

Meeting Minutes
July 5, 2022
KM, KS, SB, HK, BH, JS, JA, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
July 5, 2022**

DATE: July 5, 2022 **TYPE:** Public Hearing **APPROVED:** August 2, 2022

TIME: 7:00 pm

CALL TO ORDER: 7:00pm

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

ROLL CALL ALTERNATES: Joel Aho

ABSENT: Jonah Ketola, Robert Chamberlain

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: Joel Aho for Jonah Ketola

OTHERS PRESENT: Roni Hamilton, Kelen Geiger, Dawn Dunbar, Sally Dunbar, Jason Gorman, Chris and Deb Stewart, Michaela Stewart, Ashley Saari, Karl Pruter, Chad Branon, Jed Paquin

Call to order and Pledge of Allegiance

Roll call by Chairperson

Appointment of alternates: Joel Aho for Jonah Ketola

Announcements and Communications

Kim McCummings said that the Farmer's Market has been open for a few weeks now and things are going pretty well. The Market has a new member: Cabana Falls Winery.

Bob Hamilton said that on July 10, at 12:00 Noon the event, Flags for Forgotten Heroes, will take place at the Cathedral of the Pines. This event addresses veteran and first responder suicides each year.

Approval of Minutes:

1. May 3, 2022

MOTION: Holly Koski moved to accept the minutes as written. Julie Sementa seconded the motion. **Vote: 6-0-1** Katelyn Smith abstained

2. June 7, 2022

MOTION: Holly Koski moved to accept the minutes as written. Julie Sementa seconded the motion. **Vote: 7-0-0**

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Old Business/Continued Public Hearings

Continued from June 7, 2022: CONSIDERATION OF an application for an Expedited Site Plan submitted by Tim Halliday, 7 Dolly Lane, Rindge, NH 03461 for property located at US Route 202 and Perkins Road, Rindge, NH, Tax Map 6 Lot 49A in the Business Light Industry Zoning District. The applicant is seeking approval for multi-tenant office space; contractor bays; outside boat and RV storage.

Planning Director Kirk Stenersen provided the Board with updated plans from Tim Halliday.

Sam Bouchie asked what has changed since the last meeting. Tim Halliday said he would like to talk about the 8000 square feet of office space and Chris Stewart is here with him this evening. Chris would like to rent approximately 6,000 square feet of that office space for a doggie daycare. Tim Halliday said that all he is asking for at this time is the office space.

Holly Koski asked if this was the same plan as they saw at the last meeting. Holly Koski said that the Board had asked for an updated plan at the last meeting. Tim Halliday said it is the same plan but he is only asking for the office space approval of this multi-use building at this time.

Planning Director Kirk Stenersen said he viewed this application as a change of use and that he did not believe a new plan was necessary. Sam Bouchie and Board members asked for clarification on this plan of what the Planning Board had previously approved and what Tim is requesting this evening. Tim said he is only here tonight to gain approval for office space as an approved use. The original application requested approval for multi-tenant office space, contractor bays and outside boat and RV storage. Tim is asking that the Board consider only the multi-tenant office space portion of this request at this time.

Acting Chairman Sam Bouchie opened the hearing to the public for comments.

Kelen Geiger asked if the doggy daycare would only be inside? Will these dogs be outside? Will an area be fenced? Will there be health issues with dogs being held inside? Chris Stewart asked to speak to this.

Mr. Stewart passed out plans to the Board. He said they will be using about three-quarters of the office space with an entrance, training room, dog boarding, washroom, and a fenced in area. The capacity will be somewhere around 30 to 40 dogs a day with owners dropping off and picking up dogs. The outside area is approximately 9000 feet; they will be using some turf and it will be kept clean and sanitary. The inside area will be about 6000 square feet. There will be some training taking place in the evening.

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Kim McCummings asked about the hours of operation. Mr. Stewart said that this will be primarily Monday through Friday; although there may be some Saturdays and there may be boarding over the weekend.

