

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
November 1, 2022**

DATE: November 1, 2022 **TYPE:** Work Meeting **APPROVED:** December 6, 2022

TIME: 7:00 pm

CALL TO ORDER: 7:00pm

ROLL CALL MEMBERS: Sam Bouchie, Julie Sementa, Katelyn Smith, Bob Hamilton

ROLL CALL ALTERNATES: Joel Aho, Robert Chamberlain

ABSENT: Jonah Ketola, Kim McCummings, Holly Koski

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: Joel Aho for Jonah Ketola; Robert Chamberlain for Holly Koski

OTHERS PRESENT: Roniele Hamilton, Kelen Geiger, Karl Pruter arrived 8PM

Vice Chairman Sam Bouchie called the meeting to order.

Pledge of Allegiance

Roll call by Vice Chairman

Appointment of alternates

Joel Aho to sit for Jonah Ketola; Robert Chamberlain to sit for Holly Koski

Announcements and Communications

Planning Director Kirk Stenersen said he expected to have a full agenda this evening, but two applications that had been submitted were incomplete and did not meet the deadline for application submittals and the third was a conceptual consultation and they had a scheduling conflict.

Bob Hamilton announced that elections are being held November 8, 2022, 7 AM to 7 PM Rindge Memorial School.

Holly Koski resignation letter

Kirk Stenersen read Holly's letter into record. She has moved and no longer lives in the Town of Rindge.

MOTION: Bob Hamilton moved to accept Holly's resignation and to thank her for her many years of service to the Town of Rindge Planning Board. Katelyn Smith seconded the motion.

Vote: 6-0-0

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

Planning Director Kirk Stenersen said based on the Rules of Procedure, this Board can choose to either appoint someone to fill this term until elections or an alternate at each meeting. Bob Hamilton said appointing someone at each meeting might lead to a situation where we may not have 4 elected or appointed positions (a quorum) to open a meeting. The Board decided to appoint someone to complete this term.

MOTION: Bob Hamilton moved to appoint Joel Aho to fill Holly Koski's seat until March 2023 elections. Katelyn Smith seconded the motion. **Vote: 5-0-1** (Joel abstained)

Kelen Geiger asked if this appointment was until Holly's term was up, or just at the March elections. This would be just until the next election when the Board will post for a two year position (rather than the traditional three years).

A discussion took place concerning the possible need for another alternate to serve and Sam Bouchie asked Kelen Geiger to consider serving in this seat. She attends all the meetings, is not afraid to speak up and express her opinions and concerns. Kelen said she does not have a complete knowledge of all the rules, but she would think about Sam's invitation and let the Board know.

Vice Chairman Sam Bouchie said that he will not be seeking re-election. He will be retiring from all the Boards that he is sitting on. Sam Bouchie said he has served for 33 years in municipal government and is ready to step down. Board members expressed their appreciation to Sam for his service and said he will be missed.

Approval of Minutes:

1. October 4, 2022

MOTION: Julie Sementa moved to accept the minutes of October 4, 2022 as written. Bob Hamilton seconded the motion. **Vote: 3-0-3** (Katelyn, Sam and Robert abstained)

Old Business/Continued Public Hearings

DISCUSSION and decision regarding three quotes as outlined in Condition #2 of the Notice of Decision for a Minor Site Plan submitted by Industrial Tower and Wireless, LLC, 40 Lone Street, Marshfield MA, 02050 for property located at 25 Bemis Tavern Road, Rindge, NH, Tax Map 9, Lot 13-3 in the Residential-Agricultural Zoning District. Condition #2 reads as follows:

"Industrial Tower and Wireless LLC (ITW) shall provide the Town of Rindge with three estimates for the removal of the tower for a Performance Bond as outlined in Section VI #3 Security of Removal (Telecommunication Facilities Ordinance) The Planning Board will choose the estimate and ITW will provide the bond."

