

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
September 6, 2022**

DATE: September 6, 2022 **TYPE:** Public Hearing **APPROVED:** 10/4/2022

TIME: 7:00 pm

CALL TO ORDER: 7:00pm

ROLL CALL MEMBERS: Jonah Ketola, Sam Bouchie, Kim McCummings, Holly Koski, Julie Sementa, Bob Hamilton, Katelyn Smith

ROLL CALL ALTERNATES: Joel Aho, Robert Chamberlain

ABSENT: none

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: none

OTHERS PRESENT: Dan Cadorette, Deb Cadorette, Sarah Lorigan, Dustin Foucher, Kelen Geiger, George Chadwick, Arthur Knight, Lauralei Knight, David Drouin, Richard Mellor, Judy Unger-Clark, Roni Hamilton, Ashley Saari, Jed Paquin

Call to order and Pledge of Allegiance

Roll call by Chairperson

Announcements and Communications

Kim McCummings said it should stop raining by Thursday. Please stop by the Farmer's Market.

Bob Hamilton said that the Rindge Women's Club Annual Harvest Fair will be held Saturday, September 24, 2022 from 9AM to 2PM at the Rindge Rec Center.

Approval of Minutes:

1. August 2, 2022

MOTION: Holly Koski moved to approve the minutes as written. Kim McCummings seconded the motion. **Vote: 7-0-0**

New Business/ Public Hearings

1. **CONSIDERATION OF** an application for a Minor Subdivision submitted by Rose Knight, PO Box 86, Rindge, NH 03461 and Arthur Knight, 32 Jericho Road, Rindge, NH 03461 for property located at Perry Road, Tax Map 7 Lot 87 in the Residential-Agricultural Zoning District. The applicants are seeking approval for a two lot subdivision.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

Planning Director Kirk Stenersen provided the following from the Planning Office memo:

Background Information:

- 1) Paquin Land Surveying, PLLC on behalf of Rose Knight and Arthur Knight has submitted for approval of a 3-lot subdivision of land located at Perry Road and known as Tax Map 7 Lot 87.
- 2) The applicant has requested the following waivers, quoted from the waiver request letter submitted by Paquin Land Surveying, PLLC:

“From Section V.1.A.2.f from the Subdivision Regulations that requires the septic system to be shown on proposed lot 87-1 because the owners are not aware of the size, type nor location of the existing septic system. It is my professional opinion that there is sufficient space and suitable soil conditions (based on USDA Mapping) to accommodate a new septic system if one is needed in the future. There are also no wetlands thereon in close enough proximity to the existing dwelling that they would affect a new sewage disposal system if one was needed. There is no present intention to alter/change the use of the existing dwelling.”

“From Section V.2.B.1 from the Subdivision Regulations that requires wetlands be shown on the entire parcel being subdivided because I have shown the wetlands that affect the proposed lots and shown that a residential dwelling could be constructed on the proposed lots in conformance with Town and State Regulations and Ordinances.”

“From Section V.2.B.2 from the Subdivision Regulations that requires contours be shown on the entire parcel being subdivided because I have shown the contours that affect the proposed lots and shown that a residential dwelling could be constructed on the proposed lots in conformance with Town and State Regulations and Ordinances.”

- 3) If the Planning Board grants the three waivers, the application can be considered substantially complete and the Planning Board has the information necessary to make an informed decision on the application.

Regarding the Application:

- 1) The proposed minor subdivision is located in the Residential-Agricultural District.
- 2) There is no public infrastructure or utilities proposed.
- 3) Perry Road is a Class V road.
- 4) The existing parcel is 65.08 acres (2,835,100 square feet) with 1879.30 feet of frontage on Perry Road.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

- 5) The proposed lots are as follows:

<u>Lot #</u>	<u>Area (sq. ft.)</u>	<u>Area (acres)</u>	<u>Frontage (ft.)</u>
87-1	905,700 sq. ft.	20.79 acres	433.19 ft.
87-2	943,900 sq. ft.	21.67 acres	625.80 ft.
87-3	985,500 sq. ft.	22.62 acres	820.31 ft.

- 6) The existing dwelling will remain on lot 87-1.
- 7) The existing lot will continue to be accessed from Perry Road through its frontage. The proposed lots will also be accessed through its frontages on Perry Road.

