

Meeting Minutes  
March 2, 2021  
JP, KM, HK, KS, RO, KS

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
March 2, 2021**

**DATE:** March 2, 2021      **TYPE:** Public Hearing      **APPROVED:** April 6, 2021  
**TIME:** 7:00 pm  
**CALL TO ORDER:** 7:00pm  
**ROLL CALL MEMBERS:** Roberta Oeser, Ex Officio, Kim McCummings, Jason Paolino, Holly Koski, Katelyn Smith  
**ROLL CALL ALTERNATES:** None  
**ABSENT:** Jonah Ketola, Sam Bouchie, Cheves Walling  
**EX OFFICIO:** Roberta Oeser  
**PLANNING DIRECTOR:** Kirk Stenersen  
**APPOINTMENT OF ALTERNATES:** None  
**OTHERS PRESENT:** Julie Sementa

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**Call to order and Pledge of Allegiance**

Planning Director Kirk Stenersen stated that per the Rules of Procedure in the absence of both the Chairperson and Vice-Chairperson, an Acting Chairperson shall be chosen by a majority of the Board. Jonah Ketola and Sam Bouchie are not here this evening so the Board needs to appoint an Acting Chairperson for the evening.

**Motion:** Kim McCummings made a motion to appoint Jason Paolino as Acting Chairperson for the evening and seconded by Roberta Oeser.

**Vote:** Aye: 5, Nay: 0, Abstain: 0.

Acting Chairman Paolino opened the meeting with the pledge of allegiance. Acting Chairman Jason Paolino also announced that the proceedings were being shown via ZOOM for observation only, there will be not public input via ZOOM.

**Roll call by Chairperson**

Kirk Stenersen, Planning Director, Roberta Oeser, Ex Officio, Kim McCummings, Jason Paolino – Acting Chairman, Holly Koski, Katelyn Smith

**Appointment of alternates, if necessary**

None appointed.

**Announcements and Communications**

Roberta announced that the Town Meeting is next Tuesday, the 9<sup>th</sup> of March from 7:00 a.m. to 7:00 p.m. at Rindge Memorial School.

Katelyn Smith announced that there is a Community Meals to Go Project at the South Meadow Middle School upper lot for the Monadnock region. It starts at 5PM and lasts until the meals are

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gone on Mondays and Thursdays. You just drive through no questions asked and get a cold meal to go that can be heated up at home.

**Approval of Minutes:**

**1. February 2, 2021**

**Motion:** Holly Koski made a motion to approve the minutes of February 2, second by Kim McCummings **Vote:** Aye: 5, Nay: 0, Abstain: 0, the minutes are approved.

**New Business/ Public Hearings**

Public Hearing concerning amendments to the Planned Unit Residential Development (PURD) regulations. The purpose of this hearing is to receive public input prior to the amendment of this regulation.

Acting Chairman Jason Paolino stated that the PURD regulations have been discussed for a number of months by the Planning Board.

Roberta Oeser stated that she thinks this is huge step in the right direction. She has been concerned with the way the PURD's have been used in recent years. She believes that these changes to the PURD regulations in addition to the proposed Zoning changes gets back to what the intention of what the PURD regulation was.

Acting Chairman Jason Paolino opened up the hearing for public input and read the following letter into the record:

March 1, 2021

Town of Rindge  
Planning Board  
30 Payson Hill Rd.  
Rindge, NH 03461

Subject: Public Hearing – PURD Regulation

I cannot attend the Planning Board's March 2, Public Hearing on changes to the PURD Regulation. I request that my comments be read into the record.

**Comments.**

Last fall I was fortunate to be a member of the Planning Board's Planned Unit Residential Development Subcommittee. Over the course of nine, sometimes very long, meetings the members researched, respectfully discussed and came to consensus on many issues arising from the current PURD Regulation.

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I fully support the Subcommittee's recommendations, especially removing Workforce Housing, improving the definition of Open Space, specifying the average and minimum lot sizes for dwelling units, and "cleaning up" discrepancies between the PURD Regulation and Zoning Ordinance. Taken together, they are an important step forward.

In one area, I believe the Subcommittee fell short of taking a big enough step. We did not recommend increasing the amount of Open Space that is required. One of my tasks for the Subcommittee was to review the Zoning Ordinances of neighboring towns to determine how they are handling developments similar to PURDs.

Here is what I found. Rindge protects significantly less land from development than any of the surrounding towns. The numbers tell the story. Let's assume a 10-acre parcel is being developed as a PURD. Rindge's PURD Regulation requires 25% of the parcel (or 2 ½ acres in our example) to be Common Land. Of that Common Land, 50% (or 1 ¼ acre) is to be left in its natural state. Of the original 10-acre parcel, only 1 ¼ acre is left undisturbed to supposedly protect our natural resources, our groundwater, our aquifers, our wildlife corridors, our rural character and our way of life.

