

**PLANNING BOARD**  
**RINDGE, NEW HAMPSHIRE**  
**January 15, 2019**

**DATE: January 15, 2019**    **TYPE: Public Meeting**    **APPROVED: 2/5/19**

**TIME: 7:00 pm**

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

**ROLL CALL MEMBERS:** Charlie Eicher, Dennis Casey, Jonah Ketola, Sam Bouchie,

**ROLL CALL ALTERNATES:** Holly Koski, Cheves Walling

**ABSENT:** Jason Paolino, Cheves Walling

**EX OFFICIO:** Roberta Oeser

**PLANNING DIRECTOR:** Kirk Stenersen

**APPOINTMENT OF ALTERNATES:** Holly Koski for Bruce Donati

**OTHERS PRESENT:** Sally Dunbar, Dawn Dunbar, Suzanne Hepburn, Phyllis McKeon, Roniele Hamilton, Kim McCummings, Deborah Opramolla, Judy Unger Clark, Craig Clark, Paul Grasewicz, Don Murray- (Town Pines HOA), Jamison Van Dyke, Garrett Webber, Jeff Montauri

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**Call to order and Pledge of Allegiance**

**Roll call by Chairperson**

Acting Chairman Jonah Ketola read into record the resignation of Bruce Donati both as Chairman and as a Planning Board member. This was effective as of January 9<sup>th</sup>. Acting Chairman Jonah Ketola said, at this time, the Board needs to elect a Chairman and Vice Chairman to complete the term until March 2019.

**MOTION:** Roberta Oeser moved to elect Jonah Ketola as Chairman and Jason Paolino as Vice Chairman. Sam seconded the motion. **Vote: 5-0-0**

Chairman Jonah Ketola said that, at this time, the Board has two alternates. Jonah Ketola appointed Holly Koski to sit tonight for Bruce Donati's seat. Chairman Jonah Ketola said that an appointed alternate can vote and take part in discussions in the same manner that regular members do.

**APPOINTMENT of a candidate to fill out the remaining term of a resigned member.**

Chairman Jonah Ketola said that according to the Planning Board's Rules of Procedure, the Board can appoint someone to fill out Bruce Donati's term as a regular member or choose an alternate to sit for Bruce Donati's seat at each of the remaining meetings. Because we are very close to the end of the term, the latter choice seems to make the most sense. Board members agreed, that with so few meetings left, they will just appoint an alternate to sit at each meeting.

**Approval of Minutes**

1. Approval of December 18, 2018 minutes

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**MOTION:** Roberta Oeser moved to approve the minutes as written. Holly Koski seconded the motion. **Vote: 5-0-1** Sam Bouchie abstained.

**New Business/ Public Hearings**

1. **CONSIDERATION OF** an application for Major Site Plan and Major Subdivision review submitted by Barkley Enterprises LLC. The property is located at Tax Map 2, Lot 45 on Dale Farm Road, Rindge, NH in the Residential-Agricultural District. The applicant is seeking approval for a 27 unit (12 duplexes and 1 triplex) Planned Unit Residential Development (PURD).

*Dennis Casey recused himself and left the planning table.*

Paul Grasewicz or GRAZ Engineering presented the case before the Board. Paul Grasewicz said they are proposing 13 duplexes and one triplex on a 14 acre parcel on Dale Farm Road. Dale Farm Road is a class six road. They are proposing to improve a section of Dale Farm Road that is about 1500 feet. The intent is to widen it to 24 feet wide. Dale Farm Road continues for another 500 feet or so as a Class VI road. There are no plans to improve that, but they intend to place boulders and signs to allow this to remain open, although they want to discourage people from driving vehicles through that section. Within the site, there will be about 1200 feet of new road. There will be an onsite septic system and a public supply water system consisting of three wells and a pump house. A drainage report has been included with this application. There are designed storm water systems to take care of the drainage. Each unit will have parking and a garage. They are proposing some site lighting at the intersections and there will be landscaping around the units. If the Board wishes, they can add landscaping around the front of the site. This project includes the Workforce Housing criteria for number of units allowed.

