paul said that in October, they submitted the site plans for a slightly larger building footprint and the existing plan for the grading that had been done on the site. These plans showed the pre and post development runoff. While the original plan was to stay under the 100,000 square feet, they found themselves with an excess of material and pushed it out over the site and way over the 100,000 square foot footprint. Since that time, they have started the process with the State for the AoT permit.

They have added some concrete pads for the doors on these buildings. The septic system got moved and the work line on this plan will keep them under the 100,000 square feet. The time frame for the AoT permit is unknown so they are hoping that they can work within the 100,000 square feet in the meanwhile.

Planning Director Kirk Stenersen read into record a letter from ConCom following their October 28th meeting. (on file in planning office). ConCom advised the applicant to meet with the ZBA regarding the change in plans since the Special Exception was issued. Otherwise, ConCom had no concerns with this project. Paul Grasewicz said that they met with the ZBA (Zoning Board of Adjustment) and were given the go ahead from them. Planning Director Kirk Stenersen confirmed this information and read into record a letter dated November 24, 2021 from the Zoning Board of Adjustment.

Jonah Ketola asked about an area that was previously parking and storage. Paul Grasewicz said this area will be seeded. Jonah Ketola confirmed that no more storage would take place in this area.

Chairman Jonah Ketola asked for comments from the Board.

- Bob Hamilton said that he just wants to point out that the engineer referred to this as a "slight increase". Mr. Hamilton said that if this slight increase were equal to his height, he would now be eight feet tall. This would be a forty percent increase. This is not a slight increase and he takes exception to that fact.
- Chairman Jonah Ketola asked what the total area of disturbance would be. Mr. Grasewicz said it was about 220,000 square feet. Chairman Ketola said that the original approval called for a disturbance less than 100,000 square feet. It would be necessary to stay inside of the 100,000 foot area until such time as an approval of the state of NH AoT (Alternation of Terrain) has been obtained. Mr. Grasewicz agreed. Chairman Ketola asked if an Application for Alteration of Terrain has been submitted to the state. Mr. Grasewicz said that they are just putting that together and it will take the rest of the week to complete.
- Paul Grasewicz showed the Board the original plan of the building as it was originally approved as well as an overlay plan showing the foundation that is there now. Mr. Grasewicz pointed out the original area of work. He said that the septic has been moved

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down to the bottom of the hill from the original design. This new design was submitted to the State and has been approved.

- Holly Koski asked Mr. Deruosi if he could continue to run his business in its present location as this gets sorted out. Mr. Deruosi said this is not a second operation he is building that is being held up. He said this is his entire business. He said they are trying to carry on within the 100,000 square feet and get everything else approved as soon as possible.
- Planning Director Kirk Stenersen called the Board's attention to the Background Information of the Planning office memo, #4 which reads:

"The applicant has been in correspondence with the NHDES AoT Bureau and received an e-mail dated October 7, 2021 from Michael Hansen, P.E., CFM, which is in the file and states, "Tyler, Per our phone conversation you can continue to work on the portion of the project that has been approved by the town and is under the 100,000 sq. ft. threshold. Now that the project will require an AoT Permit for the additional impacts the entire project will need to conform to AoT regulations."

- Bob Hamilton asked for the actual square foot area of the additional concrete pads. Mr. Deruosi said they can remove the concrete pads. Mr. Hamilton said that this is increasing every time the Board meets. Mr. Grasewicz said that he did not put that on the plan and that this is accounted for in the Stormwater system and will have to be treated as impervious gravel. Planning Director Kirk Stenersen said that NH AoT would require this be treated as impervious as the assumption is that a gravel driveway will eventually be paved.
- Chairman Jonah Ketola asked about the pitch of the roof. This is shown on page 10 of the plan. Planning Director Kirk Stenersen asked Mr. Grasewicz if treating the runoff from the roof would be required per the NH AoT requirements. Mr. Grasewicz said he does not believe they are.
- Julie Sementa asked Mr. Grasewicz to speak to the temporary storage areas. Paul Grasewicz said the vehicles will be there temporarily but there will probably always be some vehicles, different ones day to day, stored there. Holly Koski asked if there were any limit on the number of vehicles there. Kirk Stenersen said if they are registered, there is not.
- Richard Mellor spoke as the Vice Chairman of the Rindge Conservation Commission. (ConCom) He said he would like to speak to the letter from the ConCom regarding their October 28 2021 meeting that Kirk Stenersen previously read into record. Mr. Mellor said he would also like to speak to the Zoning Board of Adjustment approval. He said that the original Special Exception plan showed a run-off section of rip rap that was well outside of the buffer zone. (and that was what was approved) The second plan (a month or two later) showed the same drainage area and added to that was a detention pond for treatment. No one on ConCom had an issue with the treatment plan but in doing so, this was moved to the east which brought it into the buffer zone. When the ZBA said it wouldn't require him to come back for a hearing, it was under the condition that there be

