

PLANNING BOARD
RINDGE, NEW HAMPSHIRE
February 5, 2019

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

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

EX OFFICIO: Roberta Oeser

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: Holly Koski for Bruce Donati, Cheves Walling for Jason Paolino

OTHERS PRESENT: Matt Richard, Paul Grasewicz, Janet Goodrich, Dawn Dunbar, Sally Dunbar, Judy Unger-Clark, Garrett Webber, Suzanne Hepburn, Jared Van Dyke

Call to order and Pledge of Allegiance

Roll call by Chairperson

Approval of Minutes

1. Approval of January 15, 2019 minutes

MOTION: Dennis Casey moved to accept the minutes as written. Holly Koski seconded the motion. **Vote: 6-0-1** Cheves Walling abstained.

Old Business/Continued Public Hearings

Dennis Casey recused himself and left the planning table.

Chairman Jonah Ketola read the description of the case before the Board.

1. **Continued from January 15, 2019: 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).

Planning Director Kirk Stenersen read a letter dated January 29, 2019 from Panciocco Law, LLC into the record. (the complete letter to be found in the Application folder) Panciocco Law is representing Dawn and Sully Dunbar who reside on Tax Map 2 Lot 47-3, directly abutting the Site to the east. This letter addressed points regarding the ZBA approval; Road status; Workforce Housing; estimated Traffic; Emergency Vehicle Access; and Number of Units.

Meeting Minutes
February 5, 2019
JK, CE, SB, DC, RO, CW HK, KS

Chairman Jonah Ketola introduced Paul Grasewicz, the engineer on this project to present his plan before the Board. The plan has changed considerably since the last meeting.

Paul Grasewicz said that the plans were revised to go to four (4) six-unit buildings and one (1) triplex. The total number of units is the same but they are no longer duplexes. The plans were revised to get rid of 2 of the 3 wells, needing only one well. They also changed location of utilities and grading plans. By getting rid of the wells, they saved about an acre of tree clearing that will not have to be done. Mr. Grasewicz said he realizes that the Board will need time to review these new plans and is requesting a continuation of this public hearing.

Mr. Grasewicz said Sheet 10 shows wetlands and easements and the calculations for the 27 units per the PURD Regulations.

Paul Grasewicz said he would like to review the notes on the Panciocco letter.

- Frontage: The frontage on a Class V road is approximately 50 feet due to where the maintenance stops. Whether this frontage is actually 48 feet or 64 feet has no bearing on the frontage for this project.
- Road Status: This road will remain a Class VI road
- Workforce Housing: There has always been a note on these plans that Workforce Housing was a part of this application.
- Traffic: Mr. Grasewicz has no idea where the traffic numbers of 24 cars have come from. They have run traffic numbers for this project.
- Emergency Vehicle Access: They have met with other committees and Boards including Roadway Committee. The Fire Chief is on the Roadway Committee and has been aware of this project from the start.
- Road Design: the reason they have a big 200 foot centerline radius on this road is due to the Design Guidelines from the Subdivision Regulations. This is designed for the correct number of vehicles per day.

Chairman Jonah Ketola asked the Board for questions or comments.

Cheves Walling asked why they went from 3 wells to 1 well. Paul Grasewicz said they had thought separate wells would have hydromatic tanks where air would not hit the water. Three wells was required per State Guidelines for this type of system. Their water consultant said that the additional treatment for having storage is not that bad and, in the long run, it is a lot cheaper, to go with one well rather than 3 wells.

Roberta Oeser said that we accepted this plan as substantially complete, but the design has changed considerably. Roberta Oeser asked Board members if they are accepting this new plan. Chairman Jonah Ketola said it is a PURD still, the number of units is the same, there are now 5 buildings rather than 13 buildings, the drainage didn't change, the septic is the same.

Meeting Minutes
February 5, 2019
JK, CE, SB, DC, RO, CW HK, KS

Chairman Jonah Ketola asked Planning Director Kirk Stenersen for his input on this. Kirk Stenersen said if the road was in a new location, if the number of units had substantially changed, he might have some concerns. He does not see this change as a major issue, but needs to have time to review this plan which he has not yet done as it just arrived today. Planning Director Kirk Stenersen said that the regulations are silent on these type of changes and it is up to the Board to decide.

Charlie Eicher said that he would feel uncomfortable moving forward until he has time to review this and the Planning Director has time to respond to these changes. Chairman Jonah Ketola asked the Board how they would feel about continuing this to the next meeting. Roberta Oeser said continuing this would definitely be appropriate. She also asked that the applicant be willing to offer a waiver from the time constraints on this if the Board needs more than the 65 days to approve or deny this. Planning Director Kirk Stenersen said that there would be no problem in asking the applicant and engineer to agree to extend this timeline due to the major change in plans.

Chairman Jonah Ketola opened the public hearing.

Judy Unger-Clark said she is confused and would like an honest answer on when and why this change has occurred. (from 12 or 13 units to 5 units). Paul Grasewicz said that there is a large difference in insurance costs. Jamie Van Dyke/Barkley Enterprises will be retaining ownership of this site as well as maintenance of the road, and for cost reasons, decided to change the number of structures. Judy Unger Clark asked if this had to do with it being on a Class VI road. Paul Grasewicz said no, it has to do with fire insurance on the many buildings.

