

Meeting Minutes
April 2, 2019
JK, JP, DC, KM, SB, HK, RO, CW, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
April 2, 2019**

DATE: April 2, 2019 **TYPE:** Public Hearing **APPROVED:** May 21, 2019
TIME: 7:00 pm

CALL TO ORDER: 7:00 PM

ROLL CALL MEMBERS: Jonah Ketola, Jason Paolino, Dennis Casey, Kim McCummings, Sam Bouchie, Holly Koski

ROLL CALL ALTERNATES: Cheves Walling

ABSENT:

EX OFFICIO: Roberta Oeser

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES:

OTHERS PRESENT: Liz Weston, John Weston, L Beauregard, Paul Brans Jr., Dick LaFountain, Thomas Connolly, Catherine LeRay, Tim Hughgill, Sharon Boudreau, Emily Beauregard, Ray E. Hughgill, Paul Miller, Phil Simeone, Cole Lupicen, Chris Stewart, Mark Tieger, Joleen Little, Judy Unger-Clark, Paul Luibil, Candice Starrett, Christine Dipre, Karl Pruter

Call to order and Pledge of Allegiance

Roll call by Chairperson

Announcements and Communications

Dennis Casey announced that Conant Boys Basketball Championship commemorative tee-shirts are available for purchase. Roberta Oeser announced that the Conservation Commission is selling tee-shirts and they are available through the executive secretary. She also announced that the POOR Meat Raffle is this Saturday.

Approval of Minutes

1. Approval of March 19, 2019 minutes

MOTION: Jason Paolino moved to accept the minutes as written. Holly Koski seconded the motion.

Vote: 7-0-0.

Old Business/Continued Public Hearings

1. **Continued from March 19, 2019: Consideration of** an application for Major Site Plan submitted by Christopher Stewart, Colonial Green Products, 1032 NH Route 119, Unit 6, Rindge, NH for property located on Route 202, Map 2 Lot 64 and Map 3 Lot 4-8 in the Business Light Industry Zoning District. The applicant is seeking approval for an office and warehouse/garage.

Chairman Jonah Ketola asked Planning Director Kirk Stenersen to update the Board of letters received and status. Planning Director Kirk Stenersen said that Chris Stewart has submitted data sheets and Material Safety Data Sheets (MSDS) on the materials that will be stored at the site. Planning Director Kirk Stenersen said the he reviewed information submitted and compared the

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components of the materials to the list of EPA hazardous materials 40 CFR Ch. 1 Section 302.4 referenced in the Wetlands Ordinance. One of the components of the spray foam does have a component that is on the list Methylene diphenyl diisocyanate (MDI). It is listed as reportable to the EPA in the event of a spill of more than 5,000 lbs. Planning Director Kirk Stenersen showed the Planning Board a marked up floor plan of the proposed building which Chris Stewart submitted that shows where the spray foam components will be stored. The site plan shows the closest corner of the building where the spray foam components are stored is 125 feet from wetlands.

Planning Director Kirk Stenersen said that he meet with Rick Donovan on the submitted MSDS last Wednesday. Rick went through them briefly and more in detail on the MSDS for the component (part A) that contained MDI. He did not have any concerns in regards to if a fire did happen as standard fire-fighting practices are used and outlined in the MSDS. Rick took copies of MSDS of the critical components to review further and check with the Fire Marshalls office. Planning Director Kirk Stenersen read into record an e-mail from Casey Burrage that was drafted by Rick Donovan and Casey dated April 2nd, 2019 at 2:18 pm. It reads as follows:

Rindge Planning Board,

The Rindge Fire Department does not have any further concerns about the Termoseal products above and beyond what is contained in Safety Data Sheets. On consultation with the New Hampshire Fire Marshal's Office, they did suggest paying attention to the site plan in regards to spillage and runoff. Storage of the products will be reviewed when Stamped Building Plans are submitted. Firefighting Guidelines are as outlined in the departments SOG's, which is standard firefighting procedures for all commercial buildings within the town. We may have further questions in the Building Plan Review. Site Plan as presented to the fire department has no concerns at this time. Site drainage should be addressed by the Planning Board.

