

**RINDGE PLANNING BOARD  
PLANNING BOARD MEETING  
Selectmen's Meeting Room @ Town Office  
January 7, 2020  
7:00 PM**

**Call to order and Pledge of Allegiance**

**Roll call by Chairperson**

**Appointment of alternates, if necessary.**

**Announcements and Communications**

**Approval of Minutes**

1. Approval of December 3<sup>rd</sup>, 2019 minutes

**Old Business/Continued Public Hearings**

**New Business/ Public Hearings**

1. **PRELIMINARY CONCEPTUAL CONSULTATION:** Fieldstone Land Consultants, PLLC, 206 Elm Street, Milford, NH on behalf of Navian Development, 581 N.H. Route 119, Rindge, NH for property located at N.H. Route 119, Tax Map 4 Lot 23 in the Residential – Agricultural District for a potential Planned Unit Residential Development.
2. **PUBLIC HEARING FOR A PETITION WARRANT ARTICLE:**  
“To see if the Town will re-instate an **Impact Fee Ordinance** (originally passed by the voters in 2003, and rescinded by the voters in 2017) that will authorize the Planning Board to asses impact fees for residential development and to adopt regulations to implement the provisions of the ordinance. If passed, this ordinance will be retroactive to January 1, 2020. This can only be rescinded by the legislative body (voters). These fees would help to off-set the costs to essential services, like our Police, Fire, and Highway Departments.”
3. **PUBLIC HEARING FOR A PETITION WARRANT ARTICLE:**  
“To see if the Town will vote to re-instate the **Growth Management Ordinance** (GMO) as amended in 2008 which limits the number of building permits that can be issued in a calendar year for residential construction. A copy of the Ordinance can be obtained from the Planning Department for review. If passed, this ordinance can only be rescinded by a vote of the legislative body (voters).”

**Reports of Officers and Subcommittees**

**Planning Office Report**

**Other Business**

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
December 3, 2019**

**DATE: December 3, 2019 TYPE: Public Hearing APPROVED: DRAFT**

**TIME: 7:00 pm**

**CALL TO ORDER: 7:00 PM**

**ROLL CALL MEMBERS:** Jonah Ketola, Sam Bouchie, Holly Koski,

**ROLL CALL ALTERNATES:** Cheves Walling, Katelyn Smith

**ABSENT:** Kim McCummings, Dennis Casey, Jason Paolino

**EX OFFICIO:** Roberta Oeser

**PLANNING DIRECTOR:** Kirk Stenersen

**APPOINTMENT OF ALTERNATES:** Cheves for Jason; Katelyn for Dennis

**OTHERS PRESENT:** James Clark, John Goodwin, Jessica Bruno, Greg Smith, Jeffrey Dickler, Greg Walsh, Paul La Roche, Taylor Milsal, Andre T. Aho

**Call to order and Pledge of Allegiance**

**Roll call by Chairperson**

**Appointment of alternates.**

Katelyn Smith for Dennis Casey; Cheves Walling for Jason Paolino

**Announcements and Communications**

Roberta Oeser said the Christmas tree lighting is Friday night and there will be fireworks. Also this week will be the Citizen of the Year-RAMS and Breakfast with Santa

**Approval of Minutes**

1. Approval of November 5<sup>th</sup>, 2019 minutes

**MOTION:** Roberta Oeser moved to approve the minutes as written. Holly Koski seconded the motion. **Vote: 5-0-1** (Cheves Walling abstained)

**New Business/ Public Hearings**

1. **CONCEPTUAL CONSULTATION:** Jessica Bruno inquiry on whether a site plan is needed for a small hair salon to be located at 1268 Route 119, Unit 13 (previous site of Carol's Cupboard). Tax Map 6 Lot 82

Planning Director Kirk Stenersen said that Jessica Bruno had called the planning office to see if a site plan was needed.

Jessica Bruno said she has to get state approval to open a small salon. She is here to find out what the Planning Board needs from her.

- Cheves Walling asked about hours of operation. Jessica Bruno said it would be Monday through Saturday, 9AM to 5PM.

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- The Board determined that this location is in the Gateway East District and this is an allowed use. There is adequate parking.
- Roberta Oeser confirmed with Jessica Bruno that the State of New Hampshire will check on the adequacy of the septic system.
- Sam Bouchie asked how many chairs would be in the shop. Jessica Bruno said just one.

Chairman Jonah Ketola spoke with the Board and determined that it is the consensus of this Board that this is an allowed use and there is no need for a Site Plan Review at this time.