Jed Paquin reviewed the plan that is in front of the Board. He said this is approximately 65 acres of land to be split into three lots. Mr. Paquin addressed his waiver requests. Mr. Paquin said that he spoke with Mike Cloutier today regarding the pending driveway permits and they do not expect any difficulties in these locations.

Sam Bouchie asked Mr. Paquin to speak to how much of the third lot is wet. Mr. Paquin pointed out the area marked 347B on the Supplemental Plan and said that area is a wetland. Jed Paquin said most of the rear portion is a gradual slope and dry land. He said the setback is tight but does meet the requirements. Mr. Paquin said there are no proposals at this time for further development on these lots but he is showing that these lots can meet Town and State regulations for future building.

Planning Director Kirk Stenersen said that the Board would still need to look at this from the position of whether or not they are buildable lots.

MOTION: Holly Koski moved to grant the waivers to the Subdivision Regulations for Article V.1.A.2.f, Article V.2.B.1 and Article V.2.B.2 as presented and to accept the Minor Subdivision application for Tax Map 7 Lots 87 as presented as substantially complete. Julie Sementa seconded the motion. **Vote: 7-0-0**

Chairman Jonah Ketola opened the public hearing.

Dan Cadorette asked if he could get a copy of the plan. Sam Bouchie said there is a PDF on file.

Dustin Foucher, 66 Perry Road, asked if there is concern about water coming down into his side of the road. Jed Paquin said there is no proposed development at this time. Jed Paquin said the lot line is right across from Mr. Foucher's driveway and he pointed out on the plan the area where nothing could be constructed.

Sarah Lorigan, 66 Perry Road, asked if a driveway were constructed, how long it might be. Jed Paquin said from 700 feet to 1500 feet. Chairman Jonah Ketola said that what they are

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

proposing right now is 50 feet but if someone wanted to build further back, it could go to 1500 feet.

Dan Cadorette asked if this has been surveyed and marked. Jed Paquin said he found Mr. Cadorette's lot lines and boundaries and the rebar is in close proximity to the trail.

Planning Director Kirk Stenersen read into record a letter from ConCom dated August 31, 2022. (on file in the planning office).

Jed Paquin said that the pins have been set.

Chairman Jonah Ketola closed the public hearing.

Planning Director Kirk Stenersen provided the following recommendations from the Planning office memo:

Recommendation:

I recommend approval of this minor subdivision subject to the following 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 version (PDF) of the final approved plans.

MOTION: Holly Koski moved to grant approval of this Minor Subdivision application for Tax Map 7 Lot 87, as presented with the 4 aforementioned conditions. Kim McCummings seconded the motion. **Vote: 7-0-0**

Planning Director Kirk Stenersen left the planning table due to a conflict with this application.

- 2. CONSIDERATION OF** an application for a Major Site Plan submitted by Bedford Design Consultants, Inc. on behalf of Traven Development, LLC, P.O. Box 283, 1448 N.H. Route 119, Rindge, NH 03461 for property located at US Route 202 and Thomas Road, Tax Map 6 Lot 14-1 in the Gateway Central Zoning District. The applicant is seeking approval for a mixed use development with 3 commercial units and 8 – 3 bedroom residential units in a condominium development.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

Chairman Jonah Ketola introduced the next case before the Board and provided the following from the Planning Office memo.

Background Information

1. Bedford Design Consultants, Inc. on behalf of Traven Development has submitted for approval of a Major Site Plan for a proposed mixed use development with 3 commercial units and 8 – 3 bedroom residential units in a condominium development.
2. The applicant has received a Variance for approximately 6,900 square feet of wetlands buffer disturbance via ZBA Case #1192 on July 26, 2022.
3. The applicant has requested a waiver from Section IV.3.E of the Driveway Access Regulations for the main driveway to slope at 2% for 20' away from Thomas Road travel way.
4. Planning Board Chairman Jonah Ketola and Vice Chairman Sam Bouchie conducted a completeness review and determined that the applicant has provided the Planning Board with the information necessary to make an informed decision on this application. I recommend the Planning Board grant the driveway waiver, accept the application as substantially complete and open the public hearing.

George Chadwick of Bedford Design provided the Board with an 11" x 17" plan set to review. Mr. Chadwick said he is here tonight representing Traven Development and GFA Credit Union.