Please contact the Fire Department if you have any questions or concerns.

Respectfully Submitted.

Casey Burrage

Planning Director Kirk Stenersen passed around a photo submitted by Chris Stewart of his current storage as of March 27th which shows eight 55-gallon drums of the A side and three 55-gallon drums of the B side. Chris Stewart stated that the red drums are the A side and the white drums are the B side.

Planning Director Kirk Stenersen said he did put suggestions in the planning department memo in regards to the box culvert and guardrails, maintaining the buffer along Route 202 and the suggestion for restrictions of spray foam materials storage on site.

Planning Director Kirk Stenersen said that a letter from Christine Dipre and Lynne A. Samuelson was submitted. The letter is dated March 26, 2019 (see file for letter). He read the letter into the record.

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Chairman Jonah Ketola requested feedback from any of the board members who walked the site on their own since the last meeting. Sam Bouchie stated that he did get out there. He stated that after reviewing the plans he really does not have a concern of a chemical spill with this type of building and the containment. He does have concerns with 275 gallon oil tanks 15 feet from the brook in the trailer park. Dennis Casey said he went down but didn't see much and was not really sure where he was on the site and could not tell much of anything. Jason Paolino stated that the land really does rise after crossing the brook as it is shown on the plan and gets higher and dryer on the other side of the brook. Holly Koski stated that she went as well and believes she was in the right place where the flagging was. She did not cross the brook. Kim McCummings said she walked in where it appeared the curb cut was going to be and then walked along the edge of the brook but did not cross.

Cheeves Walling requested that Chris Stewart go through the process of his operation for the public in attendance similar what he did at the last meeting as he feels it would be really helpful. Jonah Ketola said we will get to that but wants to finish up questions or comments on the information just presented or the site walk.

Dennis Casey asked if there are any discrepancies between the documents submitted by the applicant and the abutters. Planning Director Kirk Stenersen said he did not review the abutter's submittal with that much detail but reviewed what was submitted by the applicant. Dennis Casey wanted to make sure he is clear on this and stated it is his understanding that there is basically two ingredients that make up this product – MDI and TDI. Chris Stewart stated that it is primarily MDI which is the A side and then there is a B side which is a resin which is completely proprietary depending on which manufacturer you buy it from. Once the two are combined you have a spray foam. Chris Stewart stated that he is not familiar with TDI. The sheets submitted by the abutter is from Icynene, which is another manufacturer of the chemical that he no longer uses. The forms that Chris Stewart submitted are from Thermoseal which is just another manufacturer that Colonial Green uses, they are all the same though.

Jason Paolino said that he looked through the MSDS from the perspective of fire and groundwater. His inclination is to rely on Rick Donovan but wanted to do his own research as well due to the concerns expressed. A couple of things he noticed, part A, which is the biggest concern, the flashpoint is 440 degrees whereas the flashpoint for gasoline which is the extreme other end of the spectrum is 45 degrees below zero. It is not an easy thing to ignite. Also, on the MSDS from an ingestion standpoint, which is the closet he can get to groundwater concerns, it is listed as slightly hazardous. Jason stated that he is not an expert but you have the long scary name but when you break it down only slightly hazardous surprised him. From the resin side the viscosity is fairly thick, like four times the viscosity of maple syrup or 2.5 times the viscosity of motor oil. It is not something that will go right into the ground like gasoline would. You have a little time before it runs away on you.

Roberta Oeser wanted to clarify that the MDI reportable limit for a spill is 5,000 lbs. Planning Director Kirk Stenersen confirmed this is correct. Roberta Oeser asked how that relates to what is stored on site. Chris Stewart explained that 5,000 lbs is the limit for a spill when the EPA needs to be notified. Colonial Green Products carries insurance, if there is a spill they notify the insurance company, the insurance company notifies the EPA in any response. 5,000 lbs is the level they want to be notified. In Colonial Greens case they are moving 55-gallon drums one at a time that weigh

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500 lbs so that is going to be the limit of your spill. The drums are heavy gauge steel and are very durable. He pointed out on the building plans the spray foam material storage area (16 feet x 40 feet) in the building. This area will be a segregated room of its own that will have closed cell spray foam insulation as will the entire building. The storage area is limited to this area. There was discussion on the containment and if there is a leak it will be limited to the storage area.