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no intrusion on the buffer. Mr. Mellor said that he wants to make it clear that this new plan has moved both the immediate drainage and the detention pond to the west of this buffer. Mr. Grasewicz showed Mr. Mellor the drainage changes on the plan and said that they were not within the 50 foot buffer. Mr. Grasewicz said there is no grading to take place within the 50 foot buffer as well.

- Fred Dodge, member of the Rindge Conservation Commission said he had some questions regarding the Temporary Storage Areas. Mr. Dodge asked what kind of surface would be here and if there was a plan to mitigate any possible hydraulic fuel leaks, gasoline tank leaks, oil leaks. etc. from entering the groundwater system or polluting the soil that is there. Tyler Deruosi said this would be like any other parking lot and there would not be anything in place outside of the building. There would be something within the building. Tyler Deruosi said he is not sure of anything they could do outside for anything they were unaware of. Paul Grasewicz said that they have to do an Inspection of Drainage Systems Manual for all drainage on the site. They could make sure they mention looking for hydro carbon contaminants. Mr. Grasewicz provided some information to the Board of how the grass filter strip and swales and the impermeable soils would work. If something did happen down gradient, it would show up on the surface.
- Chairman Jonah Ketola asked Planning Director Kirk Stenersen to outline how the Board may move forward at this time. Mr. Stenersen said that in cases where the Site Plan review moved forward in the correct order, the Board has approved applications pending State of New Hampshire AoT approval. Sometimes these approvals contain some minor changes to the plans. Those changes are part of the process. In this case, there is a limitation of 100,000 square feet and a letter from the State speaking to that. If the Board chooses to do so, they can allow the applicant to move forward with the building as the NH AoT is okay with that. This would allow Mr. Deruosi to move forward with his building but he would not have final approval for any work required outside of that 100,000 feet until such time as he has his NH AoT approval. Chairman Jonah Ketola said that the well, septic, access, cannot be done prior to NH AoT approval. Chairman Ketola asked about what has been done to handle the erosion. Paul Grasewicz said there are hay bales and a temporary swale and culverts to keep things under control.
- Chairman Jonah Ketola asked about the steel being stored outside of the fenced in area. Tyler Deruosi said he has asked that it be moved and it hasn't happened yet. Mr. Ketola said that this project has doubled in size from its initial approval, and now we have steel laying around outside of the approved area and then, you want this Board to allow you to move along with this. Mr. Ketola said that Mr. Deruosi had poured a foundation for a building of 18,000 square feet when 12,000 square feet had been approved. This is now a different application: NH AoT are now involved; you asked to fill a ditch; and once approved, you filled in the whole building with a foot of dirt. You continued to work without any permits and that did not set a good tone with this Board. We don't have enough policeman nor Code Enforcement employees in this town to police a project that has gotten this out of control. Mr. Deruosi asked if he could send updates and said he was willing to do whatever he needs

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to do. Mr. Ketola said that the updates should have happened months ago. Chairman Ketola said that it is up to Mr. Deruosi to make sure that the work takes place only within the approved area. Chairman Ketola said that the NH AoT permit is quite strict and requires much more than the Town requires and is a difficult permit to get.

