

Meeting Minutes
October 3, 2023
RO, BH, KM, JS, KG

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
October 3, 2023**

DATE: October 3, 2023

TYPE: Public Meeting

APPROVED: 10/17/2023

TIME: 7:00 pm

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Roberta Oeser, Bob Hamilton, Kim McCummings, Julie Sementa,

ROLL CALL ALTERNATES: Kelen Geiger

ABSENT: Rob Chamberlain, Joel Aho, Katelyn Smith

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: none

APPOINTMENT OF ALTERNATES: Kelen Geiger for Rob Chamberlain

OTHERS PRESENT: Roniele Hamilton

Call to order and Pledge of Allegiance

Roll call by Chairperson

Announcements and Communications

Chairman Roberta Oeser said that this meeting is being video and audio taped.

Chairman Roberta Oeser said the P.O.O.R. (Pumpkin Organization of Rindge) meat raffle is starting up again this Saturday. It opens at 1:30PM at the VFW in Jaffrey and Kelen Geiger said that Early Bird tickets are available until 2:00PM. Roberta said that we do contribute to veterans, whether or not they are in Rindge, but otherwise, all money raised stays in Rindge.

Julie Sementa said that the Advent Lutheran Church Octoberfest Drive through dinner will take place on October 21st from 4:00 to 5:30 PM.

Bob Hamilton said that in December, around the 16th, “Wreaths across America” will be in Rindge. They are still working out some details which include the burial place of Colonel Rand which is a private cemetery on Rand Road that is very overgrown. They are working on the Right of Way to get to this six rod cemetery. It has been suggested that P.O.O.R might donate to the “Wreaths across America”.

Kim McCummings said there are two remaining weeks of the Rindge Farmer’s and Crafter’s Market.

Approval of Minutes:

1. September 5, 2023

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MOTION: Julie Sementa moved to approve the minutes as written. Kim McCummings seconded the motion. **Vote: 4-0-1** Kelen Geiger abstained.

Old Business/Continued Public Hearings

Zoning Subcommittee Discussion

Chairman Roberta Oeser said she is working on Zoning because there are some real issues that need to be addressed.

She provided the Board with a hand-out which made suggested changes to:

1. Article III-I; General Provisions
2. Article V, Res Ag (7. Village Plan Alternative per RSA 674:21 Innovative Land Use Controls);
3. Article XX: Definitions for Village Plan Alternative;
4. Accessory Dwelling Unit Ordinance, Section 2 Purpose;

Chairman Roberta Oeser said that there is some contradiction in our Zoning for ADU's. Statute says that ADU's are allowed everywhere there are properties zoned for residential use. Roberta said there may be a conflict allowing an ADU (Accessory Dwelling Unit) in a PURD (Planned Unit Residential Development).

Roberta said that our current PURD Regulations state the following:

“The overall density of a PURD shall not exceed one (1) dwelling unit per the minimum lot size for the applicable zoning district.”

The ADU Ordinance says:

“Accessory Dwelling Units (ADU) shall be permitted by Special Exception granted by the Zoning Board of Adjustment in the Residential, Residential/Agricultural, Village and College Districts.”

Roberta Oeser referred to the definition of “Dwelling Unit” and questioned how we can allow more density in the PURD when it says “one dwelling unit”.

Roberta said these two ordinances contradict one another and by law, we would be required to follow the more stringent one.

Roni Hamilton said she thought this was covered by the PURD and ADU Subcommittee in 2020. Roberta said it was discussed, and agreed upon, that ADU's would be allowed in PURDS, but the Zoning Ordinance that allowed for PURDS was not modified to allow for ADUs.

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Chairman Roberta Oeser said that the language that she has suggested will allow for ADUs in PURDs. Roberta said she spoke with NHMA and they agreed that a change is needed. The language she is suggesting to be added to Article III I is:

“Accessory Dwelling Units (ADUs) added subsequently exempted from density limits”

Kelen Geiger asked where ADUs are not allowed. She said she had considered doing an ADU on her property and was told she didn’t have enough land. Roberta said this was most likely because of septic loading. Roberta said, if your property could obtain an approved septic plan, you would be allowed an ADU.

Roni Hamilton reviewed the changes made to the Zoning Ordinance:

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 (General Provisions) Section I by adding the following: “The overall density of a PURD shall not exceed one (1) dwelling unit per the minimum lot size for the applicable zoning district. PURD’s are permitted in the Residential, Residential-Agricultural, Village and College Districts.”

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 IV (Residential District) Section A.1 and Article V (Residential-Agricultural District) Section A.1 by requiring that each dwelling unit be on a separate lot with the exception of Accessory Dwelling Units”.

Roberta said that the law states, when you have conflicting ordinances, the more stringent law prevails.

Roberta said that Rindge has quite a few properties that are “legal non-conforming” in Business-Light Industry and Gateway. These are pre-existing single family residences. Why shouldn’t these be allowed? The whole purpose would be to comply with Workforce Housing.