Acting Chairman Sam Bouchie said that now we are looking at inside office space but also 9000 feet of outside space. Chris Stewart said this will be fenced-in area; there will be no grading and nothing will change. Holly Koski asked about the turf being brought in. Chris Stewart said some of these plans may change as they get more involved with this. The area is loaded with broken glass and metal and no matter how much you try to clean that up, you may not get it all. The whole idea would be to put something over the ground and it will be safe. Holly Koski asked about the clean-up. Chris Stewart said that this will be removed each day so there will be no smell to bother the neighbors.

Katelyn Smith said she needs things to be presented more clearly as to what this Board is being asked to approve tonight.

Roni Hamilton asked if when this is all said and done, will this be inspected and by whom? Chris Stewart said this will have to go through the Building Dept.

Kelen Geiger said it is her belief that sealing cement without putting mats in will not be practical. She said most places use stone and not turf material. Kelen said this could be a hazard.

Acting Chairman Sam Bouchie closed the public hearing.

Bob Hamilton asked Karl Pruter (former Health officer) if anything in this plan needs to be reviewed by the Health Officer. Mr. Pruter said the handling of the waste would be the main concern. Mr. Stewart said that these questions are not in line with the Planning Board function but he is happy to answer Mr. Pruter's question. They will have ventilation system, air conditioning, heat, waste will be picked up and held in sealed containers and will be taken to the waste facility or perhaps recycled. Mr. Stewart said this will be kept spotless. Their goal is to make this a first class facility.

Planning Director Kirk Stenersen reviewed the possible conditions of approval should the Board choose to move forward. They are:

- 1) All applicable governmental permits shall be obtained.
- 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) All exterior site lighting shall be downcast lighting and shall be in compliance with the Town of Rindge Site Plan Regulations.

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MOTION: Holly Koski moved to grant approval of the Expedited Change of Use Site Plan application for 686 U.S. Route 202 (Tax Map 6 Lot 49A) for a multi-use office space of approximately 8,000 square ft. with approximately 6,000 square feet for a doggie daycare with approximately 9,000 square feet of outside play area as shown on submitted, marked up plan as presented, with the 3 aforementioned conditions. Kim McCummings seconded the motion.
Vote: 7-0-0

Acting Chairman Sam Bouchie read the application before the Board:

Continued from June 7, 2022: CONSIDERATION OF an application for a Major Site Plan submitted by Patriot Holdings, LLC, 4023 Dean Martin Drive, Las Vegas NV, 89103 for property located at 26 US Route 202, Rindge, NH, Tax Map 10 Lot 29-1-1 in the Business Light Industry Zoning District. The applicant is seeking approval for an expansion of the existing storage facility. Improvements include the construction of six (6) additional storage buildings and an addition to the existing building. The previously approved storage building will be built along with drainage, access and security improvements.

Planning Director Kirk Stenersen read the following from the Planning Office Memo:

Background Information:

- 1) Field Stone Land Consultants, PLLC on behalf of Patriot Holdings, LLC has submitted for approval of a major site plan for a self-storage facility located at 26 US Route 202, Tax Map 10, Lot 29-1-1.
- 2) The applicant has addressed comments from the email dated May 18, 2022 from Planning Director Kirk Stenersen to the applicant's agent, Fieldstone Land Consultants.
- 3) The applicant has provided the 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.

Chad Branon, civil engineer with Fieldstone Land Consultants, said he is here this evening representing Patriot Holdings LLC who is seeking an expansion of their existing storage facility. Mr. Branon presented the plan that is before the Board. He said there is a previous approval for a storage building behind the existing building and they will be building that as well. There will be downcast lighting and they have submitted a lighting plan. Mr. Branon addressed the increase in impervious areas. He said they are proposing that the entire site be graded and routed to a stormwater infiltration basin which will be situated on the back side of the site. All of the stormwater will be conveyed to that area. Mr. Branon said they will be relocating the septic system on this site and they will be adding a change of use or an expansion to the NH DOT access permit.