Planning Director Kirk Stenersen provided the following information from the Planning Office Memo:

***Background Information / Completeness:***

- 1) GRAZ Engineering, LLC on behalf of Jamison VanDyke and Barkley Enterprises, LLC has submitted for approval of a Planned Unit Residential Development (PURD) – 27 units (12 duplexes and 1 triplex). The applicant is taking advantage of the bonus for Workforce PURDs. The applicant has submitted a major site plan application as well as a major subdivision application in accordance with Section 4G of the PURD regulations.
- 2) The following waivers may be needed as indicated by the applicant and subject to the Planning Boards' interpretation:
  - a. From Section 5.G of the PURD regulation due to portions of the drainage basins, a treatment swale and fire pond being within the 50 foot required buffer along Dale Farm Road.
  - b. From Section 5.C.1.a of the PURD regulation for a minimum of 100 contiguous feet of frontage along a Class V road or higher. The current road is a Class VI roadway and will remain a Class VI roadway. The Zoning Board of Adjustment granted “a variance from Article XIII Section E of the Rindge Zoning Ordinance to permit more than one dwelling unit on a lot having less than the minimum frontage requirements (approximately 50 feet frontage exists versus the standard of 250 feet, or 100

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feet for a Planned Unit Residential Development (P.U.R.D.) in the Residential-Agricultural zoning district.”

- 3) The applicant has provided the Planning Board with the information necessary to make an informed decision on the applications. I recommend the Planning Board accept the applications as substantially complete, subject to the Planning Boards’ interpretation on the need to grant the potential waiver requests, and open the public hearing.

Chairman Jonah Ketola read into record the variance that was received for this project. (ZBA Case #1118)

Hearing Date: November 27, 2018  
Decision Date: November 27, 2018  
Case Number: 1118

**Notice of Decision**

You are hereby notified of the Decision in the case of:

**Case #1118: Jamison Van Dyke, d/b/a Barkley Enterprises, 1032 NH Route 119, Unit 4, Rindge, NH 03461, for property at the north side of Dale Farm Road, Rindge, NH 03461, Tax Map 2, Lot 45 for a request of a Variance from Article XIII, Section E of the Rindge Zoning Ordinance to permit more than one dwelling unit on a lot having less than the minimum frontage requirements (approximately 50’ frontage exists versus the standard 250’, 0r 100’ for a Planned Unit Residential Development (P.U.R.D.) in the Residential-Agricultural zoning district.**

Sitting on this case: Janet Goodrich, Chair; Marcia Breckenridge, Vice-Chair; Phil Stenersen; Bill Thomas and Alternate Susan Wessels

**The Board determined that**

1. **The variance would not be contrary to the public interest because** the 50’ section of road is a very small portion of the 1400 feet of frontage and it is not a threat to public health, safety or welfare. **Vote: 4-1-0**
2. **Granting the variance would do substantial justice because** it allows the road to remain a Class VI privately maintained road and will have less impact on the neighborhood and it allows the landowner to have access to his property. **Vote: 5-0-0**
3. **The variance would be consistent with the spirit and intent of the Rindge Zoning Ordinance because** 50’ frontage on a 1400’ frontage has no significant impact on any relevant factors. **Vote: 4-1-0**
4. **Granting the variance would not diminish surrounding property values because** 50’ on a Class V road is a very small portion of the 1400’ of property frontage overall. **Vote: 5-0-0**
5. **Special conditions do exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship because** there is 1400’ frontage of which 50’ is on a Class V road. **Vote: 5-0-0**

**The Variance has been GRANTED with the conditions.**

**Extra conditions for Variance:** The developer coordinate with the Town of Rindge to do what is necessary to discourage through traffic on Dale Farm Road. Motioned by Stenersen and Thomas **Vote: 5-0-0**

Roberta Oeser said that, while it doesn’t matter, as they have a variance, she does not believe that they have 50 feet on a Class V road. Planning Director Kirk Stenersen said that the Class V frontage is in the area where the plows turn around. Paul Grasewicz showed the Board a detail of the Class V frontage on the plans.