Chairman Jonah Ketola asked if there was a spill of the A side does it make sense to add B side to it to create foam to stop the spill. Chris Stewart said it would definitely make foam but it is not something you would want to do. The better way to clean up is to use speedy dry. The speedy dry absorbs the material and creates a solid that you can scrape up and dispose of it. The A side which everyone is concerned about is a moisture cured product so if you put water on the A side it will turn as hard as a rock similar to Gorilla Glue. When you are making foam it reacts with the moisture in the air instantaneously.

There was discussion between Roberta Oeser, Chairman Jonah Ketola and Chris Stewart that every drum currently stored would have to spill completely to get to the reportable limit of 5,000 lbs. They move the drums with a forklift with a special clamp and the drums are completely sealed. There was discussion on whether drums are returned to the site that are not fully emptied. Chris Stewart stated that they primarily remain on the rig until they are fully used up. If not fully used on one job it stays on the rig and is used for the next job. In the unlikely chance that a partial drum is removed from the rig, the pump comes out and the bone or plug is put back in to keep the drum sealed. The product cannot be exposed to the air as it will crystalize, the A side and turns it to sand. They want the drums completely sealed all of the time.

Jason Paolino inquired about adequate ventilation as required in the MSDS sheets. Chris Stewart explained that this is during the installation process at the job sites because when the two chemicals are combined in the spray gun it creates MDI or iso fumes. The homes are vented with big fans when the installation of the spray foam takes place. This will never be experienced in the warehouse. Holly Koski asked about where the trucks are stored. Chris Stewart confirmed that they will be stored in the warehouse to eliminate the large cost of heating the trucks outside. They currently are parked outside and heated with electric heaters.

Roberta Oeser brought up the concerns of the wells. She stated that she believes the well head radius is 150 feet and that the wells are further from the property than that. She brought up spite wells and the NHDES requirement for a waiver if you install your well too close to your neighbor's property. Roberta also brought up the previously leaking oil tanks at the Monadnock Co-Op. Chris Stewart stated that the wells are located fairly close to the middle of the park and they are approximately 650 feet from his property line. According to google earth the Co-Op wells are approximately 1,800 feet from his proposed site area. The nearest trailer to the site is about 600 feet. Chris Stewart stated that the State requires a 250 foot no build radius from the wells and there are about three trailers within that radius. The well division wants to monitor and know what is going on within 1,500 feet of the wells, there is no restrictions they just want to monitor. Jason Paolino stated that the Monadnock Co-Op is up gradient from the site so there is a lot of factors working against a plume getting to the wells from this site. Dennis Casey asked about the 50 foot and 75 foot well radius. There was discussion on the restriction that no septic system can be within 75 feet of the well, the building can

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be within the building radius. Planning Director Kirk Stenersen said that there are additional restrictions with a public water supply which the proposed site well is not.

It was again requested that Chris Stewart go through the spray foam process similar to how it was outlined at the last meeting. Jason Paolino summarized how the drums stayed on the delivery truck that transported them in, the truck backs up to the loading dock from there it as even plane basically right off the truck into the warehouse so there will not be any transporting of the drums around in the parking lot area.

Chris Stewart went through the process from taking the drums from within the storage building where they are loaded onto the spray foam trucks within the building utilizing a forklift. They maintain sealed drums until they get to the job site at which time the bone or small cap is removed out of the metal drum, the drum pump is installed and that is screwed into the drum so it is a completely sealed unit. This is done for both the A side and B side; they are always kept separate until ready. The drum pump then pumps the materials up a hose into the proportioner, again both the A side and B side equally, the proportioner is a computerized unit with a hydraulic pump in it that sucks them both up into a preheater that takes them up from 70 degrees up to approximately 128 degrees. The hydraulic pump then brings it up to roughly 1,350 psi. The materials are then pumped out through a heated 3/8" diameter hose that is typically about 300 feet long, again both A side and B side are kept separate. The materials are then brought up to the spray gun which mounts onto a manifold that has two holes in it, the gun is put on there. When everything is warmed up and ready to go you open the manifold and begin spraying. The chemicals go through two pin holes on either side of the mixing chamber, as soon as the chemicals hit each other they start making foam and the high pressure is what pushes it out to whatever it is you are spraying against like a wall. At that point in time is when the chemical reaction begins and when the foam is being made. Everything is completely sealed. Occasionally an O-ring goes bad in a spray gun, you take that one off the manifold and put another spray gun on. The other one is brought back to the warehouse to take it apart and clean it and put it back together for the next trip.

