

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
February 18, 2020**

**DATE: February 18, 2020 TYPE: Public Hearing APPROVED: 4/21/2020**

**TIME: 7:00 pm**

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

**ROLL CALL MEMBERS: Sam Bouchie, Dennis Casey, Kim McCummings, Holly Koski**

**ROLL CALL ALTERNATES: Cheves Walling**

**ABSENT: Jason Paolino, Katelyn Smith, Jonah Ketola**

**EX OFFICIO: Roberta Oeser**

**PLANNING DIRECTOR: Kirk Stenersen**

**APPOINTMENT OF ALTERNATES: Cheves Walling for Jason Paolino**

**OTHERS PRESENT: Pat Martin, Dwight Schenk, Richard Mellor, Jeffrey C. Dickler**

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Planning Director Kirk Stenersen said that in the absence of the Chairman and Vice Chairman, the Rules of Procedure say that the Board should choose a member to chair the meeting.

**MOTION:** Roberta Oeser moved to appoint Sam Bouchie as acting chairman for this evening. Holly Koski seconded the motion. **Vote: 6-0-0.**

**Call to order and Pledge of Allegiance**

**Roll call by Chairperson**

**Announcements and Communications**

Roberta Oeser said that the Board of Selectman will be holding another public hearing for the town wide broadband proposal. This will be at the meeting house tomorrow evening at 6PM. Roberta Oeser asked that people ‘spread the word’.

**New Business/ Public Hearings**

- 1. DISCUSSION WITH RINDGE ENERGY COMMISSION:** Requirement of RSA 674:17.j to encourage the use of renewable energy and potential ordinance for community/ large scale solar.

Planning Director Kirk Stenersen said that the Energy Commission had requested a discussion and he would be turning this over to Jeff Dickler at this time.

Jeff Dickler from old Jaffrey Road read the following statement:

*“Thank you for putting our request on the agenda for this evening. We believe this can be presented and discussed in a minimum amount of time because there are so many positives that will come out of it. We requested this opportunity for several reasons. Before we go into those I am going to do a brief review of the change to the RSA. This is NH RSA674.17 which lays out the Purposes of Zoning Ordinances. The subsection starts out stating that Zoning ordinances shall be designed to put in place a series of protections for the towns and their citizens. It then encourages two things, first was to preserve agricultural lands, and then in 2002,*

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*the following paragraph (j) was added. For whatever reason this was never added to or referenced by the Rindge zoning regulations. It reads as follows:*

*To encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy sources by the regulation of orientation of streets, lots, and buildings; establishment of maximum building height, minimum set back requirements, and limitations on type, height, and placement of vegetation; and encouragement of the use of solar skyspace easements under RSA 477. Zoning ordinances may establish buffer zones or additional districts which overlap existing districts and may further regulate the planting and trimming of vegetation on public and private property to protect access to renewable energy systems.*

*II. Every zoning ordinance shall be made with reasonable consideration to, among other things, the character of the area involved and its peculiar suitability for particular uses, as well as with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality.*

*How will this benefit our town:*

- *Having this statement included in our zoning ordinances and having a large scale solar ordinance in place will make the application process much easier and less burdensome for developers to apply for grants from such as the Low to Moderate Income Residential Solar Project facilitated by the Public Utility Commission. A basic eligibility requirement to apply for such grants is the guarantee of the long term viability of the projects established by tying in the solar easements stated in RSA 477. Including this statement in our zoning ordinances, will trigger developers to think more broadly about the goals of their projects and make additional grant funding available to them and encourage renewable energy development.*
- *Make Rindge an attractive cost friendly environment for young technologically savvy workers who will already be influenced by the town's broadband project.*
- *Bring our zoning ordinances into alignment with the NH RSA 674.*

*This ordinance change creates opportunities for developers to apply for grants to offset their production costs. They are always looking for ways to improve their bottom line and still deliver first class products. This is very relevant to the PURD projects. Having those designed for renewable energy sources not only creates the opportunity for additional income streams in renewable resources via Renewable Energy Credits, but also through net metering which will also be applied to offset utility costs for potential renters and owners. With New Hampshire's high electric costs and the potential use of heat pump technology this can be very compelling. We all know that cash flow is a chief concern of low to moderate income families. Having installed solar ourselves, we can testify to the impact solar can have on utility bills.*