Roberta Oeser asked about the drainage plans and specifically about the runoff to Dale Farm Road. Paul Grasewicz said that any runoff will stay on site and the runoff that now takes place on Dale

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Farm Road will not change. Paul Grasewicz said that there is considerable runoff on Dale Farm Road due to a blocked culvert and that can be repaired. The plans show that the culvert will be replaced.

Planning Director Kirk Stenersen said that, at this time, the Board needs to determine if the requested waivers are required. The waivers are as follows:

- a. From Section 5.G (Buffer Zone) of the PURD regulation due to portions of the drainage basins, a treatment swale and fire pond being within the 50 foot required buffer along Dale Farm Road.

Roberta Oeser said that the zoning district changes to Business-Light Industry not far from this site. She said that the Buffer Zones are not necessary at the road. Roberta would be in favor of granting the waiver. Jonah Ketola said that he heard the applicant's agent say that they were willing to plant some shrubs and/or trees, which in 10 years or so would provide a buffer zone.

- a. From Section 5.C.1.a of the PURD regulation for a minimum of 100 contiguous feet of frontage along a Class V road or higher. The current road is a Class VI roadway and will remain a Class VI roadway. The Zoning Board of Adjustment granted "a variance from Article XIII Section E of the Rindge Zoning Ordinance to permit more than one dwelling unit on a lot having less than the minimum frontage requirements (approximately 50 feet frontage exists versus the standard of 250 feet, or 100 feet for a Planned Unit Residential Development (P.U.R.D.) in the Residential-Agricultural zoning district."

Planning Director Kirk Stenersen said that the Variance granted is not clear as to what they agreed to for frontage and so a waiver for frontage may be in order. Sam Bouchie asked where on the plan was the 100 feet of contiguous frontage. Roberta Oeser said that the ZBA approved this lot to be used as other than a single family dwelling, and therefore, the frontage issue is taken care of. Jonah Ketola asked if the applicant went to the Board of Selectmen prior to the ZBA for the road issues. Roberta Oeser said that they did come to the Board of Selectmen first for permission to improve the road. Charlie Eicher said that the variance should be sufficient and a waiver is not necessary. Roberta Oeser said our process with Regulations is to grant the waiver for the PURD requirements.

**MOTION:** Charlie Eicher moved to accept the Dale Farm Road PURD applications as substantially complete and grant the following waivers:

- a. *From the PURD Regulations Section 5.G – Landscaped Buffer to be fifty (50) feet along the entire perimeter of the PURD.*
- b. *From the PURD Regulations Section 5.C.1.a – Minimum of 100 feet of frontage on a Class V roadway.*

Holly Koski seconded the motion. **Vote: 5-0-0**

The application was accepted as substantially complete.

Paul Grasewicz said that this project will be owned by Jamison Van Dyke and would be rental units.

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

***Regarding the Application:***

- 1) The proposed project is located in the Residential-Agricultural District on Tax Map 4 Lot 45.
- 2) The subject parcel is 42.6 acres. Based on the PURD regulations the applicant is allowed a maximum of 27 units which includes the bonus for a Workforce PURD.
- 3) The proposal includes the upgrading of the portion of Dale Farm Road from Route 202 to the second entrance to the site. Public utilities will be required to be installed along Dale Farm Road from Route 202 to the site.
- 4) The applicant has proposed to block off a portion of the Class VI portion of Dale Farm Road from after the second entrance to approximately where Dale Farm Road changes to a Class V road.
- 5) The Planning Board should consider if the use of boulders to block off a portion of Dale Farm Road is reasonable or if two gates should be installed for a secondary means of ingress to the site in the event of an emergency at the project.
- 6) The road name coming in from Route 202 will have to be changed for E-911 purposes due to the blocking off a portion of Dale Farm Road. The new road name will be for the portion of the roadway coming from Route 202 into the site and Dale Farm Road will be known as just the class V portion of the roadway coming in from Middle Winchendon Road. The Selectman must approve all road names.
- 7) Horizontal curve data for the roadway within the site needs to be shown.
- 8) There is no indication on the plans for any proposed signage for the site. If there will be signage it needs to be indicated on the plans.
- 9) It appears that the applicant has met the Common Land and Open Space requirements of the PURD regulations. Calculations proving such need to be shown on the plans.
- 10) The Storm water Analysis and Management Plan appears to adequately address both the Site Plan Regulations and Subdivision Regulations in regards to storm water runoff. The proposed site utilizes two (2) detention basins to mitigate the increase in the storm water rate of runoff due to the proposed development. The storm water runoff is treated via three (3) proposed treatment swales. The storm water runoff is directed to the treatment swales and detention basins via an open drainage system with swales and culverts.
- 11) The PURD is subject to the Phased Development Ordinance. Based on 27 units and 20% per year for 5 years the applicant is allowed to construct 6 units each of the first two years and 5 units per year for the final three years. The Planning Board is allowed to modify the phasing schedule as per Section 3 of the Phased Development Ordinance, "When unique or unforeseen conditions arise with regard to a particular subdivision, the applicant may request the Planning Board to consider a modification to the phasing schedule." It is my opinion that this application falls into this category with twelve (12) of the proposed buildings containing two (2) units and one of the proposed buildings containing three (3) units. I suggest the following phasing schedule:

Year:	Number of Units:
1	6
2	6
3	6
4	5
5	4

- 12) A mandatory homeowner's association is not required as it is my understanding that all of the units will remain under single ownership.

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- 13) The applicant is required to submit an affordable housing restrictive covenant due to taking advantage of the bonus units for a workforce PURD. This will need to be reviewed by Town Counsel at the expense of the applicant.
- 14) The Planning Board may want to consider a site walk for this proposed development.
- 15) The applicant will need to obtain NHDES public water supply approval, NHDES septic system construction approvals and NHDES alteration of terrain approval. As of today's date, January 9, 2019, applications have not been received by NHDES.

Roberta Oeser said that during the public hearing for the upgrading of the road, there was a lot of discussion about perhaps using boulders rather than gates. Roberta Oeser said that the boulders would allow for some access (although not for vehicles), and gates would never be kept closed. Kirk Stenersen said gates would allow the Public Safety two means of egress in the event of an emergency. Jonah Ketola said that what he is hearing is that they do not want through traffic on this road. This decision should be left with Rick Donovan as to what he thinks would be the safest way to achieve this. Roberta Oeser said horses, snowmobiles, and others access this area. Planning Director Kirk Stenersen said he would meet with Rick Donovan to discuss this further. Roberta Oeser said, ultimately, this is a decision of the Board of Selectmen. Sam Bouchie said he took a ride up there recently. He said coming down Dale Farm Road off of Middle Winchendon Road he believes there are just 3 homes. On the Route 202 side, there are no homes south of that.

*Chairman Jonah Ketola opened the public hearing.*

Deborah Opramolla said she would like to settle the issue about the gates. She said there are some who use this when riding horseback. She said, with gates, she is not going to dismount and then re-mount to unlock and re-lock a gate. She said she also has an issue about water. She has a shallow well, and she said there may be water issues. Jonah Ketola said that the wells that will be drilled will be artesian wells, and the water will be coming from below the bedrock. This should not affect shallow wells. She said this will affect the water table which will affect their property values. She asked that that information be made public so that they know what they will be dealing with. Jonah Ketola said this will be monitored by the state, as these wells are public water supply. Testing will take place by the state. Deborah Opramolla said she would like to see a water table report. Paul Grasewicz said there will be an extensive process by a hydro-geologist and the results of that will need to go to the state for approval. A lot of work will go into getting approval for this and existing wells located near this project will be part of that study.

Judy Unger-Clark asked how and who differentiates between a Class V and Class VI road and why it is marked as just a little line on a map. Is the fact that a snowplow turns around at some point determine where it is Class V and Class VI? Planning Director Kirk Stenersen said a portion of this road that is now Class VI was once a Class V road. It is Class VI due to a lack of maintenance. So, whatever part of this road is being maintained by the town would be considered a Class V road and the part that is not maintained is a Class VI road. Judy Unger Clark said 50 feet of what is being called a Class V road is what gave them the variance to proceed with this stage of this project.