Cheeves Walling asked if the drums always stay in the truck and if they are not moved into the house during the spray foam process. Chris Stewart replied that they are always in the truck, everything stays in a self-contained unit, the rigs are heated, they are air conditioned, they are completely sealed. One of the rigs is built out of a refridge body truck because it is insulated and it actually heats and cools the entire truck itself. The systems are powered by 65,000 watt diesel generators, 30 cfm air compressor, these are mobile manufacturing plants and these trucks are \$200K units. The rigs are very well maintained.

Cheeves Walling asked if Chris Stewart would go over what happens with the equipment and uniforms that the guys are wearing. Chris Stewart explained that once the foam is reacted it is the same chemical make up as your cups and water bottles, it is a plastic foam that gets stuck to the suits afterwards, the suits are taken off and bagged up and they are just normal trash at that point. While spraying the workers are wearing fresh air breathing systems which is a hose that goes all the way back to the rigs so the workers are breathing cool air-conditioned air and they are monitored.

Jonah Ketola asked about what happens if a hole is put in the hose(s) if it catches on something when they are being dragged around the project site. Chris Stewart responded that the system is

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designed to shut down immediately if the pressures on the A side or B side are out of balance. The shutdown is instantaneous.

Jason Paolino suggested that the future discussions focus on what happens within the limits of the site. Specifically, he is looking for the process of what happens when the truck comes back and any cleaning procedures that take place including gun cleaning. Chris Stewart explained that sometimes the internal pressures do get off and the internal workings of the gun become hard foam. At that point the spray guns will have to come back to the warehouse and be cleaned. The guns are pulled apart on the workbench and cleaned with carb cleaner. When the empty drums come off the rigs, the bone or small cover is put back on immediately and they go to the scrap metal yard. Jason Paolino asked about the size of the spray gun. Chris Stewart explained that the spray gun is literally just the size of a gun. Jason Paolino asked for clarification that the process of cleaning the spray guns is not comparable to when using a garden hose and there is water running all over the driveway, it is not that type of a situation where there is fluid spilling everywhere. Chris Stewart said definitely not, that is why there is a manifold and all the safety shut offs in the proportioner.

Planning Director Kirk Stenersen read from the Planning Department memorandum:

Recommendation: I recommend approval of the Colonial Green Products 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. NHDES Wetlands Permit approval as required
 - c. NHDOT Driveway Permit approval
- 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) The Zoning District line needs to be shown on the "Plot Plan" and note #2 needs to be updated to show that the property is in two different zoning districts.
- 5) A voluntary merger must be completed to merge the subject parcels, Tax Map 3 Lot 4-8 and Tax Map 2 Lot 64.
- 6) 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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- 7) All construction, site work, and site operations shall be consistent with the most recent set of plans by Bell Engineering and Monadnock Septic Design, LLC and associated documents by Bell Engineering (e.g. *Stormwater Controls – dated February 26, 2019*).
- 8) Guardrail shall be installed per common engineering practices along both sides of the driveway over the box culvert.
- 9) The woodland buffer as shown on the plans shall be maintained between the site and U.S. Route 202.
- 10) All spray foam materials stored on the site shall be stored inside, and shall be handled and unloaded adjacent, against, or within the loading dock area and shall not exceed the quantity of the volume of the secondary containment provided by the concrete foundation.
- 11) The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.

Chairman Jonah Ketola asked if there were any other additions that anyone would like to add. There were no further comments and Chairman Jonah Ketola asked for a motion.