Roberta referred the Board to the Accessory Dwelling Unit ordinance under Section 2: Purpose where she suggested the following:

*“For the purpose of providing expanded housing opportunities and flexibility in household arrangements to accommodate family members or non-related people of a permitted, owner occupied, single family dwelling, while maintaining aesthetics and residential use compatible with homes in the neighborhood. Accessory Dwelling Units (ADU) shall be permitted by Special Exception granted by the Zoning Board of Adjustment in the Residential, Residential/Agricultural, Village and College Districts **and on any legal, non-conforming, single-family residential use property in other Zoning Districts.**”*

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Chairman Roberta Oeser said these are suggestions to our Ordinances that the Board may want to consider:

- .To remove from the Zoning Ordinance, the Village Plan Alternative section in Article V, Res-Ag District. #7 as well as from Section XX Definitions. This has not been used.
- Sign Ordinance regarding sizes of signs: Roberta suggests a simple way to modify this and suggests only two sizes; one for US Route 202 and one for NH Route 119.
- Sign Ordinance regarding flags, banners and feather flags. Roberta suggests allowing one flag per entrance to the business. Board members discussed flags, banners, signs, etc. and the need to balance the needs of the Town and the business-owner's needs. Roni Hamilton spoke from the audience and said she is in favor of Rindge taking a different approach from neighboring towns.
- From the Zoning Ordinance, Article XX: Definition of "manufactured housing"

Chairman Roberta Oeser said she would like to appoint a Zoning Subcommittee and try to get some public input, a well as business owner's input, especially on the Sign Ordinance. Roberta asked if any Board members would have an interest in meeting in two weeks. Julie Sementa said she would serve on this subcommittee. This will be a posted, public meeting with a goal of having the public hearing in December. Roberta said she will meet with local businesses to talk with them about their issues. Roberta said she has spoken with Joel Aho and he may want to join as well.

Roberta appointed Julie Sementa to sit on the Zoning Subcommittee. Kim McCummings said she would attend on October 17th.

Planning Office Report

1. Planning Office Personnel Discussion

a. Job Description for Planning Director

Roberta said she took the edits that Katelyn Smith had provided and added a couple of additional changes (update Tax Maps and review for accuracy) Bob Hamilton suggested a change from 'normal vision' to the "need for a driver's license".

- b. Kelen Geiger said she is confused as the Job was posted on the Town of Rindge website and then, after that, the Planning Board asked for changes to the job description. There seems to be some confusion on who is doing what as this was posted by the Town Administrator. Kelen asked if the changes are reviewed by Roberta. Roberta said she received an email and she is fine with the Town Administrator posting the job as Roberta does not have a town email address. Kelen said it was confusing to see this posted, while at the same time being asked to edit the Job Description. Roberta Oeser said that, without the ability to

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advertise a pay scale, this is difficult. Chairman Roberta Oeser said that any further discussion should take place in a Non Public Session.

MOTION: Julie Sementa moved to accept these edits to the Planning Director Job Description. Bob Hamilton seconded the motion. **Vote: 4-0-1** Kelen abstained.

2. CIP (Capital Improvement Program) committee temporary representative
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Roberta said that by statute, the CIP should have at least one member (if not, two) from the Planning Board. Roberta said she attended the last meeting and would like to be appointed by the BOS as a member. She is asking if anyone else on Planning Board would like to be appointed. No one volunteered.

MOTION: Julie Sementa moved that Roberta Oeser be appointed as planning board member to the CIP. Bob Hamilton seconded. **Vote: 5-0-0**

3. Town Gown temporary representative
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Roberta Oeser suggested that she will attend the Town Gown and the Planning Director will eventually attend.

4. August 16th Outstanding Tasks for Planning Dept.

Roberta said this is a list of items that Kirk provided that need to be addressed. It is here to keep the Board informed as to what needs to be accomplished. Roberta said she is in the office on Wednesdays to assist with visitors and while she is there, she is working on this list.

5. NHMA Changes to Planning and Zoning Laws 2023 (attached)
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Roberta Oeser said that the Board needs to keep up with the changes to these laws.

Other Business

NHMA Zoning Conference is on October 14th, all day. Roberta Oeser said she will be going. There is money in the budget for new members who haven't attended. Kim McCummings said she signed up for both the Planning and Zoning Conferences.

Non Public NH RSA 91-A:3 IIb Session at 8:03 pm

MOTION: Robert Oeser moved to go into Non Public RSA 91-A:3.IIb: Kim McCummings seconded the motion. **Roll Call Vote:** Roberta Oeser: Aye; Julie Sementa: Aye; Kim McCummings: Aye; Bob Hamilton: Aye; Kelen Geiger: Aye

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Return to Public Meeting at 813 PM:

Other Business

Bob Hamilton provided the Board with a handout regarding a Local Control Amendment. Former State Rep. Jim McConnell has a sponsor to send a House Bill to amend the State of New Hampshire Constitution to give local control to Planning and Zoning.

Meeting Adjourned at 8:18 PM

Respectfully Submitted,
Planning Office Staff