

Meeting Minutes for
Work Meeting
December 5, 2023
RO JS,KM,BH, RC, KG

PLANNING BOARD
RINDGE, NEW HAMPSHIRE
December 5, 2023

DATE: December 5, 2023 **TYPE:** Work Meeting **APPROVED:** 1/2/2024

TIME 7:00 pm

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Roberta Oeser, Bob Hamilton, Kim McCummings, Rob Chamberlain, Joel Aho, Julie Sementa,

ROLL CALL ALTERNATES: Kelen Geiger

ABSENT: Katelyn Smith, Joel Aho

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: None

APPOINTMENT OF ALTERNATES: Kelen Geiger for Katelyn Smith

OTHERS PRESENT: David Drouin, Roni Hamilton, Daniel Aho

Call to order and Pledge of Allegiance

Roll call by Chairperson

Announcements and Communications

Bob Hamilton said that Wreaths across America starts at 12:00 sharp on December 17th at Hillside Cemetery on Goddard Road.

Roberta Oeser said the meat raffle had a good turnout.

Approval of Minutes:

1. November 7, 2023

MOTION: Bob Hamilton made a motion to approve the minutes as written. Robert Chamberlain seconded the motion. **Vote 5-0-1** Julie abstained.

Old Business/Continued Public Hearings

Kelen Geiger said she would like to reiterate that it is very important to get some advertisements placed for a Planning Director. Kelen said if we don't advertise, we will not get anyone and this needs to be done.

New Business

Public Hearings for Zoning Amendments that will go to Warrant in 2024

Chairman Roberta Oeser said that the proposed language for the zoning amendments was sent to Attorney Gary Kinyon for review and he provided some recommended language changes for clarity.

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Chairman Roberta Oeser said she will introduce each of these so that Board members can comment first and then, the public may comment.

Chairman Roberta Oeser opened the Public Hearing at 7:05 for the warrant articles.

She said that tonight's meeting is to agree on the Final Form of the amendment to be sent to the warrant. Since these wording changes make no substantial changes to what is being put forward, a second public hearing is not required.

Chairman Roberta Oeser read the following into record:

Are you in favor of the adoption of Amendment number 1 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:
To amend Article III, I of the Zoning Ordinance by adding **to the second sentence the words in bold as follows: The overall density of a PURD shall not exceed one (1) dwelling unit per the minimum lot size for the applicable zoning district, Accessory Dwelling Units (ADUs) added subsequently are exempt from density limits.**

Chairman Roberta Oeser said that the reason for this amendment is that our current Zoning Ordinance is in conflict with the Accessory Dwelling Unit ordinance. This amendment will correct that.

Roberta asked the Board for comments and there were none.

David Drouin asked if this was for ADUs added subsequently or could someone come in from a development that wants to put the ADUs in not subsequently. Chairman Roberta Oeser said there is a problem with this right now. A builder built a spec house and went to get a Special Exception for an ADU which was approved. This is not an owner occupied dwelling and therefore, does not qualify.

Roni Hamilton asked if this is for both attached and detached units. Roberta said that is correct.

Rob Chamberlain asked if the detached units would have to meet setbacks. Roberta Oeser said yes they would and it would be difficult in some cases.

There were no other questions or comments on Amendment number 1.

Chairman Roberta Oeser introduced the wording for Amendment number 2 which was not changed since the last meeting.

Are you in favor of the adoption of Amendment number 2 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:

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To amend the Accessory Dwelling Unit Ordinance, Section 2 by adding ‘and on any legal, non-conforming, single-family residential use property in other Zoning Districts.’

Chairman Roberta Oeser said if you read the ADU ordinance, ADUs are only allowed in the residential districts. Roberta said there are many single family homes in other districts that have been there since before zoning. Currently, ADUs are not allowed and they should be.

David Drouin asked if ADUs are allowed within duplexes. Could a duplex become a four family? It has happened in the past.

Chairman Roberta Oeser introduced the wording for Amendment number 3.

Are you in favor of the adoption of Amendment number 3 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:
To amend Article III, S of the Zoning Ordinance by adding **to the first sentence the words in bold as follows: The rental of all or any portion of Single Family Dwelling, Two Family Dwelling, or Multi-Unit Dwelling, with the exception of Bed and Breakfast Facilities, by the property owner thereof, to any other person or group, shall be a valid, permitted, Accessory Use of said dwelling under this ordinance, provided that there is adequate on-premise, off-street parking for the vehicles of all renters/tenants and guests.**

Chairman Roberta Oeser said that we do not have the time this year to fully address airbnbs but wanted to at least address the parking situation on some smaller lots. There has been some concern expressed by people who live on the lakes.

Kelen Geiger asked who would enforce this. Chairman Roberta Oeser said that it would go to Code Enforcement. If there is a problem, the property owner can be informed, and if they do not comply, the Town can issue a Cease and Desist.

Chairman Roberta Oeser introduced the wording for Amendment number 4.

Are you in favor of the adoption of Amendment number 4 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:
To amend Article V, A7 and Article XX, 35 of the Zoning Ordinance **which both relate to Village Plan Alternative, by deleting in their entirety Article V, A7 and Article XX, 35.**

Chairman Roberta Oeser said that the Village Plan Alternative has been on the books since the 1980s and needs to be removed.

Chairman Roberta Oeser introduced the wording for Amendment number 5.