MOTION: Sam Bouchie moved to grant approval of the Colonial Green Products major site plan applications as presented with the 11 aforementioned conditions. Jason Paolino seconded the motion.

Further discussion took place on the motion. Roberta Oeser asked about the reason for the required voluntarily merger. Planning Director Kirk Stenersen explained that the building as proposed is bisected by the current property line between the two lots. Roberta Oeser also asked about the guardrail requirement and how they can be a nightmare for plowing purposes. Discussion ensued on the width of the driveway, raised curbing on both sides of the driveway across the box culvert and safety and liability issues. The conclusion was that the guardrails will not be that long and will not hinder snowplowing efforts. For safety reasons the board felt there should be guardrails. Chris Stewart commented that it will probably be a wooden guardrail and will meet code requirements.

Dennis Casey commented that he will not vote to support the project for a couple of reasons. There were a lot of people who were in attendance at the last meeting that were very much against this project. While it is in a zoning district that has an allowable use for this type of facility it is also bordering a residential community. He does not feel comfortable ignoring the concerns these people had. There is also a difference of expert opinion on what constitutes hazardous material and he didn't feel that was resolved. Dennis Casey felt the board was told that no hazardous materials would be stored on the site by the applicant. He did his own research and it sounds to him like MDI is a hazardous material, he doesn't feel like he got a truthful answer from the applicant. For those reasons he is not comfortable in supporting the project.

Jason Paolino wanted to address Dennis Casey's comments. Jason Paolino disagrees with the point that the Board is ignoring the public concern. A lot of time was spent performing our own due diligence above and beyond because of the amount of public turnout. He has thought long and hard about this, looked into the details of the MSDS and has done his own research. After getting the first

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nod from Rick Donovan the Board allowed him extra time to fully go back and do his research on MSDS both from a fire and hazardous material standpoint and the Board got the nod again. He feels comfortable that the Board has done its due diligence, it is a permitted use and he doesn't think approving this application is taking any unneeded risks to public safety.

Roberta Oeser addressed Dennis Casey's comments on the hazardous materials. She felt that what the applicant stated at the last meeting was that he did not have to mark the trucks with placards as containing hazardous materials inside. Roberta concurred with Jason Paolino especially with going back to the fire chief and that the Board did a lot of research as requested by the public.

Jonah moved to the Vote: 6-1-0. Dennis Casey voted No.

Planning Office Report

Planning Director Kirk Stenersen updated the Board that Susan Hoyland is at Dartmouth Hitchcock Medical Center in Lebanon with a medical issue. They are weighing options for which direction to take and unsure of how long she will be out. Kirk will update anyone with what little he knows if members come to him afterwards.

Registration is open for the Spring Planning and Zoning Conference, formerly OEP conference. The conference is in Concord at the Grappone Center on Saturday, June 1st. Please see planning staff for more information.

The Board is down to one alternate. Kirk feels that three alternates is an ideal number. The idea is to piggy back on the Selectman's posting for volunteers, there were no objections to doing that.

Discussion took place on not approving sealed non-public meeting minutes as they are sealed. The Board was good with the process of staff writing the minutes, putting them in a sealed envelope and filing them. Discussion also took place on non-public meetings, why they happen and how often they happen.

The Board of Selectman requested a letter of recommendation on the upgrade of Dale Farm Road, a class VI road. Planning Director Kirk Stenersen stated the he wrote a memo with Chairman Jonah Ketola approval, he read the memorandum for the record (see the file for the memo).

Planning Director Kirk Stenersen handed out the updated Site Plan Regulations for the Board to update their planning books.

Holly Koski requested that the planning staff get the Board members an updated member list with contact information and when terms expire.

There was discussion on the second meeting in April and if there were any new applications. Planning Director Kirk Stenersen stated that he would double check if any new applications have been submitted and let Chairman Jonah Ketola know.

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Kim McCummings stated that the Farmer's Market will be starting up again on Thursday, May 16th and will be every Thursday from 3:00 p.m. to 6:00 p.m. to the Thursday before Columbus day at the same location on the West Rindge common.

Adjourned: 8:18 PM

Respectfully submitted,
Kirk L. Stenersen, P.E.
Planning Director