- The applicant met with the Conservation Commission and did receive a variance for a wetlands buffer disturbance. The wetlands were flagged by Beaver Track LLC who also provided the soils on this plan.
- The entire length of US Route 202 and the frontage on Thomas Road is considered by the State to be a Controlled Access Right of Way and no curb cuts will be granted. Mr. Chadwick pointed out the allowable access to this property. As a result if this, it has required more grading and earth disturbance.
- 3 commercial units and 8 residential units will all be accessed via a single driveway, 24 foot wide, paved, with a closed drainage system.
- A parking plan has been provided for this development. A dumpster will be provided for the commercial units but the residential units will handle their own trash.
- The sign will be visible from US Route 202.
- This project is designed with septic and wells and Mr. Chadwick pointed out their locations.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

- There will be 5 septic systems and 2 wells.
- Both landscaping and lighting plans have been provided.
- The applicant is requesting a driveway waiver to Section IV.3.E due to the grade that is necessary to climb the hill to get to a flat spot. All surface water will not be running out to existing town roads.

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

Regarding the Application:

- 1) The proposed project is located in the Gateway Central Zoning District on Tax Map 6, Lot 14-1 at US Route 202 and Thomas Road.
- 2) The subject parcel is 5.321 acres.
- 3) Access to the site will be via a private driveway off of Thomas Road. Thomas Road is a Class V road.
- 4) Government Permits shall include NH DES Subdivision approval; NH DES AoT (Alteration of Terrain) and NH DES (for septic systems #1 through #5))
- 5) Copies of this plan were distributed to ConCom and Building/Fire and Safety Depts.
- 6) The multifamily structures will need to conform to E-911 numbering. This is coordinated through the public and life safety directory.
- 7) Open Space Requirement: The density, frontage, yard, area and open space requirements set forth in the Rindge Zoning Ordinance, Article X-Gateway Central District, Section C.3.d may be modified by the Planning Board as outlined in Section C.3.c of the Zoning Ordinance (page 16).
- 8) The Drainage Computations (dated July 7, 2022) appear to adequately address the Site Plan Regulations
- 9) Total parking spaces shown are 37 which includes 2 H/C spaces and 9 garage spaces.
- 10) Exterior parking lot lighting will be downcast lighting and shall meet the Town of Rindge Site Plan Regulations.
- 11) The proposed signage shall meet the Town of Rindge Sign Ordinance specifications.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

- 12) The applicant has submitted condominium documents for the file. I recommend that the Planning Board require that these documents be reviewed by Town Counsel at the applicant's expense. It is recommended that the Board not grant final approval of the condominium site plan until Town Counsel is satisfied with the documents.

Bob Hamilton said he has heard that the State of New Hampshire is trying to grant monies to be used for Workforce Housing. It is Bob's understanding that those applications needed to be submitted by last Friday. Bob asked if this project is for apartments or for condominiums.

George Chadwick said that a condominium is merely a form of ownership. Ownership of these units could remain with the owner and could be rented out; that is unknown at this time.

Holly Koski asked if ConCom had reviewed this project. David Drouin said that ConCom did not send a letter directly to this application as they had reviewed this for the ZBA (Zoning Board of Adjustment) variance.

Katelyn Smith asked if Rick Donovan, Director of Life Safety had reviewed this driveway. George Chadwick said they had.

MOTION: Holly Koski moved to accept the "Rindge Estates" Major Site Plan Application for Tax Map 6 Lot 14-1 as substantially complete. Katelyn Smith seconded the motion. **Vote: 7-0-0**

Chairman Jonah Ketola asked George Chadwick to review the common areas shown on the plans. George Chadwick reviewed the common areas and the location of the lights for the driveway and for each residential and commercial unit.

Chairman Jonah Ketola said that the application speaks to three bedroom units but the plans only show two bedroom units. George Chadwick said that the septic systems are designed for three - bedroom units, but at this time, the plan is to only build two-bedroom units. Mr. Chadwick said he is willing to provide the three bedroom unit plans if the Board would like them. He said the size of the unit would not change.

Holly Koski asked for the location of snow storage. Mr. Chadwick showed those locations on the plan.

Vice Chairman Sam Bouchie said he had driven by the site and it is all trees at this time. Will he be able to see this development when he drives by. George Chadwick said you would be able to see it through the trees in the wintertime. George Chadwick said one of the forces driving this plan is the "controlled access" from Route 202. Sam Bouchie asked if there was a waiver process by which they could appeal that decision. George Chadwick said there is not. Chairman Jonah Ketola asked Mr. Chadwick to review the elevations of the driveway on the plan.