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Are you in favor of the adoption of Amendment number 5 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows: To amend Article III, O, Article IV, A1, Article V, A5, Article VI, A1 and Article XX, 24 of the Zoning Ordinance by adding: “manufactured” “manufactured home”, “manufactured homes”, after references in the existing ordinance to ‘mobile home’ or ‘mobile homes’. The purpose of these amendments is to make clear that any reference to a mobile home also includes a manufactured home.

Chairman Roberta Oeser said that after 1976, mobile homes no longer were named as such and became manufactured homes. This amendment addresses that issue.

David Drouin asked if this is different from a modular home. Chairman Roberta Oeser said they are different. Dan Aho said this is a little confusing as all modular homes are considered manufactured homes. Chairman Roberta Oeser said in real estate, they refer to these as “stick built off-site”. Modular homes need a foundation, manufactured homes do not. Roberta reviewed the definition for manufactured and mobile homes.

Bob Hamilton said he has some question about the definition of manufactured and mobile home. Roberta said that it will say mobile home/manufactured home at Article XX, 24.

Chairman Roberta Oeser introduced the wording for Amendment number 6.

Are you in favor of the adoption of Amendment number 6 to the Town of Rindge Zoning Map as proposed by the Planning Board and generally described as follows:
To amend the official Zoning Map dated September 9, 2008, and filed with the Town Clerk pursuant to Article II of the Zoning Ordinance, by adjusting the boundary between the Business-Light Industry District and the Residential Agricultural District on the south side of New Hampshire Route 119 near the Massachusetts state line, so that Tax Map 4 Lot 3-1 (currently zoned as part of the Business-Light Industry District) becomes part of the **Residential** Agricultural District.

Chairman Roberta Oeser said the property owner (Dan Aho) addressed the Planning Board with this request.

Dan Aho said he has owned this land for 37 years and has not been able to get anything to happen. This property does not have 3- phase power and putting anything commercial here seems unlikely. Dan would like to have this zoned residential.

Chairman Roberta Oeser closed the public hearing.

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MOTION: Roberta Oeser moved to post to the Warrant for March 12, 2024 Amendments 1 through 5 as written. Julie Sementa seconded the motion. **Vote: 6-0-0**

MOTION: Roberta Oeser moved to post to the Warrant for March 12, 2024, Amendment 6 with the correction to add “Residential” in front of Agricultural District. Rob Chamberlain seconded the motion. **Vote: 6-0-0**

Reports of Officers and Subcommittees

1. Sign Ordinance review

Chairman Roberta Oeser provided the Board with an edited version of the sign ordinance which eliminated much of pages 7, 8 and 9 and replacing it with a one page chart.

Roberta said that many of the businesses have had to get variances for their signs. That is one reason that we need to address our ordinance.

Roni Hamilton said she has not seen any signs out there that are overbearing with the exception of the ‘medical sign’ that was approved. (US Route 202, Dale Farm Road and Knight Lane)

Chairman Roberta said the sign ordinance needs other things worked on, but the main issue was NH Route 119 and US Route 202. A one-page chart proposed eliminates two pages. David Drouin said that any changes to this ordinance would be welcomed.

A discussion about “off premise” signs took place and the need for a Conditional Use Permit (CUP) as well as a discussion of the proposed “chart” which addresses sign sizes for US Route 202 frontage, NH Route 119 frontage and entrance/second entrance from side roads.

Roberta supplied the wording for two additional warrant articles. Board members discussed these and amended the wording and order of presentation: Chairman Roberta Oeser said that the Public Hearing is where the final wording of the article is voted upon. Discussion took place to consider combining these two warrant articles into one article. Chairman Roberta Oeser said there is still a lot of work to do on the Sign Ordinance.

Kelen Geiger said that what upsets her about this is that there had been a discussion about forming a subcommittee to work on the Sign Ordinance a few months ago and it never took place. She is also concerned that we have still not posted an ad for a Planning Director and yet we are moving forward without the expertise of a Planning Director. Chairman Roberta Oeser said she had to call a budget meeting at the same time that we were going to meet as a subcommittee

MOTION: Roberta Oeser moved to post the proposed amendments (see below for wording) to the sign ordinance for Public Hearing on January 2, 2023 at 7:00 PM. Julie Sementa seconded the motion. **Vote: 6-0-1 Kelen abstained.**

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Are you in favor of the adoption of Amendment number 7 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:

To amend The Rindge Sign Ordinance Article VI, C 5 by deleting sections in Article VI, C 5a-d and adding the attached chart relative to allowed sign sizes with included notations:

Are you in favor of the adoption of Amendment number 8 to the Town of Rindge Zoning Ordinance as proposed by the Planning Board and generally described as follows:

To amend The Rindge Sign Ordinance by amending Article VI, C by deleting ‘Commercial Uses in’ from the title to read COMMERCIAL DISTRICT, GATEWAY DISTRICTS AND THE BUSINESS/LIGHT INDUSTRIAL DISTRICT and deleting Article VI, D in its entirety.

Planning Office Report

Roberta Oeser said there are issues with the website as well as with the email addresses being kept up to date.

Bob Hamilton said, to Kelen’s point, where are we advertising for a Planning Director. Roberta suggested NHMA, OEP, Plan Link and our website which are all free.

Adjourned 8:35 pm

Respectfully submitted,

Planning office staff