

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

PLANNING BOARD
RINDGE, NEW HAMPSHIRE
February 6, 2024

DATE: February 6, 2024 **TYPE:** Work Meeting **APPROVED:** 3/5/2024

TIME 7:00 pm

CALL TO ORDER: 7:00 pm

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

ROLL CALL ALTERNATES: Kelen Geiger

ABSENT: Katelyn Smith

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: None

APPOINTMENT OF ALTERNATES: Kelen Geiger for Katelyn Smith

OTHERS PRESENT: Ron Hulette, Terry Aho, Karl Pruter, Janice Fiandaca, Jack Woodcome, Jed Paquin

Call to order and Pledge of Allegiance

Roll call by Chairperson

Announcements and Communications

Roberta Oeser announced that the School Deliberative will be tomorrow at 6:30PM at the Rindge Memorial School. It is important to attend.

Approval of Minutes:

1. January 2, 2024
2. January 2, 2024 NON PUBLIC

MOTION: Kim McCummings moved to approve the minutes of January 2, 2024, both public and non-public. Julie Sementa seconded the motion. Vote: 5-0-2 Joel Aho and Rob Chamberlain abstained.

Old Business/Continued Public Hearings

1. Vote on Zoning Articles for Warrant.

Chairman Roberta Oeser said that the Board needs to vote on whether or not they support the Zoning Articles, Amendments 1 through 8.

MOTION: Roberta Oeser made a motion that the Planning Board support Article 2 (Amendment No. 1) on Accessory Dwelling Units. Kim McCummings seconded the motion. **Vote: 5-2-0** Bob Hamilton and Kelen Geiger voted No.

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

MOTION: Roberta Oeser made a motion that the Planning Board support Article 3 (Amendment No. 2) on Accessory Dwelling Units. Rob Chamberlain seconded the motion. **Vote: 5-2-0** Bob Hamilton and Kelen Geiger voted No.

MOTION: Bob Hamilton made a motion that the Planning Board support Article 4 (Amendment No. 3) on off street parking. Julie Sementa seconded the motion. **Vote: 6-1-0** Kelen Geiger voted No.

MOTION: Bob Hamilton made a motion that the Planning Board support Article 5 (Amendment No. 4) on Village Plan Alternative. Kim McCummings seconded the motion. **Vote: 6-1-0** Kelen Geiger voted No.

MOTION: Julie Sementa made a motion that the Planning Board support Article 6 (Amendment No. 5) on manufactured/mobile home definition. Kim McCummings seconded the motion. **Vote: 6-1-0** Kelen Geiger voted No.

MOTION: Roberta Oeser made a motion that the Planning Board support Article 7 (Amendment No. 6) on an amendment to the Zoning Map. Rob Chamberlain seconded the motion. **Vote: 6-0-1** Joel Aho abstained.

MOTION: Julie Sementa made a motion that the Planning Board support Article 8 (Amendment No. 7) on the Sign Ordinance sizes and chart. Joel Aho seconded the motion. **Vote: 6-1-0** Kelen Geiger voted No.

MOTION: Julie Sementa made a motion that the Planning Board support Article 9 (Amendment No. 8) Sign Ordinance to amend Article VI-C and delete Article VI-D. Joel Aho seconded the motion. **Vote: 6-1-0** Kelen Geiger voted No.

New Business/Public Hearings

Chairman Roberta Oeser read the case before the Board:

1. **CONSIDERATION OF** an application for a Minor Subdivision submitted by Paquin Land Surveying, PLLC, 1281 Main Street, Unit G, Dublin, NH 03444, on behalf of Ray-Tek Construction LLC, 176 Perry Road, Rindge, NH 03461 for property located at Tax Map 7 Lot 87-3 on Perry Road in the Residential-Agricultural Zoning District. The applicant is seeking approval for a 2 lot subdivision.

Chairman Roberta Oeser read the following from the Planning office memo:

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

Background Information:

- 1) Paquin Land Surveying, PLLC on behalf of Terry Aho, Manager of Ray-Tek Construction, LLC has submitted for approval of a 2-lot subdivision of land located at Perry Road and known as Tax Map 7 Lot 87-3.
- 2) The applicant has requested the following waiver;

“From Section V.2.B.2 from the Subdivision Regulations that requires contours be shown on the entire parcel being subdivided because viable building areas are shown on the attached septic design plan and supplemental plan.