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MOTION: Holly Koski moved to accept the Patriot Holdings, LLC “All Purpose Storage Jaffrey, LLC” major site plan application for Tax Map 10 Lot 29-1-1 as substantially complete. Katelyn Smith seconded the motion. **Vote: 7-0-0**

Holly Koski asked if ConCom had reviewed this plan. Planning Director Kirk Stenersen read the letter from ConCom. ConCom had no issues with this project.

Planning Director Kirk Stenersen read the following from the Planning office memo.

Regarding the Application:

- 1) The proposed project is located in the Business Light Industry District.
- 2) Tax Map 10, Lot 29-1-1 is 5.51 acres (240,015 square feet) with 250 feet of frontage along US Route 202.
- 3) The wetlands were delineated by Christopher A. Guida.
- 4) The existing conditions and topographic survey were completed by Fieldstone Land Consultants, PLLC.
- 5) The site was designed by Fieldstone Land Consultants, PLLC.
- 6) Currently, according to the Avitar Assessing database, there are 132 existing storage units.
- 7) The application is for the expansion of the existing storage facility. Improvements will include the construction of 6 additional storage buildings and an addition to the existing building. The previously approved storage building will be built along with drainage, access and security improvements.
- 8) The total proposed storage building area is 39,850 square feet and the total building area is 51,200 square feet. The total area of disturbance is 97,000 sq. ft. as per the Storm Water Management Report which is less than 100,000 square feet so a NHDES Alteration of Terrain permit is not required.
- 9) The total impervious area is 129,500 square feet or 54% of the site.
- 10) Snow storage will be adjacent to paved areas as shown.
- 11) The lot is subject to a 100 foot wide driveway access easement.
- 12) An updated NHDOT driveway permit is required due to the increase of intensity of use.

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- 13) A test pit has been completed for a proposed septic system and the location is shown on the plan. A septic system design will need to be completed and approved by NHDES.
- 14) The applicant should address the use of the “existing Northstar Auto building” and additions to that building.

Chad Branon said the Northstar Auto building use will not be maintained on this site. It will all be storage.

Julie Sementa asked if the proposed use is all storage, why is the septic being moved. Chad Branon said that they would like to provide a restroom on site for their clients.

Bob Hamilton said he had a couple of things that are typical with storage units. The rules are no littering; no residential use; no storage of weapons or hazardous materials within the buildings, etc. Bob Hamilton said that this town now is getting close to a point where there are more storage buildings than housing units. The Town of Rindge has already had a problem with people living in these units. Chad Branon said that Patriot Holdings have a management group out of their office. They visit all of their facilities once or twice a week. They have security on their sites as well. They have no interest in people living in their facilities and their contracts address the concerns that Bob Hamilton addressed.

Bob Hamilton asked about the snow storage plan for this site. He said the snow storage plan does not appear to be large enough. Chad Branon reviewed the plan and pointed out the areas. He said that, if the snow storage area is not sufficient, they will remove the snow from the site.

Bob Hamilton said that the plan shows a unit on the front, close to US Route 202, and much closer than the existing building. This will be very noticeable. Is there any intent for a tree buffer? Chad Branon said that the orientation of the building would provide the buffer to the roadway. He said that this site is elevated and quite removed from the roadway. There is 100 foot driveway easement. Bob Hamilton said that with it elevated, it will be quite noticeable. Chad Branon said there is no tree buffer proposed. He said they would be happy to do some faux windows to break up the space. Sam Bouchie said that right now we are looking at boats and trailers and those will be removed.

Kim McCummings asked how many units per building. Chad Branon said that the number of units can change depending on the needs. He does not have an exact number.

Acting Chairman Sam Bouchie opened the public hearing and asked for comments from the public.

Ashley Saari, 136 Thayer Road and also representing the Monadnock Ledger Transcript, asked for clarification of the number of buildings. Chad Branon pointed out 6 new buildings and an addition to an existing building. Ashley Saari asked about the parking area as well as impervious

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surfaces which Chad Branon pointed out on the plan. Chad Branon said they are proposing that all parking surfaces be paved.