*Since we, as the Town of Rindge, are really stepping up our game with the broadband project this is a great accompanying move. Several of the surrounding towns are installing or negotiating for large scale community solar. So this language added to our zoning will provide the legal structure and protections needed to keep these types of projects viable for the long term.*

*This modification to RSA 674 was inserted in 2002. There has been no substantial pushback against it on a statewide basis. To the contrary, it has provided a jumping off point for renewable projects around the state. In addition, not having it in place, leaves the town vulnerable if someone were to be looking for ways to take legal action to block projects.*

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*Conclusion*

*Our asks are:*

- *Understanding that an official change to the Zoning Ordinances will required a warrant article, we suggest that the Planning Board and Zoning Board of Adjustments immediately include the letter and spirit of the RSA 674.17.j when reviewing all further projects.*
- *that this be added to the Rindge Zoning Ordinances with all possible speed.*
- *that the planning board appoint a subcommittee to develop a local ordinance for large scale community solar.*

*I and my colleagues from the Energy Commission are now prepared to respond to any questions from the board or attending citizens.*

*Thank you for your time.”*

- Pat Martin said this is for community solar as well as any other solar project.
- Board members and Planning Director Kirk Stenersen said that, in the absence of a local ordinance, the state regulations would take over.
- Sam Bouchie said that he looked into solar for his campground and from a cost effective and land control standpoint, it did not make sense.
- Pat Martin said large scale solar means over 100 kilowatt design. She said that the state doesn't come in until you are up to 5 megawatts.
- Pat Martin said a few years ago, Rindge was approached by a solar developer looking for 100 acre or more parcel of land which Rindge does not have available at this time.
- Pat Martin said that she had spoken a few years back with the Van Dykes about a community solar project. She said a community solar project is owned by a group of people.
- Pat Martin said that the Town of Fitzwilliam is looking at a large solar project and they do have an ordinance for this. Pat Martin said in Rindge, someone who would want to do a large solar project would need to go before the Zoning Board of Adjustment for a variance. This would ultimately affect them in applying for a grant.
- Pat Martin said a large scale solar ordinance makes sense for Rindge and she has two examples of ordinances; a copy of the green energy ordinance and the Town of Fitzwilliam ordinance to help in the process. She said that the Energy Commission is willing to work with the Planning Board on a Large Scale Solar Ordinance.
- Jeff Dickler said that he is asking the Planning Board to create a subcommittee to work on an ordinance that can be put before the voters next March (2021).
- Planning Board member Kim McCummings spoke in favor of beginning the process to set up a subcommittee. She said this technology is constantly changing. Holly Koski said that she would sit on a subcommittee.

A discussion of Board members followed.

Acting Chairman Sam Bouchie said that if a private landowner has the room and the acreage to put in their own solar, there is nothing we have that will stop them. Commercial applications would require obtaining a variance.

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Richard Mellor said that you have to consider the impact in your site plan reviews which would be different from the ordinance. He suggested putting something in the Zoning Ordinance itself relating to solar as well as working on a stand-alone ordinance. Roberta Oeser said that she does not want to see this allowed in all parts of town, so she would be opposed to putting this in the General Zoning conditions. Board members discussed this briefly and determined that the Subcommittee could explore the pros and cons of this approach.

Acting Director Sam Bouchie said that Holly Koski and Kim McCummings were willing to sit on a subcommittee and that right after the elections, the Board will set up a subcommittee.

Pat Brady Martin thanked the Planning Board for their time.

