

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
September 1, 2020**

DATE: September 1, 2020 TYPE: Public Hearing APPROVED: October 6, 2020

TIME: 7:00 pm

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Jonah Ketola, Sam Bouchie, Jason Paolino, Holly Koski, Kim McCummings, Roberta Oeser,

ROLL CALL ALTERNATES: Cheves Walling, Katelyn Smith

ABSENT:

EX OFFICIO: Roberta Oeser

PLANNING DIRECTOR: Kirk Stenersen

APPOINTMENT OF ALTERNATES: Katelyn Smith

OTHERS PRESENT: Deni Dickler, Jeff Dickler, Sharon Rasku, David Levada, Kay Levada, Cara Primeau, Nate Chaimberlain, Kelly Dowl, Armando Golisano, James Golisano, Nathaniel Merrel, Andrew Merrell, Phil Simeone, Julie Semento, Jennifer Merrell, Marybeth & George Quill, Christine Dipre, Michael Aho, Judy Unger-Clarke, Dan Whitney, Joel Kaplan, Larry Cleveland, Arwen Mellor, C. Casey Burrage, Jim Callahan, Jim Qualey, Roni Hamilton, Robert Hamilton, W Fogg

Call to order and Pledge of Allegiance

Chairman Ketola called the meeting to order.

Roll call by Chairperson

Kirk Stenersen, Jonah Ketola, Sam Bouchie, Jason Paolino, Holly Koski, Kim McCummings, Roberta Oeser, Cheves Walling, Katelyn Smith,

Appointment of alternates, if necessary.

Katelyn Smith appointed for Dennis Casey, who has resigned from the board.

Announcements and Communications

Chairman Ketola announced that this was a Zoom Meeting and those watching would not be able to comment. He asked members of the audience to sign-in if that had not already done so, announced that the room was at full capacity and when members were recognized to speak to speak loudly to be heard.

Approval of Minutes:

1. August 18, 2020

Katelyn Smith corrected that she was not on ZOOM for the meeting.

Motion: Jason Paolino motioned to accept the minutes as corrected, Holly Koski seconded **Vote:** Aye – 6, No -0, Abstain- 1(Katelyn Smith)

Old Business/Continued Public Hearings

Chairman Ketola introduced the case.

1. **Continued from August 25, 2020, CONSIDERATION OF** an application for a Major Subdivision submitted by Michael and Caitlyn Aho. The property is located at Tax Map 2 Lot 49 at 333 Middle Winchendon Road. The applicant is seeking approval for a 4-lot subdivision in the Residential-Agricultural District.

Chairman Ketola said that since the last meeting the Planning Board had a site walk on August 18th and that the Conservation Commission was asked to comment on the application. He then asked for comments from David Drouin Chairperson of the Conservation Commission. Mr. Drouin said that they had visited the property and did find water on the back of the property and did not see any problems with the setbacks from the wetlands. Chairman Ketola asked if there were any further questions or comments from Board members. Roberta Oeser said that the Board had been interested in site distances for the three new lots. Chairman Ketola asked for comments from the public and there were none. The hearing was closed and Chairman Ketola asked Planning Director Stenersen to read the information regarding the application and recommendations into the record:

Regarding the Application:

- 1) The proposed major subdivision is located in the Residential-Agricultural District.
- 2) A portion of this subdivision is in the Wetlands Conservation District.
- 3) This major subdivision is located off of Middle Winchendon Road and Lord Brook Road.
- 4) There are no public infrastructure or utilities proposed.
- 5) The 12.25 acres will be subdivided into four lots as follows:

Map 2 Lot 49-1:	3.579 acres	285.90 feet of frontage
Map 2 Lot 49-2:	2.679 acres	415.93 feet of frontage
Map 2 Lot 49-3:	2.679 acres	550.05 feet of frontage
Map 2 Lot 49-4:	3.087 acres	637.02 feet of frontage

- 6) Access to each lot will be as follows:

Map 2 Lot 49-1 and 49-2:	333 Middle Winchendon Road
Map 2 Lot 49-3 and 49-4:	Lord Brook Road

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

Also included on the list was the identification of buildable areas and useable areas for septic systems for each of the lots, site distances for driveway locations and scheduling a site walk, which was done.