Acting Chairman Sam Bouchie closed the public hearing.

Planning Director Kirk Stenersen said that Patriot Holding did a storage unit in another part of time and then sold it off. Is that their plan here? Chad Branon said that the other property did not allow for as many units as they prefer to have so they sold it. There are no plans to sell this one at this time.

Planning Director Kirk Stenersen provided the following 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 Patriots Holdings, LLC “All Purpose Storage Jaffrey LLC” 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
 - b. NHDOT driveway permit for increase in intensity of use
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. All construction, site work, and site operations shall be consistent with the most recent set of plans by Fieldstone Land Consultants, LLC for Patriot Holdings, LLC, land of All Purpose Storage Jaffrey, LLC, dated May 17, 2022 with a 6/24/22 revision or subsequently amended and associated documents (e.g. Storm Water Management Report Self-Storage Development” – dated May 17, 2022 with a June 24, 2022 revision or subsequently amended).
6. The applicant or applicant’s agent shall provide the Planning Office with an electronic copy of all final approved plans.

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MOTION: Holly Koski moved to grant approval of the Patriots Holdings, LLC “All Purpose Storage Jaffrey LLC” major site plan application for Tax Map 10 Lot 29-1-1 as presented with the 6 aforementioned conditions. Julie Sementa seconded the motion. **Vote: 7-0-0**

Planning Director Kirk Stenersen recused himself and left the planning table to join the audience.

New Business/ Public Hearings

CONSIDERATION OF an application for a Technical Subdivision and a Minor Subdivision submitted by Paquin Land Surveying, PLLC, on behalf of Tim Halliday, 30 Hughgill Road, Rindge, NH 03461 for property located on Middle Winchendon Road, US Route 202 and Dale Farm Road at Tax Map 2, Lots 46 and 54 in the Business Light Industry and the Residential-Agricultural zoning districts. The applicant is seeking approval for a lot line adjustment as well as a 3 lot subdivision.

Chairman Sam Bouchie read the following from the Planning Office memo.

- 1) Paquin Land Surveying, PLLC on behalf of Timothy S. Halliday and The Timothy S. Halliday & Anne M. Halliday Revocable Trust of 2014 has submitted for approval of a technical subdivision between Map 2 Lots 46 and 54 and for approval of a 3-lot minor subdivision of the adjusted Lot 46. The properties are located at 442 Middle Winchendon Road (Lot 54) and Knights Lane, Dale Farm Road and U.S. Route 202 (Lot 46).
- 2) Tax Map 2 Lots 46 and 54 are benefitted by Rindge ZBA Notice of Decision for case #1184 recorded at the Cheshire County Registry of Deeds in book 3213, page 374 which permits residential use in the Business-Light Industry zoning district. Lots 46 & 54 are also benefitted by a ZBA Notice of Decision for case #1182 recorded at the Cheshire County Registry of Deeds in book 3213, page 371 which permits a lot in the Residential-Agricultural zoning district to have less than 250 feet of frontage.
- 3) The applicant has requested two waivers from the subdivision regulations:
 - a. From Article V.1.A.2.b requiring a map inset which shows the entire parcel being subdivided. The applicant states, “It is my opinion that I have met the general intent of this requirement by showing the perimeter boundaries of the locus parcels on two separate sheets.”
 - b. From Article V.1.A.2.d requiring an overall site location map (locus). The applicant states, “It is my opinion that this is not necessary because it will require a third sheet and since the location of the lands being subdivided are easily identifiable given their location between three roads.”

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

Acting Chairman Sam Bouchie asked Jed Paquin to present the plan before the Board.

Jed Paquin said that Tim Halliday owns two parcels of land abutting Dale Farm Road, Route 202 and Middle Winchendon Road. Initially, they are proposing a lot line adjustment between the lots and then a three lot subdivision.

Holly Koski asked Jed Paquin to explain the reasoning behind his waiver requests.