Suzanne Hepburn expressed concern about their dug wells and the amount of water that would be needed to service 27 units when they, at the top of the hill, are barely getting enough water to fill their wells. Paul Grasewicz said that testing will be done on the state level once they submit their applications. Suzanne Hepburn said that, according to the NH wetlands commission, there is a stream bed that cannot be touched due to the Clean Water Act. She suggested that the Planning Board contact the state wetlands commission to find out if the road is a stream or just run off. Suzanne Hepburn said this is coming on too fast, and this needs to be slowed down. Paul Grasewicz said that the road bed is not a stream. Kirk Stenersen said, in order for this to be wetlands, you have to meet three criteria. A wetland scientist has been out to the site. Suzanne Hepburn asked if the plans have been stamped by the wetland scientist. Paul Grasewicz said he has been notified by certified mail, but the final plans are not yet stamped. Planning Director Kirk Stenersen said, it is not the state that determines what is a wetland, but a wetland scientist.

Judy Unger Clark said she believes she saw one test pit today. She asked how many have been done on this site. Paul Grasewicz said there are 7 for the septic and he believes 5 for the drainage. A total of 12 test pits. Judy Unger Clark asked where the others would be. Chairman Jonah Ketola said that test pits get graded back into the ground.

Meeting Minutes
February 5, 2019
JK, CE, SB, DC, RO, CW HK, KS

Judy Unger Clark asked about the ledge in the road and ledge in the high ground. Paul Grasewicz said they didn't dig up there, but perhaps there is. He does expect there to be. Judy Unger Clark asked if there would be blasting to get through the ledge. Paul Grasewicz said usually they hammer before they blast.

Sam Bouchie asked about water storage on the plan. Paul showed him the location on the plan. (sheet 2) The storage tank will be under ground.

Judy Unger Clark said that, under PURD regulations, is there a stipulation for common ground, how is it defined, and where will it be. Chairman Jonah Ketola said, whatever isn't built on will be common ground. Judy Unger Clark asked what could be put in the common ground. Chairman Jonah Ketola said, if they were proposing that, we would see it on the plan. Sam Bouchie said there are 2.7 acres inside the loop of open space with another 31.67 acres of other open space. Judy Unger Clark asked if there would be pools, or trails. She said there is a heck of a lot of space for kids to get lost in.

An unnamed woman in the back asked about the PURD Regulation. She read from the definition of common land.

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.

Paul Grasewicz said there are calculations on page ten of the plans. Roberta Oeser said this will all be under the same ownership, so if someone owns that whole tract, and rents out individual units, the renters only have use of the unit they are renting. Chairman Jonah Ketola said that the Planning Board has followed the criteria of the PURD regulations. Because this is a single ownership, some of the regulations don't apply. Planning Director Kirk Stenersen said, a lot of time with PURDS, there is common land and then each person owns their own home. In this case, these are rentals and not single owners. As the applicant will own all of this, there is no reason to have an association and covenants as he would have them with himself, which is unnecessary.

Judy Unger Clark asked about the stone wall that runs through this area. Judy Unger Clark said that stonewalls cannot be removed. Roberta Oeser said that boundary line stone walls cannot be removed, but if they own the stonewall, and it is not a boundary line, it can be removed. Judy Unger

Meeting Minutes
February 5, 2019
JK, CE, SB, DC, RO, CW HK, KS

Clark asked if there were pins at the boundaries. Paul Grasewicz said there is a pin at the Dunbar property.

Judy Unger Clark said she still has issues with the variance that was given for the Class V/Class VI road. Chairman Jonah Ketola said that, we are the Planning Board, and we have a variance from another department, and he cannot speak to that. Judy Unger Clark said, the Planning Board is further continuing an unfit project. Chairman Jonah Ketola said we have a legitimate approval from another department, and we then move forward from that. We don't have the authority to decide to ignore it. Charlie Eicher said the Planning Board can only act on what they have the authority to do. Whether or not they can build on a Class V or Class VI road is not the Planning Board's authority. That is up to the Board of Selectmen.

Roberta Oeser asked to see elevations of the buildings at the next meeting. Paul Grasewicz said that he would supply that.

MOTION: Roberta Oeser moved to continue this public hearing until March 5, 2019 at 7:00 PM. Holly Koski seconded the motion. **Vote: 6-0-0**

Dennis Casey returned to the planning table.

Reports of Officers and Subcommittees

1. REVIEW of subcommittee's work on Site Plan Regulations

Board members reviewed the new Site Plan Regulations. After some discussion and a few minor changes, the Board agreed to send them to Public Hearing on March 5.

MOTION: Roberta Oeser moved to hold a Public Hearing on the Site Plan Regulations on March 5, 2019 at 8:00PM. Holly Koski seconded the motion. **Vote: 7-0-0**

Planning Office Report

Other Business

Respectfully submitted,
Susan Hoyland
Planning Secretary