Chairman Ketola asked for a motion on the approval of the sub-division

Motion: Jason Paolino made a motion to grant approval of the Major Subdivision of Tax Map 2 Lot 49 as presented with the following conditions.

- 1) Monumentation (iron pins or drill holes as appropriate) shall be set at all lot corners and angle points, new and existing.
- 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.

Sam Bouchie seconded the motion. **Vote:** Yes- 7, No-0, Abstain -0. The subdivision is approved.

Chairman Ketola introduced the next case.

2. **Continued from July 7, 2020, CONSIDERATION OF** an application for a Major Site Plan and Major Subdivision review submitted by Navian Development c/o Elias Parkkonen, 581 New Hampshire Route 119, Rindge, NH 03461. The property is located at Tax Map 4 Lot 23, 581 NH Route 119 in the Residential-Agricultural Zoning District. The applicant is seeking approval for a 30 lot PURD (Planned Unit Residential Development).

Chairman Ketola asked Planning Director Stenersen to provide an update regarding the application since the last hearing date. Kirk Stenersen said that a fairly substantial list of items had been submitted to the applicant prior to the previous meeting. The applicant was provided with information about what was expected and to date a couple of major changes had been done, but Kirk had not reviewed them. Kirk said that the applicant had requested to review what he had submitted with the Board. Chairman Ketola asked Mr. Chamberlain to review the information for the Board. Mr. Chamberlain reviewed changes regarding the removal of the hammerhead turn around, and structures that were pulled back from the property line, as was requested, as well as changes to the Overall Site and Grading and Erosion Control Plans. He said that Conservation Commission had conducted a site walk and the Board should have received their report. He also said that tonight he would be looking for discussion of the plan, changes to the plan, and acceptance of the plan.

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

Applicant presented and reviewed changes to the Overall Site and Grading and Erosion Control Plans for the Board.

Chairman Ketola read the following letters from Chief Donovan and the Rindge Conservation Commission were read into the record.

Statement from Chief Donovan regarding Cisterns:

“Please be advised that at this time the Rindge Fire Department is not requiring that a cistern be installed at the above-mentioned development.

There will be a Town wide ISO Survey conducted next year to determine water supplies for fire suppression. I have determined that there is adequate water supply for this project to move forward.

The Rindge Fire Department will be seeking available grant funding to install new dry hydrants throughout various locations in town.”

The Notice of Regional Impact was read into the record by Chairman Ketola.

Chairman Ketola read the Notice of Regional Impact into the record.



OFFICE OF THE PLANNING BOARD

30 PAYSON HILL ROAD

RINDGE NH 03461

PH. (603) 899-2102 FAX (603) 899-2101 TDD 1-800-735-2964

DATE: AUGUST 10, 2020
FROM: Susan Hoyland
Planning Secretary
RE: Notice of Regional Impact

NOTICE OF REGIONAL IMPACT

Notice is hereby given, in accordance with RSA 36, that the Town of Rindge Planning Board has received an application that reasonably could be construed as having the potential for regional impact. We therefore afford the regional planning commission and the affected municipalities the status of abutters as defined in RSA 672:3 for limited purpose of providing notice and giving testimony.

Notice is hereby given in accordance with RSA 676:4, 674:43 & 675:7 that on Tuesday, September 1, 2020 at 7:00pm at

Rindge Recreation Building

283 Wellington Road

the Planning Board will consider the following:

1. **Continued from July 7, 2020, CONSIDERATION OF** an application for a Major Site Plan and Major Subdivision review submitted by Navian Development c/o Elias Parkkonen, 581 New Hampshire Route 119, Rindge, NH 03461. The property is located at Tax Map 4 Lot 23, 581 NH Route 119 in the Residential-Agricultural Zoning District. The applicant has submitted for approval of a Planned Unit Residential Development (PURD) – 66 units (26 single family lots, 16 three-bedroom multi-family units in 4 four-unit buildings and 24 two-bedroom multi-family units in 4 six-unit buildings). The applicant is taking advantage of the bonus for Workforce PURD's. Per note 4 on Sheet SP-1 (2 of 30) the applicant is proposing 16 workforce housing units (10 within the multi-family units and 6 within the single family units).