*Chairman Jonah Ketola read the case before the Board:*

2. **CONSIDERATION OF** an application for a Minor Subdivision submitted by Huntley Survey & Design, PLLC for land owned by William D. Hillis. The property is located at 58 Homestead Lane, Rindge, NH, Tax Map 2, Lot 3-1 in the Residential District. The applicant is seeking approval for a 3-lot subdivision.

Planning Director Kirk Stenersen provided the following from the Planning Office memo.

- 1) Huntley Survey & Design, PLLC on behalf of William D. Hillis has submitted for approval of a 3-lot subdivision of land located at Tax Map 2 Lot 3-1 off of Robbins Road and Homestead Lane.
- 2) The applicant has requested a waiver from Section V.1.B.3 of the Subdivision Regulations regarding the requirement for bearings and distances on the entire parcel. The parcel is approximately 147 acres and they are proposing to subdivide off an 11 acre parcel. The applicant has also requested a waiver from Section V.2.B.1 for wetland delineation. The 11 acre parcel already has a house on it and the remaining property is going into conservation. The applicant has also requested a waiver from Section V.2.B.3 for test pits. The 11 acre parcel already has a house on it and the remaining property is going into conservation. In my opinion the waiver requests are reasonable ones and should be granted.
- 3) The applicant was granted a variance from the Zoning Board of Adjustment on November 26th, 2019 for frontage for Lots 3-1-2 and Lots 3-1-3. These two lots will have frontage on a class VI roadway only.
- 4) If the Planning Board grants the waiver request then the application can be considered substantially complete and the Planning Board will have the information necessary to make an informed decision on the application.

Planning Director Kirk Stenersen said that that the only reason this property is being subdivided into three lots and not two lots is because the pond creates a subdivision of this property down the center. Robbins Pond is greater than 10 acres and it is a state owned pond.

**MOTION:** Roberta Oeser moved to accept the application as substantially complete and grant the waivers from Sections V.1.B.3, V.2.B.1 and V.2.B.3 of the Subdivision Regulations as requested. Holly Koski seconded the motion. **Vote: 6-0-0**

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Russ Huntley of Huntley Survey & Design, PLLC presented the plan before the Board. The property is owned by Mr. Hillis. Mr. Huntley said this is a three lot subdivision to separate an 11 acre parcel with a house on it from the rest of the land. Robbins Pond creates the third lot of this subdivision. Mr. Huntley said his client would like to put the remaining two lots in New Hampshire and one lot he owns in Massachusetts into a conservation easement. Mr. Huntley said this meets all the other zoning criteria. He said they do have a Variance for the frontage.

Roberta Oeser asked about the frontage on the second lot. She said the amount of frontage is not listed on the survey. Kirk Stenersen said they do not need to show it as they have a variance as they have no frontage. Roberta Oeser asked for a copy of the ZBA variance. It is not yet available. Roberta Oeser said that without being able to see a copy of the Variance she does not think they can complete this. Taylor Milsal said this is very time sensitive and approval must be completed tonight in order to meet their deadlines. Mr. Huntley asked if this could be a condition to the approval and tomorrow, when someone is in the office, they can get a copy of this paperwork. They need to have this completed tonight in order to be able to put this into conservancy by year end. Planning Director Kirk Stenersen said he had spoken with Michele and the actual document is not available at this time. However, Mr. Stenersen said he had spoken with Dave Duvernay and Phil Stenersen, both of whom were at the meeting and confirm that this variance was granted. Roberta Oeser said it is her position that she cannot approve this without seeing the actual variance. Sam Bouchie said he would be in favor of making the variance a condition of the approval. Chairman Jonah Ketola asked Board members if they would be willing to have the variance as a condition of approval. Board members agreed.

*Chairman Jonah Ketola opened the public hearing.*

Jeff Dickler said he had a couple of questions for the Board. He said that there were write-ups that referred to test pits. He asked how many test pits there were. He also said he knows that the Conservation can manage this so that there could be future development. Taylor Milsal said this would be a conservation easement and that four attorneys have worked on this and there will be no further development on this property in the future.

Jeff Dickler asked why this is broken up into three properties when it could all be one easement. If there is no further development, why subdivide this?

Planning Director Kirk Stenersen said he would like to respond to Mr. Dickler's earlier questions about test pits. He said that test pits are required by the State of NH for lots under five acres under the State's Subdivision Approval. A waiver was requested as the septic system and house currently exist.

Planning Director Kirk Stenersen said that in regard to the subdivision, what the intent or use is really does not matter as long as they meet the Town's requirements to subdivide.

Jeff Dickler asked if there would be additional development on this lot. Chairman Jonah Ketola said that, in order for future development, they would have to come before the Board. Right now, there is one lot and one house on it which is what is allowed.