Bob Hamilton said that part of the creation of the Gateway Central District was to have mixed uses while providing for the preservation of open space. Mr. Hamilton asked if there was any

2022-09-06 Planning Board Minutes

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

open space aside from the common area that Mr. Chadwick had outlined. George Chadwick said there is over thirty percent of land area that is unencumbered by buildings, parking, etc. As to passive recreation or active recreation, there is none.

Bob Hamilton said he is still a bit worried that the intent is to have affordable housing here for at least the next five years which is the 'lock-in' requirement from the State. George Chadwick said he cannot give Mr. Hamilton a definitive answer about that. Kirk Stenersen of Higher Design, PLLC, said this is a new program that the State is doing and he is not sure of the details at this time. Chairman Jonah Ketola said the condominium ownership makes it a bit safer for the Town as they are held to many requirements following the review by Town Counsel. Joel Aho said he doesn't know why you would set this up as condos if your plan is to rent them.

Kim McCummings asked where the zoning line is between Gateway Central and ResAg and where the driveway entrance would be. The Residential - Agricultural zoning district line is the property line.

Chairman Jonah Ketola opened the public hearing.

Ashley Saari, Thayer Road, Rindge as well as the Ledger Transcript asked what the plans were for the commercial building. George Chadwick said it is a single building split into three units. At this point in time, they do not have a tenant for these. Ashely Saari asked for the square footage of these units. Chairman Ketola said it was 32' x 48' for each unit, two stories, which includes the garage. The upstairs would be about half of that for the bedrooms. Ashely Saari asked about a timeframe for this project. George Chadwick said he did not know.

Roni Hamilton asked if the 5 acres goes to Perkins Road. George Chadwick said it does not. Mrs. Hamilton asked to see a picture of the condominiums. George Chadwick provided the exterior as well as the plans for the interior units.

Judy Unger Clark said she is concerned about the driveways into the property and the commercial units. Judy Unger Clark asked if there was another entrance. George said there is not. Judy Unger Clark asked for the location of the rail trail. Jonah Ketola said it is straight south from the property. The Town of Rindge owns the land between the rail trail and the Thomas Road property.

Sam Bouchie asked about the drainage plans. George Chadwick reviewed the plans which showed paved swales along the curb line and is collected under the driveway. The entire driveway will not run in to Thomas Road.

Robert Chamberlain asked if the area would be flat enough to put a swing set for the kids. George Chadwick said there is an area that is flat. Holly Koski asked if that would be allowed. Jonah Ketola said it would be up to the Condominium Association to decide.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

Bob Hamilton asked about the Phased Development Ordinance. George Chadwick said that this application is for a Major Site Plan and the Phased Development Ordinance applies to Major Subdivision applications. Therefore, this application is not subject to Phasing.

George Chadwick asked if the review of the Condominium documents be made as a condition of approval. Chairman Jonah Ketola said that is a reasonable request.

Chairman Jonah Ketola closed the public hearing and provided the following recommendations from the Planning office memo:

Recommendation: Pending the Planning Board's review, consideration and satisfactory addressing the application and any concerns that may arise, I suggest the following as possible conditions of approval for "Rindge Estates" major site plan application for Tax Map 6 Lot 14-1:

1. All applicable governmental permits shall be obtained which may include but are not limited to NH DES for 5 septic systems, NH DES AoT (Alteration of Terrain), NH DES Subdivision approval (for condos), Town of Rindge Driveway permit.
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.
5. The proposed signage shall meet the Town of Rindge Sign Ordinance specifications.
6. Declaration of Condominium documents shall be approved by Town Counsel at the Owner's expense.
7. All construction, site work, and site operations shall be consistent with the most recent set of plans by Bedford Design Consultants Inc. for Rindge Estates Site Plan prepared for Traven Development, LLC, dated July 6, 2022, or subsequently amended and associated documents (e.g. Drainage Computations for Rindge Estates at Thomas Road and US Route 202, Rindge, New Hampshire – dated July 7, 2022).
8. The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

Chairman Jonah Ketola asked if the NH AoT process has started. George Chadwick said they have submitted the application and should hear on it any day now.