If the application is accepted as complete on Tuesday, September 1, 2020 a public hearing on the merits of the proposal will follow immediately, or at a future date to be determined at the Tuesday September 1, 2020 meeting. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved. Applications are available for viewing at Rindge Town office, 30 Payson Hill Road, prior to the meeting date during normal business hours. Plans may also be viewed on our website at www.rindgenh.org (at the bottom of the Planning Board page) Please call 603-899-5181 Ext 104 if you have any questions regarding this application.

RE: Covid19: The Town of Rindge is following CDC guidelines. We ask that you maintain social distancing and we encourage you to wear a mask.

This meeting will also be available via ZOOM for viewing only (no public input via ZOOM)

Join Zoom Meeting

<https://us02web.zoom.us/j/2745562213?pwd=T01xK2c4dVBIUjRYS3FvV20rYVEwdz09>

Meeting ID: 274 556 2213

Password: 212338

Dial in by Phone

+1 301 715 8592 US

Meeting ID: 274 556 2213

Password: 212338

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

Chairman Ketola asked Kirk Stenersen to read the following letter from the Conservation Commission into the record.

August 20, 2020

Rindge Planning Board
30 Payson Hill Rd
Rindge, NH 03461

Subj: Map 4, Lot 23, Navian Development

The Rindge Conservation Commission reviewed the preliminary plans of this proposed 66-unit development over the course of two regular meetings and one site visit with Navian representative David Chamberlain. The Commission is particularly concerned with the wetland impacts due to crossings, impervious surface runoff and storm water management. The Commission also is concerned about the aquifer under this property due to the water extraction for domestic use. What is very clear to the Commission at the end of this review is the necessity for a third-party review of these issues.

The Commission respectfully requests that the Planning Board engage an independent hydrologist and/or hydrogeologist to study the impact of this project. This study to include, but not be limited to:

- 1.0 The groundwater recharge rate, both preconstruction and post completion.
- 2.0 Calculating worse case scenarios for the culvert downstream that crosses under East Monomonac Road that has had some issues handling seasonal fluctuations. The study of the culvert to include consultation with the Rindge DPW director for historical context.
- 3.0 The runoff from the high ground to the east and south that is also flowing onto this property. Will the runoff from this property flow into the same wetlands or will there be some redirection that may starve an individual wetland?
- 4.0 The large size of this development requires thirty drilled residential wells; twenty six single family and four multi-family, enough that the Commission questions the impact to the aquifer of such a water withdrawal, so the Commission asks that the hydrology studies also include the impact to and the recharging of the aquifer.
- 5.0 The increased thermal impact of the development on the surface water leaving the site.

The Commission will be required to provide an opinion to the Board of Adjustment in their Special Exception process for the wetland's crossings. The Commission requests that for the sake of clarity and completeness, that any and all intrusions into the 50ft wetlands buffer be included at the time of the application. The Commission requested to the developer an increase in the size of the two smaller culverts and that they have natural bottoms.

The snow storage for the multi-family units must be defined, as well as a salt management plan for DES. The need for the nitrate easement into common land needs clarity, as there seems to be ambiguity on that subject. The outdoor storage area should have some defined limits on what is allowed and what is prohibited, i.e. junk, old vehicles, hazardous materials, etc.

Because the roads will be submitted to the Town for acceptance, a process that is not guaranteed to happen, the maintenance of the filtration swales and basins needs to be clearly defined, whether it is the responsibility of the Town or the home owners association, so that the Rindge voters know the liability to be assumed.

Since there are no defined and controlled areas for outside dumpsters, a prohibition to their future use should be one of the conditions of the whole development. In the same vein, since this is a phased project, a siltation control management plan needs to be specified for installation and continuous management, for the entire construction time frame.

The Commission is concerned about possible lead contamination of the soils and the surface waters due to the known history of this property's use as a shooting range. A study of that portion of the property for lead to be conducted and to include a remediation plan, if deemed necessary.