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*Chairman Jonah Ketola closed the public hearing.*

Roberta Oeser asked where the public access is to this pond? Roberta Oeser said these are considered public waters and access must be allowed. Taylor Milsal said that there is access from Robbins Road. Taylor Milsal said that the conservation easement does not require access.

**MOTION:** Sam Bouchie moved to grant approval of this minor subdivision 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 the Decision of the ZBA granting the variance for frontage requirements.
- 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.

Cheves Walling seconded the motion. **Vote: 6-0-0**

*Chairman Jonah Ketola read the case before the Board.*

<p>3. <b>CONSIDERATION OF</b> an application for a Minor Site Plan submitted by ATA Construction for Cathedral of the Pines, 10 Hale Hill Road, Rindge NH, for property located at 10 Hale Hill Road, Map 11 Lot 19 in the Residential District. The applicant is seeking approval for a 1,176 square foot addition to the existing Hilltop Building.</p>
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Planning Director Kirk Stenersen provided the following from the Planning Office memo:

Background Information:

ATA Construction, LLC has submitted for approval of a Minor / Minimum Expedited Site Plan to allow for the construction of a 1,176 square foot addition to the Hilltop Building at Cathedral of the Pines, 10 Hale Hill Road and known as Tax Map 11 Lot 19.

The applicant applied for a building permit with the building department but the Town of Rindge Site Plan Regulations require a site plan review for any non-residential construction including additions over 1,000 square feet. In my opinion, due to the size of the property (30 acres) and the minimum impact that the small addition will have on the property, this should be treated as a minimum expedited site plan. The application has been submitted as such.

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 complete and open the public hearing.

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Planning Director Kirk Stenersen said that the applicant is adding an addition to the backside of an existing building. This is far away from any property lines on a large parcel of land.

**MOTION:** Roberta Oeser moved to accept this application as substantially complete. Katelyn Smith seconded the motion. **Vote: 6-0-0**

Planning Director Kirk Stenersen provided the following from the Planning Dept. memo:

- 1) The minor site plan is located in the Residential District.
- 2) The proposed minor site plan is located at 10 Hale Road for a 1,176 square foot addition to the existing Hilltop Building.
- 3) There is no public infrastructure or utilities proposed.

*Chairman Jonah Ketola opened the public hearing.*

Members from the Board of the Cathedral of the Pines were in attendance and provided the Planning Board with a plan of the proposed addition. This is on the back side of the existing building, no roads will change and there will be no impact on the septic loading.

*Chairman Jonah Ketola closed the public hearing.*

**MOTION:** Roberta Oeser moved to approve the application. Holly Koski seconded the motion. **Vote: 6-0-0**

### **Reports of Officers and Subcommittees**

Planning Director Kirk Stenersen said the Board has received two petition warrant articles. One is to reinstate the Growth Management Ordinance and the other to reinstate the Impact Fee Ordinance. Planning Director Kirk Stenersen read the petition warrant articles to the Board. He said that the Board will need to hold public hearings for these articles. Roberta Oeser said the Impact Fee ordinance will require a very expensive study to set the rates and the Growth Management Ordinance has sunsetted. Planning Director Kirk Stenersen said he will reach out to Gary Kinyon. Roberta Oeser suggested starting with NHMA as their legal advice is free. Planning Director Kirk Stenersen said he will check into the timeline for these public hearings.

### **Planning Office Report**

1. **FOLLOW UP** on Map 2 Lot 41-2 and unpermitted site plan activities occurring on the property located on the northwest corner of the intersection of Rand Road and U.S. Route 202.

Planning Director Kirk Stenersen said he went by this site and everything has been cleaned up.

2. **FOLLOW UP** on Planning Secretary position.

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Planning Director Kirk Stenersen said that he has not done anything with the resumes that he does have. The problem is that there are no applications with municipal experience. The question is: who will train a person with no experience? Planning Director Kirk Stenersen said Susan has been in three or four times now to help out. It is working out fine. He said he has been working it so that Susan is working on things that are not critical so that if she cannot get it done, it is not a big problem. Anything she can get done is a help. Some of the resumes that have been received have requested salaries way over and above what can be paid. Katelyn Smith asked if Susan could train the new person. Kirk Stenersen said, with her health issues, we are working on borrowed time. There is no way to know day by day if she will be able to come in.

Planning Director Kirk Stenersen said that the Dale Farm Road court case was a week from yesterday. He spoke with Gary Kinyon as a follow up and Gary said it was pretty straight forward. The case is waiting for review at this time.