MOTION: Bob Hamilton moved to grant the requested waivers from the Subdivision Regulations Article V.1.A.2.b and Article V.1.A.2.d as presented and move to accept the Technical and Minor Subdivision applications for Tax Map 2 Lots 46 and 54 as presented as substantially complete. Katelyn Smith seconded the motion. **Vote: 7-0-0**

Acting Chairman Sam Bouchie read the following from the Planning Office memo:

Regarding the Application:

- 1) The proposed technical and minor subdivision are located in both the Residential-Agricultural District and Business-Light Industry District.
- 2) The proposed technical and minor subdivisions are on Middle Winchendon Road, U.S. Route 202, Knights Lane and Dale Farm Road.
- 3) There is no public infrastructure or utilities proposed.
- 4) The existing parcel Map 2 Lot 46 is 44.24 acres with 65± feet of frontage on Dale Farm Road, 1,367± feet of frontage on Knights Lane and 538.49 feet of frontage on U.S. Route 202. The existing parcel Map 2 Lot 54 is 4.31 acres with 666.69 feet of frontage on Middle Winchendon Road.
- 5) The first step of the applications is the proposed Technical Subdivision which will change the lots as follows:

<u>Lot #:</u>	<u>Existing Size:</u>	<u>Parcel A:</u>	<u>New Size:</u>	<u>Frontage:</u>
46	44.24 acres	+ 2.18 acres	46.42 acres	65± feet (Dale Farm Road) 1,367± feet (Knights Lane) 538.49 feet (U.S. Route 202) 416.68 feet (Middle Winchendon Road)

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54 4.31 acres - 2.18 acres 2.13 acres 250.01 feet (Middle Winchendon Road)

- 6) The second step of the applications is the proposed three lot Minor Subdivision of the newly configured Map 2 Lot 46. The final proposed lots for these two applications are as follows:

<u>Lot #:</u>	<u>Area (acres):</u>	<u>Area (sq. ft.):</u>	<u>Frontage:</u>
46-1	34.82 acres	1,516,990 sq. ft.	65± feet (Dale Farm Road) 1,367± feet (Knights Lane) 166.68 feet (Middle Winchendon Road)
46-2	9.59 acres	417,590 sq. ft.	538.49 feet (U.S. Route 202)
46-3	2.01 acres	87,560 sq. ft.	250.00 feet (Middle Winchendon Road)
54	2.13 acres	92,720 sq. ft.	250.01 feet (Middle Winchendon Road)

- 7) The plans show a proposed Lot 54-1. This is part of the lot line adjustment process so the lot number does not change and should remain Lot 54.
- 8) The existing house will be on proposed Lot 46-1. The existing driveway is shown to cross over proposed Lot 54. The applicant should discuss if there will be a driveway easement or how this will work.
- 9) Lots 46-1, 46-3 and 54 will be accessed via Middle Winchendon Road. Lot 46-2 will be accessed from Middle Winchendon Road across an existing driveway through a proposed 30' wide easement across abutting Lots 57-1 and 57-2 which lot are also owned by the Halliday's or Trust's. Easement documents will need to be provided and recorded with the Cheshire County Registry of Deeds.
- 10) Proposed Lot 46-3 is under 5 acres so New Hampshire Department of Environmental Services (NHDES) state subdivision approval is required.
- 11) The applicant should discuss driveway locations and sight distance requirements as the roadway has elevation change and is on a corner.

Jed Paquin outlined the location of the driveways and easements on this plan. Proposed lot 46-1 will have frontage on Middle Winchendon Road which a variance was received for. This lot is intended to be a PURD (Planned Unit Residential Development) eventually, but they needed to first carve out the lots. There may need to be an easement for the access but Jed Paquin said he is not the one to answer that. That is a legal question. Because Tim Halliday owns both lots, he may not need to grant an easement to himself.

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Bob Hamilton asked about the variances that were granted by the ZBA and what they are applied to on this plan. Jed said Lot 46-1 received the variance for frontage.