One of the features touted by the developer is the common or as claimed; "conserved" acreage, being so much greater than the minimum required and that it would be protected by an easement. The protection of the common land should be clearly defined and permanently protected very early in the approval process. There have been assumptions

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

with other developments that this is an easy accomplishment, but the Commission has found that this is not always the case. The problem with these isolated common lands are that they are not often connected to other conserved lands or are not part of a corridor to other such lands, so that getting a land trust to assume the easement is often impossible and in this case the common land is intertwined throughout the development rather than a discrete unit. Either a third-party easement or some deed restriction associated with the Land Owner's Association, will need to have funds escrowed to pay for annual monitoring and potential legal defense.

To this point regarding the common land, the Commission requests that the Planning Board engage a natural resources scientist to consider the impact of this project to the wildlife and fauna within the total project area and establish a baseline report of preconstruction conditions along with anticipated final conditions.

Because this initial report is based on the preliminary plans that have not yet been accepted by the Planning Board, the Commission requests that the final plans, as updated by the developer through the Planning Board process, be reviewed by the Commission for the above issues. The Commission looks forward to continued cooperation with the Planning Board.

Respectfully submitted,

David G. Drouin
Chair, RCC

Chairman Ketola asked Planning Director Kirk Stenersen for comments on the status of outstanding items for the application which included the following items:

The most important items included:

From the Subdivision Regulations (section reference in parentheses):

1. Zoning District Line (V.1.B.1)
2. Statement of lot compliance (V.1.B.2) -requirement
3. State subdivision approval (V.2.B.3) – this can be a condition
4. Proposed street names (V.3.B.1.a) – to be done later
5. Bench marks (V.3.B.1.f) – not in the plan and should be
6. Timing / schedule for the project (V.3.B.3.f) – needed to meet the basic requirement
7. Planning Board Signature block (V.4) – typically this is on all sheets so that if / when the final plans are signed we know which ones are final. – to be done
8. Dead end roads are to end in a cul-de-sac (VI.5.E) - Done

From the Site Plan Regulations (section reference in parentheses):

9. NHDOT Driveway Permit (VI.1.A.8) – this can be a condition
10. Planning Board Signature block (VI.1.B.2) – typically this is on all sheets so that if / when the final plans are signed we know which ones are final.
11. Zoning District Line (VI.1.B.3)
12. Use of abutting properties (VI.1.B.4) – to be done
13. Snow storage areas (VI.1.B.9) – to be done
14. Septic plans for multi-family (VI.2.A.2) - required prior to approval
15. Sight distance for access point (VI.2.B.2) – to be verified

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

16. Landscaping plan for multi-family (VI.2.B.5) – to be done
17. Any proposed signage? (VI.2.B.7) – to be done
18. Plans for sewage disposal (VI.2.B.11) – to be done
19. Nearest Fire Hydrant or fire pond (VI.2.B.12) – has been addressed
20. Test pit logs (VI.2.B.14) – all have not been provided
21. Architectural drawings for multi-family (VI.3.A.2) – to be done
22. Alteration of Terrain Permit (VI.3.A.4) - NHDES
23. Phasing schedule for the project (VI.3.B.3) – needs to meet the Phased Development Ordinance

From the Wetlands Ordinance (section reference in parentheses):

24. The runoff from roadways / driveways through wetlands need to be diverted to 50 feet from wetlands (4.G) - to be done, this is significant – needs clarification
25. A special exception is required for the dredging and filling of wetlands (4.G) needed prior to dredging and filling

From the PURD Regulations (section reference in parentheses):

26. The 50 buffer zone is to be undeveloped (3.A) – the buffer is impacted in the very northwest corner of the property – has been addressed in the plan presented

General Comments:

27. The storage building would most likely fall under accessory buildings (up to the Planning Boards interpretation) if they are for the tenants only. Will that be the case?
28. What is the outdoor storage area shown on sheet 9? – this has been addressed
29. Is a public water supply going to be needed? Specifically on Lot 4-23-2. – question is, is it needed or not?
30. On sheet 9 there is a label for the 100' wetland septic setback but the line itself appears to be frozen. – this is not shown
31. I am sure the board will consider if the development is a development of regional impact. – this is being addressed
32. You have a site specific disturbed soil supplement denominator key but it does not appear that the soils are labeled using this key through sheets 18 & 19? – the soils need to be labeled

