

Meeting Minutes  
May 21, 2019  
JK, JP, DC, KM, SB, HK, RO, CW, KS

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
May 21, 2019**

**DATE: May 21, 2019      TYPE: Public Hearing      APPROVED: June 4, 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:** Don & Yvette Taylor, Jeff Dickler, Wendy Pelletier

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**Call to order and Pledge of Allegiance**

**Roll call by Chairperson**

**Announcements and Communications**

Roberta Oeser announced that the Memorial Day observance is on Monday, May 27<sup>th</sup>, on the common. The parade starts at 2:00 p.m. Jason Paolino informed the board that he will miss the next four to five months of meetings. Kim McCummings announced that the Rindge Farmer's Market had its official opening last Thursday. It will run every Thursday from 3:00 to 6:00 until the Thursday before Columbus Day on the West Rindge Common.

**Approval of Minutes**

1. Approval of April 2, 2019 minutes

MOTION: Jason Paolino moved to accept the minutes as written. Roberta Oeser seconded the motion. **Vote: 7-0-0.**

**New Business / Public Hearings**

1. **CONSIDERATION OF** an application for a Minor Subdivision submitted by David and Wanda Aho. The property is located at Tax Map 7, Lot 86-1 on Perry Road, Rindge, NH in the Residential-Agricultural Zoning District. The applicant is seeking approval for a 2-lot subdivision.

Planning Director Kirk Stenersen read the background information from the Planning Department Memo:

- 1) Cardinal Surveying and Land Planning on behalf of David and Wanda Aho has submitted for approval of a 2-lot subdivision of land located at Tax Map 7 Lot 86-1 off of Perry Road.

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- 2) The applicant has requested a waiver from Section V.2.B.2 of the Subdivision Regulations regarding the requirement for a contour map of the entire parcel. The remainder parcel has a house, barn, well and septic system so showing contours to determine buildability of the lot is not necessary. Contours are shown on the proposed lot. The applicant has also required a waiver from Section V.1.A.2.b for referencing or tying into a USGS benchmark but the waiver is not required in my opinion as the regulations state “whatever manner practicable.”
- 3) 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.

Wendy Pelletier of Cardinal Surveying presented the application. Property is an existing 12.3 acre property on Perry Road. The Aho’s wish to subdivide off 2.5 acres. The area shown on the plan is all open and the area in the back is wooded. State subdivision approval has been received. Sight distances were checked for the proposed driveway as requested by the Planning Department and it does meet the sight distance requirements. Planning Director Kirk Stenersen confirmed that he did request sight distance information due to the location of the driveway on the hill and a sight distance plan was supplied by the applicant and is in the file.

**MOTION:** Jason Paolino moved to accept the Minor Subdivision application for Tax Map 7 Lot 86-1 as presented as substantially complete and grant the waiver from Section V.2.B.2 of the Subdivision Regulations as requested. The motion was seconded by Holly Koski. **Vote: 7-0-0.**

Planning Director Kirk Stenersen read the regarding the application from the Planning Department Memo:

- 1) The proposed minor subdivision is located in the Residential-Agricultural District.
- 2) There is no public infrastructure or utilities proposed.
- 3) The existing parcel is 12.3± acres with 500.30 feet of frontage.
- 4) The proposed lots are as follows:

| <u>Lot#:</u> | <u>Area (sq. ft.):</u> | <u>Area (acres):</u> | <u>Frontage (ft.):</u> |
|--------------|------------------------|----------------------|------------------------|
| 86-1-1       | ----- sq. ft.          | 9.8± acres           | 250.14 ft.             |
| 86-1-2       | 107,656 sq. ft.        | 2.47 acres           | 250.16 ft.             |

- 5) The proposed lots will be accessed through their frontages onto Perry Road.