Planning Director Kirk Stenersen said that he received an email from Michele Christian that Mr. Dickler has requested to be an alternate on the Planning Board. Planning Director Kirk Stenersen will call Mr. Dickler.

Planning Director Kirk Stenersen said there are no new applications for December.

**MOTION:** Roberta Oeser moved to enter NON PUBLIC SESSION per RSA 91-A:3 II (a) for personnel issues. Katelyn Smith seconded. Roll Call Vote: Jonah Ketola: AYE; Sam Bouchie: AYE; Holly Koski: AYE; Cheves Walling: AYE; Katelyn Smith: AYE; Roberta Oeser: AYE.

The Board discussed the rate of pay for Susan Hoyland.

**MOTION:** Roberta Oeser moved to set the pay rate to \$22.00 per hour, retroactive to the date of re-hire. Holly Koski seconded the motion. **Vote: 6-0-0**

**Other Business**

Adjourned: 8:02 PM

Respectfully submitted,  
Susan Hoyland  
Planning Department

PETITION WARRANT ARTICLE  
 FOR MARCH/2020 ELECTION  
 RINDGE REGISTERED VOTERS

To see if the Town will re-instate an **Impact Fee Ordinance** (originally passed by the voters in 2003, and rescinded by the voters in 2017) that will authorize the Planning Board to assess impact fees for residential development and to adopt regulations to implement the provisions of the ordinance. If passed, this ordinance will be retroactive to January 1, 2020. This can only be rescinded by the legislative body (voters). These fees would help to off-set the costs to essential services, like our Police, Fire, and Highway Departments.

*The Impact Fee Ordinance was enacted pursuant to RSA 674:21 as an innovative Land Use Control and adopted on March 8, 2003. On March 14, 2017 it was rescinded by the voters (retroactive back to January 1, 2017).*

NAME	ADDRESS
1. <i>Ronnie Hamilton</i>	<i>255 E Monomonic Rd.</i>
2. <i>Nelson K. Surt</i>	<i>115 Satt Hill</i>
3. <i>Bob Hamilton</i>	<i>255 B Monomonic Rd</i>
4. <i>[Signature]</i>	<i>52 JERICKE RD</i>
5. <i>[Signature]</i> <i>RODRIGUEZ</i>	<i>31 PINE TERRACE</i>
6. <i>Jany A. [Signature]</i>	<i>26 S. Woodbound Rd.</i>
7. <i>Michelle Matilainen</i>	<i>26 S. Woodbound Rd.</i>
8. <i>Brenda [Signature]</i>	<i>17 School St.</i>
9. <i>Danny [Signature]</i>	<i>23 Twin Cove Dr.</i>
10. <i>[Signature]</i>	<i>117 School St</i>
11. <i>[Signature]</i>	<i>23 TWIN COVE DR.</i>
12. <i>[Signature]</i>	<i>1742 RTE 119</i>
13. <i>Kelan Meizer</i>	<i>32 Spruce Ave.</i>
14. <i>[Signature]</i>	<i>7 PINE EDGE RD</i>
15. <i>Al [Signature]</i>	<i>36 EMERSON Lane</i>



PETITION WARRANT ARTICLE  
 FOR MARCH/2020 ELECTION  
 RINDGE REGISTERED VOTERS

To see if the Town will vote to re-instate the **Growth Management Ordinance** (GMO) as amended in 2008 which limits the number of building permits that can be issued in a calendar year for residential construction. A copy of the Ordinance can be obtained from the Planning Department for review. If passed, this ordinance can only be rescinded by a vote of the legislative body (voters).

*This ordinance would be enacted in accordance with RSA 674:22. The purpose of the Growth Management Ordinance is to preserve the small town rural character of Rindge in accordance with the Rindge Master Plan adopted in 2017.*

NAME	ADDRESS
1. Roselle Hamilton	255 E. Memorial Rd
2. Klaus Kayt	115 Tall Hill
3. Bob Hamilton	255 E Memorial Rd
4. <del>John P. ...</del>	<del>525 JERICHO RD</del>
5. Janya A. Plut	26 S. Woodbound Rd.
6. Michelle Matilainei	26 S. Woodbound Rd.
7. Linda ...	117 Spruce St.
8. Dawn ...	23 Twin Cove Dr.
9. ...	117 School St
10. Lisa A. ...	23 TWIN COVE DR.
11. ...	1543 Ste 119
12. ...	312 Spruce Ave.
13. ...	7 FINE EDENS RD
14. Al ...	36 EMERSON Lane
15. ...	14 ROBERTSON RA.
16. Anna McElroy	140 NORTH ST