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Judy Unger Clark said that after the ZBA meeting, she filed an appeal as she felt that the 50 foot waiver was based on a made-up portion, merely a line based on a snow plow. She said she filed the appeal and never heard anything. She said she called the Chairman of the ZBA and was told that she had been emailed the proper application and filing deadline via email. Judy Unger Clark said she never received this. She said she got the form today at 2:00PM. She said she is appalled as the applicant does not have the authority to build on a Class VI road. Judy Unger Clark said this application is being snowballed through town and it is wrong.

Chairman Jonah Ketola said that board members are just following the procedures that are in front of them.

Judy Unger Clark said that Class VI roads are an important part of a town's infrastructure, allowing citizens to use them for recreational activities. She said that the Board is looking at taking away this usage permanently. Even though the road remains a Class VI road, you won't be able to ride horses due to traffic. I have filed a grievance against the ZBA Decision and I really question where this 50 foot frontage on a Class V road came from. I disagree with this.

Roberta Oeser said that when this road stopped being maintained some fifty years ago, there was no need to maintain it. It was just open land. It became a Class VI road. The ZBA said that the builder could build on a Class VI road. It would be land-taking to not allow people to use their land, and if they can't use their land, then the Town needs to buy them out. And we can't afford to do that.

Jonah Ketola said this is a town public way and you cannot stop someone from using it.

Suzanne Hepburn said she was told it was too late to appeal the ZBA decision. Roberta Oeser said that you need to have standing to appeal. As an abutter, you have standing. Suzanne Hepburn said she was counting on Judy Unger Clark's appeal to start the process. But no one explained how to do that. Roberta Oeser said that Susan is in the Land Use Office and if asked, could provide what is needed. An appeal must be made no later than 30 days after the Decision is made. In this case, the appeal period has ended.

Don Murray from Town Pines HOA asked how far his wells were from this proposal. He asked if his wells were within 1500 feet of this project. Paul Grasewicz worked with the plans and Mr. Murray to determine the distance which would be within the area.

Dawn Dunbar said that her house is the closest to this new proposed development. They are concerned that the value of their homes will drop. She said if she wanted to live by low income housing, she would move to Boston. Currently, she said, they feel very safe in their neighborhood now and fear that the crime rate will go up with low income housing. She said she has concerns about her well water; about air pollution, and about traffic as there will be 58 more cars than there are today. Tonight, they heard there will be outdoor lighting. This is a little dirt street. Will these

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lights reflect in their windows so they cannot sleep? She has concerns about a pump house, they are extremely noisy. This land is very wet, they have seen flooding often. They are concerned and don't understand why they can build 27 houses on 11 or 12 acres. Dawn Dunbar said that at a Selectman's meeting recently, Jamison VanDyke told Joe Byk that he was in a rush to get these units built. Dawn Dunbar said that the Town is not listening to their concerns. She said they would never have purchased their home if they knew a low income housing development would be built next door. She asked Jamison VanDyke to build this in his own backyard. Dawn Dunbar said that Jamison Van Dyke assured her that he would not cut down the tree buffer between this project and her neighborhood, and yet, he went into Robert's Landing and clear cut the trees. Dawn Dunbar asked "Who is going to protect our neighborhood?" Dawn Dunbar said they have concerns about the common space in a PURD. She said that on Robert's Landing, they were granted a waiver not to have common space. She said she has concerns that the septic is not a good plan due to a comment by Jason Paolino at the last meeting. Dawn Dunbar said she feels this is being pushed through without protecting the neighborhood, the wildlife nor the Class VI roads.

Paul Grasewicz said he would like to clarify that the pump house is not really a pump house. Each well will be bedrock with their own pumps to a hydromatic tank house. It will have air tanks. There will be no noise.

Dawn Dunbar said they have watched the snowplows and they do not plow beyond the stone wall.

Roberta Oeser said these are not Low Income Housing. The rental rate is around \$1400 a month. Roberta Oeser said there is a whole generation of young people who want a decent place to live, but they do not want to own a home and deal with the maintenance.