Chairman Jonah Ketola opened the public hearing. Don Taylor requested clarification as the number of lots being created. Roberta Oeser and Jonah Ketola confirmed that one additional lot was being created of 2.5 acres. Don Taylor asked about zoning and uses allowed on the property. Jonah Ketola stated that the lots are within the residential – agricultural zoning district. Yvette Taylor asked about access to the properties. Jonah Ketola pointed out the existing driveway location for the current

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home and the proposed driveway location for the new lot. Jeff Dickler asked about wetlands on the rear of the property. Jonah Ketola pointed out that there are no delineated wetlands on the plan and Wendy Pelletier confirmed there are no wetlands on the new lot. Roberta Oeser pointed out that the remainder lot is just under 10 acres (9.8 acres). Jason Paolino pointed out the area for the new home which is close to the road.

Chairman Jonah Ketola closed the public hearing.

Planning Director Kirk Stenersen read the recommendation from the Planning Department Memo:

I recommend 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 but not limited to NHDES state subdivision approval.
- 3) Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this subdivision plan through other governmental or permitting agencies are hereby included in this approval.

Roberta Oeser commented that the property is 2.5 acres which would not allow for multi-family nor would it allow for a duplex. Planning Director Kirk Stenersen pointed out that an Accessory Dwelling Unit (ADU) would be allowed by Special Exception.

**MOTION:** Roberta Oeser moved to grant approval of this Minor Subdivision for Tax Map 7 Lot 86-1 as presented with the 3 aforementioned conditions. Jason Paolino seconded the motion. **Vote: 7-0-0.**

### **Planning Office Report**

Planning Director Kirk Stenersen handed out the new Site Plan Regulations with both the even and odd pages. He also handed out the Planning Board Members 2019 and Terms and contact information.

Planning Director Kirk Stenersen pointed out that the OEP conference is full and is sold out. Discussion took place on signing up really early next year, before the election even and then cancel if need be.

Planning Director Kirk Stenersen brought up posting for alternates and Michele has sent out an e-mail to other boards and committees to gauge interest in doing a combined posting to share the cost. The objective would be to get to three alternates for the Planning Board.

Planning Director Kirk Stenersen updated the Board on the Colonial Green Products site plan in regards to the decision being appealed to the Superior Court. There is no attorney involved for the Monadnock Tenants Co-Op. The applicant has requested information from the file for defense purposes so Kirk Stenersen will have to pull this information together. Roberta Oeser heard that

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town counsel Gary Kinyon has asked for dismissal of the case because it should have been appealed to the Zoning Board of Adjustment.

Planning Director Kirk Stenersen informed the Board that the Dale Farm Road appeal will be heard by the Zoning Board of Adjustment this coming Tuesday, May 28<sup>th</sup>. The decision was appealed both to the ZBA and Superior Court. It is Kirk Stenersens' understanding that the applicants attorney John Rattigan will be filing with the court to be an intervenor in this appeal. A right to know request was submitted by Panciocco Law, LLC with a specific list of items and the town office supplied that information. As part of the court case, within 30 days of being served the town needs to provide the court with a certified copy of the file, which Kirk Stenersen will need to pull together over the next two Wednesdays.

Roberta Oeser mentioned that Panciocco Law, LLC has submitted a letter to the Town that basically states that the PURD ordinance was adopted prior to RSA 674:21 allowing innovative land uses. This affects where the appeal goes whether the Zoning Board of Adjustment or Superior Court. Discussion ensued with no real conclusion other than that the ZBA needs to know that they may have to hear the case due to the fact that the PURD was originally adopted under Zoning and not RSA 674:21.

Roberta Oeser made a motion to go into non-public session for personnel matters per RSA 91:A:3:II:a. Motion seconded by Holly Koski. Roll Call Vote: Sam Bouchie: Yes; Kim McCummings: Yes; Dennis Casey: Yes; Jonah Ketola: Yes; Jason Paolino: Yes; Roberta Oeser: Yes; Holly Koski: Yes.

The Board entered into Non-Public session at 7:26 PM.

Roberta Oeser led a discussion on Susan Hoylands extended leave of absence due to health issues and how the Town can help her financially through the Towns' sick leave donation policy.

The Board returned to public session at 7:39 PM

Adjourned: 7:39 PM

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