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

Planning Director Kirk Stenersen said that three bond estimates were provided that are all quite similar. They are: New England Electrical Contracting: \$18,000.00; Industrial Communications LLC: \$17,100.00 and Green Mountain Communications: \$17,700.00. There is no contingency nor anything to deal with inflation. Bob Hamilton suggested going with the highest bid.

Planning Director said we are choosing a bond for something that may not happen for another 25 years. Bob Hamilton said, by choosing this bond amount, we are not choosing who will perform the service.

MOTION: Bob Hamilton moved to set the bond amount at \$18,000.00, Julie Sementa seconded the motion. **Vote: 6-0-0**

New Business/ Public Hearings

1. Wetlands Ordinance review

Planning Director Kirk Stenersen said he made the two upgrades (Section 8D and Section 12R Vernal Pool) that were discussed at the last meeting.

Planning Director provided the Board with the following proposal to be sent to public hearing.

2023 Proposed Zoning Amendment

Article #2:

Are you in favor of the adoption of this Amendment to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:

Amend the Wetlands Conservation District Ordinance by 1) modifying Section 2 – Description of District to clarify the area of minimal disturbance; 2) modifying Section 4 – Permitted Uses to clarify when approval by the State Wetlands Bureau is required; 3) modifying Section 7 – Restricted Uses to clarify the restrictions on certain uses within the Wetlands Conservation District; 4) modifying Section 8 – Application Review Provisions by requiring that the Rindge Conservation Commission receive written notice from the Planning Board of any application that directly impacts the Wetlands Conservation District; 5) modifying Section 12 – Definitions by updating select definitions; 6) renumbering and correcting references within the Ordinance as required due to the changes to the Ordinance.

This amendment is intended to clarify the Town of Rindge Wetlands Conservation District Ordinance for clarity in interpretation between Rindge land use boards.

Katelyn Smith asked if the actual changes would be available to the public. Planning Director Kirk Stenersen said that a copy would be available in the planning office and it is spelled out in the minutes as well.

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

MOTION: Katelyn Smith made a motion to send the proposed amendments to the Wetlands Conservation District Ordinance to public hearing on December 6th, 2022 at 7:00 p.m. Robert Chamberlain seconded the motion. **Vote: 6-0-0**

SFD Building Code-Discussion

Planning Director Kirk Stenersen said that Rick Donovan came into the planning office last Wednesday. Currently we follow State Building Code and have for some time. This has not been a problem. As of 2024, every town will have to follow State Building Code. They are trying to eliminate the “not in my town” restrictions. Our existing ordinance was adopted in March of 2005 as an SFD Building Code (Single Family Dwelling). Rick would like to get ahead of the game as has been done in Merrimack, Milford and Nashua. The language came directly from the State Building office and is clarifying what has been done for years.

Article #3:

Are you in favor of the adoption of this Amendment to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:

To amend Article III of the Town of Rindge Zoning Ordinance by adding the following language as part of Article III.A: “The State of New Hampshire Building Code pursuant to NH RSA 155-A more appropriately titled The International Codes, including adopted Appendix Chapters and amendments, shall govern and regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of all detached one and two family dwellings, multiple single-family dwellings (townhouses), multiple family dwellings and all other commercial and industrial buildings in the Town of Rindge, said Codes also provides for the issuance of permits and collection of fees.” and to rescind the SFD Building Code which was adopted March 8, 2005.

This amendment is intended to clarify that the Town of Rindge is following the State of New Hampshire Building Code.

MOTION: Katelyn Smith moved to send the proposed amendment to the Zoning Ordinance in regards to the building code to public hearing on December 6th, 2022 at 7:00 p.m. Julie Sementa seconded the motion. **Vote: 6-0-0**

Bob Hamilton said he would like to discuss the State ruling that if we follow rules for elderly housing in town, we also have to apply those rules to Workforce Housing. Bob Hamilton said he would like to address that as we will be forced into doing things that our voters have not agreed to. Bob Hamilton said that within a few years, this Board may cease to exist. All decisions will be made on the state level.