*Planning Director Kirk Stenersen left the table as he is the engineer on the next application.*

Acting Chairman Sam Bouchie read the following:

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| <p><b>2. CONSIDERATION OF</b> an application for a Minor Subdivision submitted by 302 Development LLC for property located at 1448 NH Route 119, Tax Map 6 Lot 19, in the Gateway Central District. The applicant is seeking approval for a 2 lot subdivision.</p> |
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Kirk Stenersen, Higher Design PLLC said that he was asked by the property owner to look into the development possibilities on this property. He said to the west on Route 119, there is a lot more property there than he initially thought there was. He said on one side, there is roughly 1.96 acres of buildable property as well as approximately 2.7 buildable acres on the other side. Wetlands have been flagged on this property. The proposal before the Board tonight is to cut off 11.26 acres and leave 7.24 acres with the existing building. There are a total of three curb cuts on Route 202 and on Route 119.

Dennis Casey asked why this wasn't discussed with the prior Site Plan Review on this property. Kirk Stenersen said that it had not been requested at that time. Holly Koski asked for the location of the curb cuts. Kirk Stenersen pointed out approximate locations; the guardrail would need to be cut on US Route 202. Dennis Casey asked if the approved curb cuts are limited access in both areas. Kirk Stenersen said it would depend on the limited access, but yes, it most likely would be. He said that for 250 feet of frontage you would get one curb cut and with 500 feet, you would get two curb cuts and that even if you had another 2000 feet of frontage, you would get no more curb cuts. There is a way to purchase additional curb cuts, but they are not always approved.

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

*Acting Chairman Sam Bouchie opened the public hearing.*

Richard Mellor said he arrived late, and asked where the buildable area was on this lot and how much was there. Kirk Stenersen provided that information. Richard Mellor asked for the approximate setback from the road. Kirk Stenersen said it was approximately 250 to 300 feet.

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Board members discussed potential well radius and septic locations. Members discussed possible uses in the Gateway Central District.

**MOTION:** Roberta Oeser moved to approve the application with the following conditions.

- 1) Monumentation (iron pins) shall be set at all new lot corners.
- 2) All applicable governmental permits shall be obtained.
- 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.
- 4) The applicant or applicant's agent shall provide the Planning Office with an electronic copy of all approved plans.

Holly Koski seconded the motion. **Vote: 6-0-0**

*Planning Director Kirk Stenersen returned to the table.*

**Planning Office Report**  
March Meeting Schedule

Kirk Stenersen will be out of town from this Friday until March 4<sup>th</sup>. Sam Bouchie will be out of town for the month of March. There will be no meeting on March 3<sup>rd</sup>; the next meeting will take place on March 17<sup>th</sup>. Election of officers will take place at the March 17<sup>th</sup> meeting.

**MOTION:** Roberta Oeser moved to enter Non-Public Session per RSA 91-A; 3.II.b Holly Koski seconded the motion.

**Roll Call Vote:** Sam-Yes; Holly-Yes; Kim-Yes; Dennis-Yes; Roberta-Yes; Cheves-Yes.

*Non-Public Session entered at 8:05 PM.*

Planning Director Kirk Stenersen updated the Planning Board on the current situation with the Planning Secretary position. Things are in a maintain state right now in the Planning Office with applications being at a minimum and Susan coming in two days a week. Susan is able to slowly pick away at some of the back log of things Kirk was not able to get to in her absence. If applications pick up, it is not sustainable at two days per week. There is one resume that was submitted for the Planning Secretary position from a qualified applicant. Discussions took place on a possible transition period and training period. The Board decided to continue the discussion at a later date when the Chairman and Vice Chairman are in attendance.

**MOTION:** Roberta Oeser moved to leave Non-Public Session per RSA 91-A; 3.II.b and return to Public meeting. Holly Koski seconded the motion.

**Roll Call Vote:** Sam-Yes; Holly-Yes; Kim-Yes; Dennis-Yes; Roberta-Yes; Cheves-Yes.

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*Return to public session at 8:23PM.*

**Other Business**

Approval of Minutes

1. Approval of Minutes of January 7, 2020

**MOTION:** Roberta Oeser moved to approve the minutes with one correction. Add the words “more than” to paragraph two on page four before the words “25 registered voters”. Holly Koski seconded the motion. **Vote: 6-0-0**

Adjourned: 8:26 PM

Public Hearing minutes respectfully submitted by Susan Hoyland  
Non-Public minutes respectfully submitted by Kirk Stenersen