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

MOTION: Kim McCummings moved to grant the requested waiver from the Subdivision Regulations, Article V.2.B.2 as presented and move to accept the Minor Subdivision application for Tax Map 7 Lots 87-3 as presented as substantially complete. Rob Chamberlain seconded the motion.. **Vote: 7-0-0**

Vice Chairman Joel Aho provided the following from the Planning Dept. memo:

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 public way. The Right of Way width shown is variable width and is based on stonewalls found.
- 4) The existing parcel is 22.62 acres (985,500 square feet) with 820.31 feet of frontage on Perry Road.
- 5) The proposed lots are as follows:

<u>Lot #</u>	<u>Area (sq. ft.)</u>	<u>Area (acres)</u>	<u>Frontage (ft.)</u>
87-3-1	767,270 sq. ft.	17.61 acres	250.00 ft.
87-3-2	218,230 sq. ft.	5.001 acres	570.31 ft.

Map 7 Lot 87-3 will no longer exist.

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

- 6) The proposed lots will be accessed through frontages on Perry Road.
- 7) No building or impervious surface shall be established or expanded within 50 feet of vegetated wetlands.
- 8) No septic tank or septic system effluent disposal area for new construction shall be placed less than 100 feet from vegetated wetlands.

Chairman Roberta Oeser asked Jed Paquin to present this plan before the Board. Jed pointed out driveway locations as well as possible building locations. A septic design plan has been approved for one of the lots.

Chairman Roberta Oeser asked for questions from the Board.

Bob Hamilton asked if the utilities for both lots will have access into the Right of Way through the access on Perry Road. Jed Paquin said yes.

Chairman Roberta Oeser opened the public hearing.

Ron Hulette from 27 Perry Road asked what the setback was from his property line to the proposed building. Roberta Oeser said it is 30 feet in the Res Ag district.

Janice Fiandaca from 44 Perry Road asked if there would be two lots, one on each side of the power lines. Jed Paquin said yes. Janice asked Jed to define a 'modest house'. Jed said it would be approximately 2000 square feet.

Ron Hulette asked what the issue was with a second septic system. Jed said there is no issue, it has not been designed yet. The septic system that has been approved was approved as part of the subdivision last year to substantiate that the lot in question could be built on.

Bob Hamilton asked if the letter from Con Com could be read into record. (see file 2/1/2024 Con Com to Planning Board). Julie Sementa read the letter.

Chairman Roberta Oeser closed the public hearing.

Chairman Roberta Oeser read the recommendations from the Planning office memo:

Recommendation:

If the Board is satisfied that this application meets all requirements, then the following are suggested conditions of approval of this minor subdivision.

1. Monumentation (iron pins) shall be set at all new lot corners.

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

2. All applicable governmental permits shall be obtained including but not limited to
 - i. NH DES Septic plan for Lot 87-3-2 per EcA2023102610.
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: Julie Sementa moved to grant approval of this Minor Subdivision application for Tax Map 7 Lot 87-3, as presented with the 4 aforementioned conditions. Joel Aho seconded the motion.

Vote: 7-0-0

Chairman Roberta Oeser read the case before the Board.

2. **CONSIDERATION OF** an application for a Minor Site Plan submitted by John Woodcome, PO Box 771, Rindge NH 03461 for property located at Tax Map 6 Lot 49A-4-3 at 39 Lisa Drive in the Business-Light Industry Zoning District. The applicant is seeking approval to erect a 36' x 100' storage building with a concrete slab.

Chairman Roberta Oeser said that the plans need to be changed by hand as there is an error involving the square footage.

Chairman Roberta Oeser said that a new plan has been submitted since the original application.

Roberta Oeser read the following from the Planning Office Memo

Background Information:

1. John Woodcome has submitted for approval of a minor site plan for an additional storage building at Class Act Auto located at 39 Lisa Drive on Tax Map 6 Lot 49A-4-3.
2. The applicant has provided the Planning Board with the information necessary to make an informed decision on the application. I recommend the Planning Board accept the application as substantially complete and open the public hearing.