- Bob Hamilton said that, if this Board allows this to go through, with the expansion that has taken place, with the increase of disturbance of property, then we open this up to any contractor who comes to town to build whatever they want despite what's been approved. And then, if they get caught, they come back and ask for permission, and if they don't get caught, they can build whatever they want.
- Bob Hamilton spoke to setting a precedent by approving this. He said that up until this time, it is unprecedented that an applicant gets approval for a project, and then doubles it in size with no approvals. Paul Grasewicz said that they have now applied for a new application.
- Chairman Jonah Ketola said that if no one is ready to make a motion to approve this application, then it needs to be tabled until such time as the board is ready to move on it. Paul Grasewicz said his client needs to know if this larger building will be approved or what's the point of applying for the NH AoT. Chairman Ketola said the rules have been broken in order to get this project to this point. The size of this building now probably would not have been an issue if that's what was originally applied for. The issue is how we got to this point. Tyler Deruosi asked what it would mean to table this application. Does that mean it just sits around for a few months and would be a major burden on them, and then, would it be approved? Or could this Board then ask him to take part of his building out? He understands what Mr. Hamilton is saying about anyone just doing what they want, but believes that tabling this doesn't help anyone.
- Chairman Jonah Ketola asked about the front storage area and winter storms and snow plowing. What will happen in the winter as to snow storage? Paul Grasewicz said that there is a grass filter strip which helps to filter the run off before it goes to the basin.
- Planning Director Kirk Stenersen said that he understands that stuff was done that should not have been done. The consideration is to whether to allow continuance of construction of this building without an Alteration of Terrain. The choice is to allow them to move forward and help them out from a financial standpoint to keep moving or you can say that no further construction may happen until they have the NH AoT approval. It is up to the Board.

Chairman Jonah Ketola summarized the choices that the Board have to move this forward. In short, one approval would allow him to build this building. The second choice is that nothing is built until he has his approval for the NH AoT. Either way, he still has a Site Plan that is approved.

David Drouin said he would like to speak for himself (not for ConCom). He said that he understand Bob's frustration. Tyler is not a developer. He is a local businessman doing a one-time project. We have had other developers in this town with more experience who have had no problem doing something and asking for forgiveness in return. If you intend to approve this building, what is the gain in holding it up? He has a work zone. Why not ask for a sum of money to have an engineer inspect this site to make sure he is staying within the approved area.

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Mr. Drouin said he has heard Mr. Deruosi apologize about six times already. Those people who have gone outside of the lines in their past projects are not one time offenders. I think we know that.

Terry Aho said he can understand Bob's frustration. He heard Paul Grasewicz say that this is a new application. Is the old one getting extinguished? What is the status of the original site plan at this point? Chairman Jonah Ketola said there is a Cease and Desist order that was sent by the Board of Selectmen.

Chairman Jonah Ketola asked how the Board would like to proceed. Either way, this will be regulated by the state and policing of the limited work area. Planning Director Kirk Stenersen reviewed the 6 possible conditions with the Board. Chairman Jonah Ketola asked if the Board wanted to add any additional conditions. No one did.

MOTION: Holly Koski moved to approve the Major Site Plan application for Discount Tire and Service as presented with the following 6 conditions: Katelyn Smith seconded the motion.

Vote: 5-1-0 Bob Hamilton voted nay.

- 1) All applicable governmental permits shall be obtained, which may include, but are not limited to:
 - a. NHDES approval for septic system construction
 - b. NHDES AoT approval (site work must be limited to the 100,000 sq. ft. limit of work shown on the plan until approval is obtained)
- 2) Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this site plan through other governmental or permitting agencies are hereby included in this approval.
- 3) The site address shall conform to the NH Enhanced 911 naming and numbering system as managed by the Director of Public and Life Safety, Rick Donovan.
- 4) Additional site lighting if desired shall be shown on the plans. All exterior site lighting shall be downcast lighting and shall be in compliance with the Town of Rindge Site Plan Regulations.
- 5) All construction, site work, and site operations shall be consistent with the most recent set of plans by Graz Engineering, LLC for Discount Tire & Service, dated 11/19/20, revised 12/7//21 or subsequently amended and associated documents (e.g. *Stormwater Hydrology of Discount Tire and Service Site* – dated November 19, 2020 and revised October 12, 2021 or subsequently amended).
- 6) The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.