Katelyn Smith asked about condition #6, the review of condominiums, and if there should be a note that any changes should be added to the Site Plan. Bob Hamilton said the word “approved” should be replaced with “reviewed”. Chairman Ketola and Katelyn Smith provided the following change to the wording of condition #6 as follows:

“Declaration of Condominium documents shall be reviewed by Town Counsel at the Owner’s expense. The final plans shall be revised as necessary to reflect any changes required to the Condominium documents.”

MOTION: Holly Koski moved to grant approval of the “Rindge Estates” major site plan application for Tax Map 6 Lot 14-1 as presented with the 8 aforementioned conditions, with the modification to condition #6. Sam Bouchie seconded the motion. **Vote: 7-0-0**

Those conditions are:

1. All applicable governmental permits shall be obtained which may include but are not limited to NH DES for 5 septic systems, NH DES AoT (Alteration of Terrain), NH DES Subdivision approval (for condos), Town of Rindge Driveway permit.
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.
5. The proposed signage shall meet the Town of Rindge Sign Ordinance specifications.
6. Declaration of Condominium documents shall be reviewed by Town Counsel at the Owner’s expense. The final plans shall be revised as necessary to reflect any changes required to the Condominium documents.
7. All construction, site work, and site operations shall be consistent with the most recent set of plans by Bedford Design Consultants Inc. for Rindge Estates Site Plan prepared for Traven Development, LLC, dated July 6, 2022, or subsequently amended and associated documents (e.g. Drainage Computations for Rindge Estates at Thomas Road and US Route 202, Rindge, New Hampshire – dated July 7, 2022).

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

8. The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.

Planning Director Kirk Stenersen returned to the planning table.

Planning Office Report

House Bills 1021 and 1661

Planning Director Kirk Stenersen spoke to House Bills 1021 and 1661 signed by the Governor. Per #1661, beginning on July 1, 2023, incentives established for older persons shall be deemed applicable to workforce housing. Kirk Stenersen read from the Zoning Ordinance, Article V.A.6 as it pertains to Elderly Housing:

"6. Elderly Housing is allowed upon the granting of a Special Exception by the Board of Adjustment when the Board is satisfied that the proposed use meets the requirements imposed by Article XV,B and subject to Site Plan approval from the Planning Board with the following conditions:

- a. When the development is proposed, either within existing buildings or new construction, certain density or intensity of land use, frontage, yard and setback requirements may vary from the provision of this ordinance, only with Site Plan approval by the Planning Board.*
- b. The maximum allowable dwelling units will be determined by the Planning Board based on on-site septic and well capacity and the impact on existing land uses in the area."*

Bob Hamilton said that, if the state is going to arbitrarily decide what is going to go on in our town, we should take away any incentives that may exist for senior housing. By eliminating the incentives for senior housing, we are removing the incentives for workforce housing.

Planning Director Kirk Stenersen said he has only taken a preliminary look at this but it appears to mean that a developer can come in and build workforce housing using the same criteria as elderly housing. The wording changed from "may" to "shall" so anywhere Elderly Housing is allowed, so then is Workforce Housing.

Bob Hamilton said that another part of this was that Planning Board members will be expected to take training courses and will be unable to vote if they don't. Local control is being taken from Planning and Zoning. Roni Hamilton said they have been fighting this for years. The local control is being taken away.

CDBG Grant program for Housing

2022-09-06 Planning Board Minutes

Meeting Minutes
September 6, 2022
JK, SB, KM, HK, JS, BH, KS, JA, RC, KS

Planning Director Kirk Stenersen said that Jamison Van Dyke is trying to go through this process with the Dale Farm Road project (Map 2, Lot 45). Kirk Stenersen provided the Board with the wording from the petition warrant articles from 2014 which may require a vote of the Town Meeting prior to accepting any grant monies. He said that he has not had time to study this process but wanted to update the Board on what he does know.

Wetlands Ordinance Discussion

Chairman Jonah Ketola asked the Board to review the letter sent by David Drouin regarding the Wetlands Ordinance. The next work meeting will take place on September 20th. Chairman Jonah Ketola said he would like to try to work to get an understanding of the changes that are required to make this process work better.

Katelyn Smith asked how much shore land is in Rindge. The answer was ‘a lot’. Kirk Stenersen said he can find the answer for Katelyn.

Richard Mellor asked if the Board had received the packet he sent. Chairman Jonah Ketola said that everything has been sent out but they are not going to discuss everything until they are at a noticed work meeting.

Meeting Adjourned at 9:02 PM

Respectfully Submitted,
Planning Office Staff