MOTION: Robert Chamberlain moved to accept the "Class Act Auto" minor site plan application as substantially complete. Julie Sementa seconded the motion: **Vote: 7-0-0**

Chairman Roberta Oeser read the following from the Planning Office memo with two corrections:

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

Regarding the Application:

- 1) The proposed project is located in the Business/Light Industrial District.
- 2) Tax Map 6 Lot 49A-4-3 is 2.64 acres with 302.91 feet of frontage on Lisa Drive.
- 3) Currently the site is occupied by a body shop building and two other storage buildings with associated parking and drives.
- 4) There is no public infrastructure or utilities proposed.
- 5) The existing conditions, including wetlands and topographic survey were completed by Monadnock Septic Design, LLC.
- 6) The application was for a proposed 4,200 square foot storage building. (changed to 3600 square feet)
- 7) The site is currently and will continue to be served by an on-site well.
- 8) The site is currently served by an on-site subsurface sewerage disposal system. The plans indicate an additional septic system to be utilized by an existing structure and the new building.
- 9) There is no additional lighting proposed.
- 10) Plans have been provided for a similar building.
- 11) The plan lacks showing the adjacent zoning district of Residential/Agriculture at the rear of the site however the correct setbacks for abutting a residential use property have been adhered to at 50'. The new plan shows this zoned as Village District and will need to be changed on the plan.
- 12) Upon review the proposed building is only 19' from an existing building, Article IX, B 2 requires 25'. Applicant has been notified and will be submitting new plans with a smaller building to comply with this ordinance. Rick Donovan explained that for safety reason, 20 feet is required, but zoning requires 25 feet.

Chairman Roberta Oeser asked Jack Woodcome to address the Board.

Mr. Woodcome said he has been an owner for about 30 years. Mr. Woodcome pointed out the buildings and landscaping on this site. Mr. Woodcome said that he rents out part of this area and uses the rest himself for his company.

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

Chairman Roberta Oeser opened the public hearing.

Bob Hamilton asked for the reason for the change in square feet for the proposed building. Jack Woodcome said when this was originally designed there was only 19 feet between buildings so he had to make a change.

Bob Hamilton asked for the ConCom letter to be read into record. (see file 2/1/2024 ConCom to Planning). Julie Sementa read the letter.

Joel Aho asked if the back two buildings are at different grades. Jack Woodcome said they are. Joel asked if that is why he didn't expand the buildings. Jack said that he wants to stay under 5000 square feet.

Bob Hamilton said the proposed building is right on the edge of the setback and Con Com is asking that the applicant be aware of Wetlands Ordinance Section 7B regarding grading and Section 5E and 5F regarding storage of hazardous materials.

Chairman Roberta Oeser said there need to be some changes added to the conditions.

1. The size of the building needs to be corrected to 3600 sq. ft. on the plans.
2. The Village District needs to be changed to ResAg.

Chairman Roberta Oeser said that these plans don't go to the registry but we do not want to be the one to change these plans.

Bob Hamilton said he wanted to confirm that the Storage facilities will not be used for living quarters or for hazardous materials. John Woodcome said this is just for storage. He said the front building has an office and a kitchen.

Chairman Roberta Oeser closed the public hearing.

Bob Hamilton asked Roberta Oeser to spell out the fourth recommendation for the Conditions of Approval: Roberta said "To correct the size on the building on the plans to 3600 square feet." And also "To change the Village District to Res Ag".

Roberta read the following recommendations from the Planning office memo:

Recommendation: Pending the Planning Board's review, consideration and satisfactorily addressing the above mentioned items I recommend approval of the "Class Act Auto" Site Plan with the following conditions:

- 1) All applicable governmental permits shall be obtained, which may include, but are not limited to:
 - a. NHDES approval for septic system construction

Meeting Minutes for
Public Hearing
February 6, 2024
KG, RC, BH, JA, JS, KM, RO

- 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 applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.
- 4) To correct the size on the building on the plans to 3600 square feet.
- 5) To change the Village District to Residential- Agricultural.

MOTION: Julie Sementa move to grant approval of the "Class Act Auto" minor site plan application as presented with the 5 aforementioned conditions. Joel Aho seconded the motion.

Vote: 7-0-0

Chairman Roberta Oeser told the applicant to have Carl Hagstrom send a corrected plan electronically and that she will change the four copies of the plans that we have in the office.

Planning Office Report

Roberta Oeser said that nothing has happened this week in the office. She said that two people have signed up for the two open seats. Roberta said that Julie will be missed. Bob Hamilton thanked Julie for her service.

Other Business

Adjourned 8:00 pm

Respectfully submitted,
Planning office staff