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New Business/ Public Hearings

3. CONSIDERATION OF an application for a Minor Subdivision submitted by Paquin Land Surveying on behalf of The Steven J. Norby Rev. Trust, dated January 14, 1988, Steve Norby, Trustee, 361 Middle Winchendon Road, Rindge, NH 03461 for property located at Middle Winchendon and Dale Farm Roads, Tax Map 2 Lot 52-1-2 in the Residential-Agricultural Zoning District. The applicant is seeking approval for a 2 lot subdivision.

Jed Paquin, Paquin Land Surveying said that during Kirk's review, it was discovered that he did not have the required 250 feet of contiguous frontage. He has since revised the plan and is looking for the Board's preference. The choice would be to either seek a variance for frontage or choose a change of design of the lots. The challenge is that this lot has a fair amount of wetlands as well as a pond on the site at the intersection of Dale Farm Road and Middle Winchendon Road which really limited the options of where to put the leach field or the house that is currently under construction. Mr. Paquin provided the Board with two different plans and is looking for the Board for their preference as to an easement because the driveway access or would they rather he go for a variance for frontage. Jed Paquin said that, as a professional, he is not keen on creating easements as they are often misunderstood and confused with a Right of Way.

Planning Director Kirk Stenersen said that this application will have to be continued as it is not complete at this time.

Holly Koski asked if ConCom had weighed in on this. David Drouin said they would not weigh in until after the application was accepted as complete.

Some Board members preferred the plan that meets zoning without the need for a variance; Bob Hamilton said he has no preference and suggested that Jed Paquin speak with Mike Cloutier. David Drouin asked Jed Paquin to provide the Conservation Commission with a copy of the new plan.

This application was not accepted as complete at this time pending a plan that meets zoning requirements.

MOTION: Bob Hamilton moved to continue this application until January 4, 2021. Holly Koski seconded the motion. **Vote: 6-0-0**

Chairman Jonah Ketola read the case before the Board. Julie Sementa recused herself and left the planning table.

CONSIDERATION OF an application for a Minor Subdivision submitted by New England Forestry Consultants, Inc. on behalf of Rindge Stone and Gravel LLC, 538 Old New Ipswich Road, Rindge, NH 03461 for property located at 538 Old New Ipswich Road, Tax Map 8 Lot 11 in the Residential Agricultural Zoning District. The applicant is seeking approval for a 2 lot subdivision.

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Planning Director Kirk Stenersen provided the following information regarding this application.

- 1) Dennis D. McKenney d.b.a. New England Forestry Consultants, Inc. on behalf of the Rindge Conservation Commission and Rindge Stone and Gravel, LLC has submitted for approval of a 2-lot subdivision of land located on Old New Ipswich Road and Perry Road and known as Tax Map 8 Lot 11.
- 2) The applicant has submitted a waiver request for wetlands and contours from sections V.2.B.1 and V.2.B.2 of the Subdivision Regulations. The justification provided is that “Small scale, 1”=600’, 11x17 color topo and wetlands map included with the application are adequate to inform the Board consistent with the goals of this project and the proposed transfer of the undeveloped acres to the Rindge Conservation Commission.” The objective of the subdivision is to subdivide off a 228.2 acre parcel (proposed Lot 11-2) from the existing 349.5 acre parcel in order to transfer the proposed Lot 11-1 to the Conservation Commission. Due to the large size of the existing parcel and proposed lots I believe this to be a reasonable waiver request.
- 3) The applicant was granted a variance by the Zoning Board of Adjustment on November 23rd, 2021, Case #1178, from Article V Section B-1 of the Zoning Ordinance to permit the creation of proposed Lot 11-2 which has 250 feet of *interrupted* frontage on two Class V roads.
- 4) If the Planning Board grants the requested waivers the application can be considered substantially complete and the Planning Board has the information necessary to make an informed decision on the application.

Dennis McKenney of NEFCO LLS presented the plan before the Board. He said they were successful in having a variance approved for frontage and a large parcel will be transferred to the Rindge Conservation Commission. He pointed out the plans for access for each lot. He said that Conservation Commission may want to add a parking lot and a trail head in the future.