Jonah Ketola said a PURD is designed to compact the amount of development on a piece of property and then there are calculations you use to determine how many units on how many acres. It is to keep the developed part compact and leave the rest of the land undeveloped. Dawn Dunbar said that a lot of this is wetlands and they shouldn't be able to count that land. Planning Director Kirk Stenersen discussed the formula from the PURD regulations to show Dawn Dunbar how they determined how many units can be built. Wetlands are considered undevelopable area. The Workforce Housing increases the number of allowed units by 30 percent.

Craig Clark asked Roberta Oeser to clarify that a gate cannot be kept locked on a Class VI road. Roberta Oeser said it cannot be kept locked on a public highway. Roberta Oeser said another issue would be that Tim Halliday, an abutter, would want to have access via this road. Craig Clark said that Mr. Halliday had another means of egress to his property. Craig Clark said that Jersey Barriers might be considered, instead of boulders.

An unnamed woman said that she had concern for the safety of her well water. Paul Grasewicz said, that if she would give them permission, they would monitor her well during this project. The woman declined Mr. Grasewicz's offer.

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Kim McCummings asked for the operational definition for Workforce Housing. Kim McCummings said there is a difference between Workforce Housing and Low Income Housing. Planning Director Kirk Stenersen read the following from the PURD definitions.

“J. Workforce PURD: A PURD that provides rental or ownership housing opportunities to households based on the following standards: (1) **workforce rental housing** is defined as a housing unit that has a monthly rent not exceeding thirty percent of the gross income of a household earning no more than sixty percent of the median income for a three person household for the Cheshire County Fair Market Rent Area as published annually by the United States Department of Housing and Urban Development...”

Phyllis McKeon said that she has been hearing complaints all around town. She said she is curious if the Planning Board would consider having an impact study done to see what this will do environmentally, for town services, etc. She also asked what zoning rules are in place that allow a PURD to be developed. How can she change this rule? Jonah Ketola said that one way to make sure this doesn't happen would be to buy the land so that it is not developed. Otherwise, Jonah Ketola said, the developer will follow the ordinances and criteria to maximize this land. Until such time as the regulations are changed, the developer is within his/her right to develop the land and the planning board cannot change that.

Planning Director Kirk Stenersen said that he would put together the ordinances and regulations for Phyllis McKeon. He said that, if it was her intent to put together a Petition Warrant article, she may want to consult with an attorney. Phyllis McKeon said that she would want to know any and all ordinances that might change the zoning regulations so that, in the future, a PURD cannot be built. Planning Director Kirk Stenersen said that this land use board is not made up of attorneys and cannot give her legal advice. Phyllis McKeon said that she preferred not to hire an attorney, and wants this Board to tell her what she needs to do to change this law. Roberta Oeser said it is the PURD ordinance.

Charlie Eicher said, what people need to understand, is that this Board acts on the ordinances that have been put in place by the voters of this town. Zoning Ordinances are put on the ballot in March and are voted upon. That is what governs the decisions of this Board. The Board can listen to the abutters and concerned citizens, but unless there is something in the Zoning Ordinance that prevents it, the Board cannot deny it if it meets the criteria. Charlie Eicher said that this is a developer on a Class VI Road. The Planning Board is advisory only. The only one who can authorize a building permit on a Class VI road is the Board of Selectmen. So, what is happening tonight is to provide a decision, based on the ordinances. It will still come down to the Board of Selectmen as to whether or not a building permit will be issued.

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Planning Director Kirk Stenersen said that, if Phyllis McKeon would come to the Planning Office on Wednesdays, 9AM to 1PM, during his business hours, he would be happy to help guide her in what she is seeking.

Sally Dunbar said she received a letter as an abutter to come and talk about this project. She said that it appears that their opinions don't really matter as to how this would affect their property values. Charlie Eicher said that the Property Values were an issue that was considered by the ZBA (Zoning Board of Adjustment). Dawn Dunbar said that the ZBA would not allow them to speak. Jonah Ketola said that the Planning Board is here to see that the projects before them meet the ordinances and regulations that have been adopted.

Charlie Eicher said there are some things the Planning Board can do. They can put conditions on an approval, for example, for lighting. The lighting has to conform to the ordinances. The Board can set the brightness of the lighting, they can condition the number of hours the lights can be on, but they are limited in what they can do.