In the same scenario, rather than conserving 1 ¼ acres, New Ipswich would preserve 5 ½ acres; Jaffrey, 4 acres plus 100% of all wetlands; Fitzwilliam, 4 acres; Peterborough and Dublin, 5 acres; Troy, 2 ½ to 7 ½ acres; and Harrisville, 4 to 8 acres. Rindge is clearly an outlier and not in a positive direction.

This is a crucial issue for our Town. No water flows into Rindge. Every drop of water we drink, has fallen from the sky at some point in time. Of all the nearby towns, Rindge has the greatest need to protect our forests and wetlands from development so that our drinking water stays pure and available.

I recommend that the Planning Board increase the minimum Open Space requirement to 40% of the parcel from the current negligible 12.5%.

The immediate objection will be, "The math doesn't work. We can't set-aside 40%." To this I say, "The math does work. There is no reason to keep Open Space at 12.5%, other than a lack of will to preserve our land at a level similar to surrounding towns."

In conjunction with this, I recommend adding that the Conservation Commission will review and advise the Town prior to the acceptance of any PURD's covenants, easements, and/or restrictions running with the land that are designed to protect Open Space.

Although the current PURD Regulation calls for protection of Open Space, the reality is that PURDs have been approved with no differentiation between Open Space and Common Land. Even septic systems and land clearing have been approved in Open Space. I have reviewed the covenants and deed restrictions for various PURDs in Rindge. To date not a single one of the PURD documents I have reviewed provides the protection of Open Space required by New Hampshire laws under which Rindge's PURD Regulation was authorized.

In order for the Planning Board to fulfill its duties to the Town, I reiterate my recommendations: 1) increase the minimum Open Space requirement to 40% of the

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parcel, and 2) add review by the Conservation Commission of Open Space covenants, easements, and/or restrictions.

The people of Rindge deserve and need greater protection of their rural land, water and natural resources.

Respectfully,

Deni Dickler  
97 Old Jaffrey Rd.  
Rindge, NH

The Board briefly discussed some of the calculations presented in the letter. Also discussed was whether the type of suggested changes would require community water and septic systems due to lot size. The comment was made by Katelyn Smith that as you are increasing the required open space you are decreasing lot sizes. There needs to be a balance between preserving land and property owners having rights to develop their property. Roberta Oeser commented that the New Hampshire Society for the Protection of Forests came out with a percentage of land that should be protected and she believes Rindge is over that already. They take into consideration land that cannot be built on such as lakes, ponds and wetlands as well as land that is in conservation land and she does not think it includes PURD land. Discussion took place on what authority the PURD was passed under. It was noted that the Town of Rindge PURD was adopted prior to innovative land use controls.

Acting Chairman Jason Paolino suggested that this is not something that needs to be changed this time around but can be looked at in the future. The suggestion was made to move forward with the public hearing.

Roberta Oeser commented that Jason Paolino wrote a very thoughtful e-mail to the committee members and she agrees that this was a good process that is moving in the right direction.

**Motion:** Roberta Oeser made a motion to adopt the amended Planned Unit Residential Development Regulations as presented, second by Holly Koski.

**Vote:** Aye: 5, Nay: 0, Abstain: 0, the Planned Unit Residential Development Regulations have been amended.

Acting Chairman Jason Paolino thanked the Planning Board for voting for the changes and thanked each of the committee members, Deni Dickler, Julie Sementa, Kirk Stenersen, Holly Koski, Roberta Oeser, Sharon Rasku, Roni Hamilton, Dan Aho and Judy Unger-Clark who worked many weeks and long nights to get the changes completed.

Roberta Oeser stated that she thinks the Board and the town owes a great debt to Jason Paolino for chairing the committee and seeing this through. The Board agreed.

### **Reports of Officers and Subcommittees**

Acting Chairman Jason Paolino stated that the PURD regulations were just a part of the process and the second part is warrant articles 2 through 7 at town meeting next week.

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**Planning Office Report**

Planning Director Kirk Stenersen stated that there are no new applications as of this point but he anticipates an application for the Market Basket plaza for a stand alone liquor store and an addition for a Marshalls.

Planning Director Kirk Stenersen noted that this is Jason Paolino's last meeting as a member of the Planning Board and thanked him for his service to the town and the Planning Board. Acting Chairman Jason Paolino stated that he has enjoyed his time serving on the Planning Board and thinks there is great balance on the Board. The Board spent a few minutes reminiscing over the last six years with Jason Paolino on the Board.

Acting Chairman Jason Paolino also noted that this is Roberta Oeser's last meeting as ex-officio and thanked her for her service on the Planning Board.

Meeting adjourned 7:28 pm

Respectfully submitted,

Kirk L. Stenersen, P.E.  
Planning Director