Eli Leino of Primmer, Eggleston and Cramer PC of Manchester NH said that he would like to speak to the main point of why they were asking for a variance and configured the lots in the way that they have been. This plan creates more sight distance for the existing sand and gravel operation and a safer way for the large vehicles to have safer access whereas for the ConCom, there is a better site for the parking lot. Attorney Leino said there will be a berm created between the lots to provide an additional level of safety so that hikers do not wander off into the stone and gravel operation.

Chairman Jonah Ketola asked if there would be a different driveway for each lot, or would they be using the same driveway and just veering off. Attorney Leino said the driveways would be completely separate. Dennis McKenney said that there is a short area of larger trees separating the lots for visual purposes. Chairman Jonah Ketola asked if the driveway on the proposed

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Conservation Commission land is existing. Mr. McKenney said that driveway would be a new one. Mr. McKenney said he doesn't see any real sight distance issues there as it is relatively close to the active gravel pit entrance. He said there is a serpentine stonewall that wraps around a wetlands, so that the new driveway would have to stay on the property they are acquiring which follows the edge of the wet ground. Chairman Ketola said that the driveway to be created by the Conservation Commission for their property would require a Driveway Access Permit.

Chairman Ketola asked if the Conservation Commission would have grading within 50 feet of the wetland. David Drouin said this would be for access. David Drouin said there is a manmade ditch in front and that they do not yet have the design for the access.

Holly Koski asked about an access on the top of the plan and asked if that access area would be used for construction. Dennis McKenney said there is a gated access there which he used when he was working there, but it is not a routine access.

Julie Sementa, from the audience, said that they have made the little one-car road much bigger; they have taken out all the trees; they have brought in many truckloads of dirt, they have completely widened this for really big equipment. They have been doing this every day since Veteran's Day. She told Mr. McKenney that a lot had changed since he has been there and asked him to go there tomorrow.

Chairman Ketola asked if a loop road was being put in. Mr. McKenney said he has not been on the site since September and is not aware of this.

Planning Director Kirk Stenersen said that, from a Subdivision Regulation's standpoint, this is not of concern but may be something that the Board of Selectmen's representative may need to be made aware of.

MOTION: Holly Koski moved to grant the requested waivers to Sections V.2.B.1 and V.2.B.2 for wetlands and contours and accept the Minor Subdivision application for Tax Map 8 Lot 11 as presented as substantially complete. Katelyn Smith seconded the motion. **Vote: 5-0-0**

Planning Director Kirk Stenersen read the following from the Planning Office memo.

- The proposed minor subdivision is located in the Residential-Agricultural District.
- There is no public infrastructure or utilities proposed.
- The existing parcel is 349.5 acres with two sections of frontage on Old New Ipswich Road (1,241.53 feet and 137.78 feet) and two sections of frontage on Perry Road (71.06 feet and 91.47 feet).
- The proposed lots are as follows:

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Lot#:	Area (sq. ft.):	Area (acres):	Frontage (ft.):
11*	5,279,472 sq. ft.	121.2 acres	1,153.41 ft. (Old New Ipswich Road) 137.78 ft. (Old New Ipswich Road)
11-2*	9,940,392 sq. ft.	228.2 acres	88.12 ft. (Old New Ipswich Road) 71.06 ft. (Perry Road) 91.47 ft. (Perry Road)

* Lot# 11-1 existed previously.

- The existing Rindge Stone and Gravel operation will remain with Lot 11 and Lot 11-2 is the parcel being subdivided off and will be transferred to the Rindge Conservation Commission.
- The Rindge Stone and Gravel operation will continue to be accessed from Old New Ipswich Road through its frontage.

Chairman Jonah Ketola asked about the status of the gravel pit and its permitting. Planning Director Kirk Stenersen said this has been a continuous operation through the years with different owners. Chairman Jonah Ketola asked if there were reclamation plans in place. Planning Director Kirk Stenersen said there most likely are in the files, however, he has only reviewed this application as it pertains to a Subdivision request. Attorney Eli Leino said that his client purchased this with many permits in place. He said he did not bring these approvals with him tonight, but if the Town would like copies, he can provide those. Planning Director Kirk Stenersen said that the Planning office would appreciate having copies of these documents.