Katelyn Smith asked if the voting would break this up as two applications or would it be voted on as one. Kirk Stenersen said that the Board could decide to do it either way. If they are going to approve both applications, it can be done together, but if there is any reason that they might reject one application and approve the other, then they can do it separately. It is up to the Planning Board.

Bob Hamilton said that all the lots have the area of at least 2 acres; 3 of the lots have the required 250 feet of frontage and 1 lot has a variance for frontage.

Acting Chairman Sam Bouchie opened the public hearing.

Roni Hamilton asked if these would be home ownership units or rentals. Tim said they would not be rentals.

Acting Chairman Sam Bouchie read into record the letter from ConCom regarding this application. (on file in the planning office)

Acting Chairman Sam Bouchie closed the public hearing

Holly Koski read the following from the Planning Office memo:

Recommendation:

If the Planning Board has discussed and the applicant has addressed the concerns outlined above, I recommend approval of the technical and minor subdivision applications 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, including but not limited to NHDES state subdivision approval.
- 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) Approval of the Technical Subdivision application by the Town of Rindge Planning Board in and of itself does not effectuate a change in lot line location. This approval recognizes that the lot configurations proposed are in conformance with the Town of Rindge Ordinances and Regulations or are otherwise accepted with non-conformances.

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The change in lot line location does not occur until such time as deeds transferring parcel “A” is recorded at the Cheshire County Registry of Deeds. A copy of the recorded deed must be submitted to the Town of Rindge Assessing Office.

- 5) 5, The applicant shall provide easement documents for the access to proposed Lot 46-2 over abutting Lots 57-1 and 57-2 and recorded if possible or needed.
- 6) The applicant shall provide easement documents for the access to proposed Lot 46-2 over abutting Lots 57-1 and 57-2.
- 7) The applicant or applicant’s agent shall provide the Planning Office with an electronic copy (PDF) of the final approved plans.

Board members discussed the process for condition #5. Will the easement be recorded? Jed Paquin said you cannot give yourself an easement and as Tim Halliday owns both parcels, this cannot be recorded at this time. Sam Bouchie said, if he sells any of these lots, he will have to do an easement at that time. A discussion took place where it was learned that these three lots, while all owned by Tim Halliday, are owned under three separate entities: Tim Halliday; Tim and Anne Halliday Trust; and Halfaday Realty Trust. It was the belief that an easement may be registered from one entity to another. Katelyn Smith asked Jed Paquin to clarify the driveway for each lot.

MOTION: Holly Koski moved to grant approval of the Technical and Minor Subdivision applications for Tax Map 2 Lot 46 and 54 as presented with the 6 aforementioned conditions which includes a modification to condition #5 which shall read:

“The applicant shall provide easement documents for the access to proposed Lot 46-2 over abutting Lots 57-1 and 57-2 and recorded if possible or needed.”

Motion seconded by Kim McCummings: **Vote: 7-0-0**

Planning Director Kirk Stenersen returned to the planning table.

Reports of Officers and Subcommittees

Wetlands Subcommittee

Planning Director Kirk Stenersen said that the Wetlands Subcommittee has reached a conclusion that the Planning Board members and the Conservation Commission members are unable to come to any agreements.

- The Conservation Commission stance is that there is a 50 foot wetlands buffer that cannot be touched.

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- The Planning Board's directive was to find out why there was a change in interpretation.
- The subcommittee cannot reach an agreement from its ConCom members that there has been a change in interpretation.
- Henceforth, this committee is stalled.

Planning Board members decided that a work meeting of the Planning Board in September would make sense to work on this as a Board.

Planning Office Report

Planning Director Kirk Stenersen said that he received a letter from the NH Office of Professional Licensure and Certification clearing him of any wrongdoing in the Conflict of Interest charge that was filed against him last November. Planning Director Kirk Stenersen thanked the Board for their support throughout this.

Meeting Adjourned at 9:05 PM

Respectfully Submitted,
Planning Office Staff