Dr. Deborah Opramolla said that while what is happening may be legal, it has been done piecemeal. The Zoning Board told them that the place to discuss this was the Planning Board. Deborah Opramolla said that every meeting has been sending them to another Board and while they were trying to figure out how it works, this project has gotten by. Deborah Opramolla said that if people were honest with the abutters, they could have been sure to have a petition in on time. She said the letters sent to abutters didn't say much and weren't helpful.

Charlie Eicher said we have a situation where people who own property don't like what other property owners are doing. If you own a piece of property, you can clear cut that property if you decide that's what you want to do. Charlie Eicher said that he doesn't want his neighbor to clear cut right up to his property. Perhaps he and his neighbor can talk and reach some sort of compromise. One thing that might be considered, is for the abutters to speak to their neighbor and see what they can work out.

Deborah Opramolla said one thing she would like is for the property owner to go back to putting in 24 units, rather than this plan. She said the Workforce Housing portion of this is a concern to her.

Roni Hamilton said that the Master Plan is a guideline for the Planning Board. She said it does take in development, because we want development; it takes into account property owners rights as well. And it says that we will keep Rindge rural. Roni Hamilton asked the people and the Board to take another look at the Master Plan.

An unnamed man from Jericho Road, Town Pines, said that he would like to talk about stipulations for the design process. Would that be discussed tonight? Would tree cutting be discussed? Jamison Van Dyke said the power lines come between this area and the neighbor and that they would not do

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any more cutting than they have to. Jamison Van Dyke said that he will be owning this project and he wants it to be attractive and something the neighbors are happy with. They plan to limit the number of lights. The man from Jericho Road says that noise does travel. They hear the noise from Market Basket Plaza and Route 202. They would like to see a buffer between this project and their neighborhood. Chairman Jonah Ketola asked Jamison Van Dyke if he was planning to cut where the units are or is he planning to go to other areas. Paul Grasewicz said there is a proposed tree line on the plan. On the north end, you cannot really see. They have to do some clearing to get to the wells. They are keeping the tree lines beyond that. They are keeping the trees on the slopes.

Planning Director Kirk Stenersen read the following from the PURD regulations:

J. Common Land/Open Space:

The Common Land shall be comprised of at least 25% of the acreage of the overall tract or tracts that comprise the PURD. Furthermore, at least fifty percent (50%) of the Common Land must consist of Open Space as defined in this regulation. The Common Land may not consist principally of land that is difficult to utilize such as wetlands or steep slopes (defined by the Soil Conservation Service, U.S. Department of Agriculture, as greater than or equal to 25% slope). Such land may be included as part of the Common Land but shall not consist of more than 50% of the total Common Land for the development.

He said he spoke to this in his memo, and it may help for the abutters to see what the common lands will be made up of.

Sally Dunbar said she walked this property and saw some ribbons on trees where the driveway will be placed. She asked if any other trees will be taken as it approaches her driveway. Roberta Oeser said it goes about 75 feet beyond the second driveway. She said it would be near the crushed culvert.

Bob Hamilton said that, while Charlie Eicher is correct, that the Board of Selectmen is responsible for the building permits, they have delegated that to the Building Department. So Rick Donovan and Deb Douglas will be the ones handling the building permit.

*Chairman Jonah Ketola called for a 5 minute recess.  
Meeting re-opened.*

Chairman Jonah Ketola polled the board to see if this public hearing should be continued at the next meeting. Roberta Oeser said that she thinks a site walk may be beneficial for this project. Chairman Jonah Ketola asked Mr. Van Dyke and Mr. Grasewicz to have the three wells staked as well as the

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driveway entrances so that members could see these at the Site Walk. After some discussion it was determined to meet on February 5, at 2PM

**MOTION:** Roberta Oeser moved to continue this hearing until 2:00PM on February 5, 2019 and meet off of Route 202 on Dale Farm Road for a Site Walk. Holly Koski seconded the motion. **Vote: 5-0-0**

Roberta Oeser volunteered to take the audio recorder to the site walk and narrate the events.

Chairman Jonah Ketola adjourned the meeting at 9:22PM.

Respectfully submitted,  
Susan Hoyland  
Planning Secretary