Chairman Jonah Ketola opened the public hearing

Julie Sementa, an abutter, pointed out the location of the homes as well as a stream that flows to Hubbard Pond. She said there is no way to cross without building a bridge. She said this is a horrible plan for those who live around here.

Attorney Eli Leino asked to speak to the abutter's concerns. He said in the proposed subdivision, the option for approving this is to take the larger of the parcels and turn it into conservation land to be used for the benefit of the town. If this subdivision is not granted, Mr. Leino's client still owns the whole parcel. Attorney Leino said he understands that people have concerns about living near a gravel and stone operation, but they are not changing the scope of their operations in any way.

Julie Sementa said that she wants it known that the applicant is saying there is a buffer for the landowners who live around here, and it is not. And so, Conservation can purchase this land and the area where there are powerlines will never have a pipeline on them.

David Drouin said that the property is not being conveyed to the Conservation Commission. It is conveyed to the Town. Mr. Drouin said that ConCom has been working on this project for five
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years. Initially, they were looking to purchase the entire parcel. They raised money through grants and fundraising but before it could be finalized, the previous owner decided to make a different decision. The new owner was then willing to sell some of the acreage. The Town will have the first right of refusal on this property down the line, should the owner decide to move on.

Terry Aho from Perry Road said he is not opposed to this but wanted to know about the Perry Road access. David Drouin said that one access is very steep and very wet and he doesn't see that being used. The other one may be able to be used. Converse Meadow is south of this and Annett State Forest is north of this which would allow for some movement for wildlife.

Planning Director Kirk Stenersen provided the following possible conditions:

- 1) Monumentation (iron pins) shall be set at all new lot corners.
- 2) All applicable governmental permits shall be obtained.
- 3) Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this subdivision plan through other governmental or permitting agencies are hereby included in this approval.
- 4) The applicant or applicant's agent shall provide the Planning Office with an electronic copy (PDF) of the final approved plans.

MOTION: Holly Koski moved to approve the application for the Minor Subdivision application for Tax Map 8 Lot 11 as presented with the aforementioned 4 conditions. Robert Chamberlain seconded the motion. **Vote: 5-0-0**

Chairman Jonah Ketola said that the applicant will provide the Planning Board with the latest excavation plans and permits for Rindge Stone and Gravel operation. This is a request that their attorney has agreed to and not a condition of approval.

Planning Director Kirk Stenersen left the planning table.

Chairman Jonah Ketola read the case description before the Board.

CONSIDERATION OF an application for a Major Site Plan submitted by Higher Design, PLLC on behalf of 997 LLC, PO Box 283, Rindge, NH 03461 for property located at 997 US Route 202, Rindge, NH, Tax Map 2 Lot 60-1-2 in the Business Light Industry District. The applicant is seeking approval for the addition of 28 units (10,080 square feet) of climate controlled storage in two buildings with associated parking and drives.

Chairman Jonah Ketola provided the following from the Planning Office Memo:

Background Information / Completeness:

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1. Higher Design, PLLC, on behalf of 997 LLC, has submitted for approval of a major site plan application for the addition of 28 units (10,080 square feet) of climate controlled mini storage units in two buildings. One building will be 12 units (4320 square feet) and the second building will be 16 units (5760 square feet) with associated parking and drives.
2. If the Planning Board determines that the applicant has provided the Planning Board with the information necessary to make an informed decision on the application. I recommend the Planning Board accept the application as substantially complete and open the public hearing.

Kirk Stenersen of Higher Design PLLC presented the plan before the Board. This parcel obtained approval of a two story-mixed use building in August of this year. After that approval, the owner decided the he would like to add the storage units to this site. This is closed storage so there will be no additional septic loading. The Conservation Commission had a question about the location of the edge of the building and the grading which is of minimal disturbance.