Bob Hamilton asked Planning Director Kirk Stenersen for the wording on elderly housing. This is under the Residential Agricultural District (Article V, A-6)

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

“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.”*

Planning Director Kirk Stenersen said this is similar to what was previously in the PURD (Planned Unit Residential Development) Regulations for Workforce Housing (and recently removed) where you got a density bonus based on on-site septic. Kirk said what we are discussing now is a density bonus for elderly housing. Bob Hamilton said that the Town of Rindge recently took this density bonus out of the PURD regulations and the State has now put it back in.

Bob Hamilton suggested eliminating Article V, A-6. Planning Director Kirk Stenersen said he didn't think you would want to eliminate elderly housing but if your goal is to not allow a density bonus, you can eliminate V, A 6a and 6b. Bob Hamilton said he is not comfortable with the state telling us what to do.

Bob Hamilton asked if there was enough time to mull this over and perhaps make a change this year. Kirk Stenersen said there is time for a January meeting he believes. The Board could also have a second meeting if they needed to. Bob Hamilton asked the Board to give this some thought.

Budget Discussion

Planning Director Kirk Stenersen supplied the Board with a budget/expenditure sheet through September 30, 2022. He said that the contracted services line may be off as the person who bills for that is not great about submitting invoices on a regular basis. As far as any changes to the expenses lines, an increase to \$400.00 may be needed for office supplies. Planning Director Kirk Stenersen suggested leaving all other line items the same.

Cease and Desist Order

Planning Director Kirk Stenersen said that Master Framers had opened a business without going through the process for a Major Site Plan at the old site of Fanelli Amusements. Sam

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

Bouchie said this is a full scale manufacturing business. They have been issued a Cease and Desist Order until they receive approval from the Planning Board.

New Position: Land Use Coordinator

It has become apparent that there are some communication and cohesion issues at the Town office that need to be addressed to better connect the departments. Right now, Kirk said we have a part time zoning clerk, part time planning secretary, part time planning director, part time code enforcement, part time assessing, etc. When you have none of these positions overlapping, it can be a long time before people are getting the service from town office as they should be getting.

It is Kirk's understanding (although he asked Bob Hamilton to correct him if he is wrong) that the BOS (Board of Selectmen) has granted permission and approved a full time position for a Land Use coordinator/ secretary that would assist Lori but also be available to help out with the different departments and have someone in town office who could assist with land use questions and processes and connect with the departments. Kirk said he doesn't believe this will come out of the Planning Dept. budget. Kirk Stenersen said for the position he sees as being needed, it is like looking for a needle in a haystack and will be hard to find.

Bob Hamilton said that they are looking for someone to handle what Kirk has described but they are also looking to fill the Executive Secretary position which has had duties taken away over the years and that leaves quite a bit of time for other tasks.

Katelyn Smith spoke to the current staffing and future needs and how to best approach addressing those needs. Beginning to train someone now, before Susan leaves, may be a good approach.

State Requirements for training

Katelyn Smith said she believes that the state has requirements coming up that may require training for Board members. We have a small budget now, should that be increased? Bob Hamilton said we have not budgeted for that, and if the state requires it, they need to provide the funding.

Sam Bouchie said he is in favor of leaving the budget as it is. Planning Board members agreed to the budget numbers as Kirk presented them. Bob Hamilton asked that Susan order office supplies ASAP.

Sam Bouchie said he will not be at the next meeting.

Other Business

Meeting Minutes
November 1, 2022
SB, KS, BH, JS, JA, RC, KS

Planning Director Kirk Stenersen asked the Board if they wanted to hold a second meeting in November to address the Elderly Housing zoning change. Bob Hamilton said it was not necessary as long as they can meet the guidelines for the public hearing in January.

Meeting Adjourned at 8:30 PM

Respectfully Submitted,
Planning Office Staff