MOTION: Holly Koski moved to accept the 997 LLC Major Site Plan application as presented for Tax Map 2, Lot 60-1-2 as substantially complete. Julie Sementa seconded the motion. **Vote: 6-0-0**

Chairman Jonah Ketola read the following from the Planning Office Memo:

- 1) The proposed project is located in the Business-Light Industry District on Tax Map 2 Lot 60-1-2 (997 US Route 202).
- 2) The subject parcel is 5.05 acres. (219,800 square feet)
- 3) There is an existing two-story, mixed use building on this site that was approved on 8/3/2021.
- 4) The proposed climate controlled mini storage units do not require septic as there will not be running water or restrooms.
- 5) Additional exterior lighting will consist of downcast LED security lighting on the mini storage buildings.
- 6) A new utility pole will be added between the US Route 202 right of way fence and the proposed driveway for power to the storage buildings. Eversource to determine final location. Power will be underground from this utility pole to the storage buildings.
- 7) All disturbed areas not otherwise treated to be loamed with 4" of loam minimum and seeded. There is no additional landscaping proposed for this site.

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- 8) The nearest hydrant/Fire Pond is located at north of the border off of US Route 202. It is 1.0+/- miles to the south of the site.
- 9) The plans indicate the location of the existing sign.
- 10) The submitted Drainage Calculations appear to adequately address the Site Plan Regulations in regards to stormwater runoff.

Chairman Jonah Ketola asked if there were any gutters. Kirk Stenersen of Higher Design said there were not. It is designed for water to flow to the drainage basins. Chairman Jonah Ketola asked about possible controlled gate access with keypad, for now or for the future. The owner, Matt Olson, said they have security cameras and that is their plan.

Chairman Jonah Ketola read a letter from the Conservation Commission into the record. (dated 12/3/2021 on file in planning office). The letter spoke to the grading closest to Route 202 and asked that it be kept to a minimum as well as considering some site preparation or perhaps a site walk by the Planning Board.

Chairman Jonah Ketola opened the public hearing.

Richard Mellor of the Conservation Commission said that in the past, the grading has been changed. Going forward, it is not a steep grade, but it would help to knock this down and restore the grading so that the trees are not buried. Kirk Stenersen said this should not be an issue.

Chairman Jonah Ketola closed the public hearing.

Chairman Jonah Ketola reviewed the possible conditions for this application.

MOTION: Julie Sementa moved to approve the 997 LLC Major Site Plan application as presented for Tax Map 2, Lot 60-1-2 as presented with the following 7 conditions: Holly Koski seconded the motion. **Vote: 6-0-0**

- 1) All applicable governmental permits shall be obtained.
- 2) Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this site plan through other governmental or permitting agencies are hereby included in this approval.
- 3) The site address shall conform to the NH Enhanced 911 naming and numbering system as managed by the Director of Public and Life Safety, Rick Donovan.
- 4) All exterior site lighting shall be downcast lighting and shall be in compliance with the Town of Rindge Site Plan Regulations.

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- 5) All construction, site work, and site operations shall be consistent with the most recent set of plans by Higher Design PLLC for Climate Controlled Storage Site Plan dated November 9, 2021 or subsequently amended and associated documents (e.g. Drainage and Stormwater calculations dated November 9, 2021).
- 6) The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.
- 7) Adhere to the Conservation Commission's recommendation about grading on the northwest corner of the property.

Chairman Jonah Ketola said that there is an additional driveway permit with the State for this additional use in our files.

Bob Hamilton asked if the additional storage will be gone. Matt Olson said they have moved this out back and are going to screen it.

Planning Director Kirk Stenersen returned to the planning table.

Planning Office Report

1. Wetlands Ordinance Discussion

Planning Director Kirk Stenersen said that he has been out sick for some time and is dealing with other issues and has not been able to do anything with this at this time. The Board is running out of time to address this for the warrant this year. David Drouin of Conservation Commission said that there is still the need for discussions regardless of meeting the March deadline. Richard Mellor said, with a skeleton committee at this time, they can look at this, take the time needed to get it right. Chairman Jonah Ketola said at this time, this is not urgent and the applicants are doing their best to conform. Chairman Ketola said that perhaps a once a month meeting to address this would be appropriate.

Other Business

Meeting Adjourned at 9:45 PM

Respectfully Submitted,
Planning Office Staff