Storm Water Management Report (I have only very briefly looked at this):

33. The town requires design on the 25-year storm event as well (Appendix A III.1 of the Subdivision Regulations and Section VII.9.D of the Site Plan Regulations) – this has not been submitted

Applicant requested the application be accepted. Planning Director Stenersen said he would need to see plans that are substantially complete and there are too many outstanding items. Other concerns raised included drainage, impact on the aquifer, that the right of way needs to be

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

legally vacated because you can't have a building in the middle of a right of access to another property, parts of the application are still not complete, and issues raised by Con-Com and SWRPC. Chairman Ketola asked the board how they wanted to proceed. Several members responded that there were too many outstanding items to accept the application at this time and Chairman Ketola asked the applicant if the items listed could be addressed by October 6th for the next meeting. The applicant said that would work. Planning Director Stenersen reminded the applicant that he was in only 4 hours per week and the revised plans would need to be submitted two weeks before the meeting date, October 6th to have time to review them. The applicant confirmed that the timing would work for him.

Motion: Roberta Oeser motioned to continue the hearing until October 6th at 7pm. Kim McCummings seconded

Vote: Yes -7, No 0, Abstain- 0. The hearing is continued to October 6th at 7pm at the Rindge Recreation Building.

Chairman Jonah Ketola introduced the next case.

New Business/ Public Hearing

1. **CONSIDERATION OF** an application for a Major Subdivision submitted by Randolph P. Burt, 129 Bean Hill Road, Rindge NH 03461 for property located at Tax Map 11 Lot 1 on Woodbound Road. The property is located in the Residential-Agricultural District. The applicant is seeking approval for a 5-lot subdivision.

Chairman Jonah Ketola asked Planning Director Kirk Stenersen to provide the information for the subdivision for the record

Planning Director Stenersen provided the following information

1. David A. Mann Survey on behalf of Randolph P. Burt has submitted for approval of a Major Subdivision of Tax Map 11 Lot 1 located at 240 Woodbound Road.
2. The applicant is requesting to subdivide Tax Map 11 Lot 1-1, which is 86.07 acres into five lots. There is an existing home on the property at 240 Woodbound Road.
3. There are no proposed streets or roadways with this application. A majority of the items listed under the requirements for a major subdivision deal with subdivision applications which propose new roadways. This major subdivision application does not propose a new roadway so those specific items required for new roadways are not applicable to this application.
4. The applicant has requested a waiver from Section V.2.B.1 of the Town of Rindge Subdivision Regulations – “Location of water bodies, watercourses, wetlands...”
5. The applicant has requested a waiver from Section V.2.B.3 of the Town of Rindge Subdivision Regulations – “Location of test pits for sanitary sewage disposal...”

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

6. If the Planning Board grants the requested waivers the applicant has provided the Planning Board with the information necessary to make an informed decision on the application.

Chairman Ketola asked Mr. Burt to tell the board about the project. Mr. Burt said the property is at 240 Woodbound Road with an existing home that was built in the 50's. The well and septic are shown on the plan and the house will be on a five acre lot. The total parcel is 86 acres and he is proposing 5 acre lots. Which does not require state septic approval because of the size of the lots. 11-1-7 with the existing house has a small skating pond near Woodbound Road with a culvert that seasonally drains out of the skating pond, there's no indication of water there. The remaining land is 65.9 acres. Lot 11-1-6 is part of the old golf course and ski area then 11-1-5 and 11-1-4. Between those three lots there is no significant water. The elevations indicate there are no wetlands.

Chairman Ketola asked Kirk Stenersen for information for the proposed project.

Planning Director Stenersen said concerning the applicant requesting waivers for wetlands delineation or test pits for sanitary sewage disposal I would say the application is not complete, but that is your decision as a board. There were also concerns about wetlands crossings that have to be done, and test pits and septic approval is always required. State Subdivision approval is not required for lots under five acres. We do require test pits per the regulations.

Chairman Ketola asked the board for questions. Roberta Oeser said the Map numbering needs to be corrected. Kirk Stenersen said the shared driveway needs to be marked on the plan. Septic and well delineations should be noted on the plan as well as perc tests on the portion of the land to be developed. The plan needs to reflect the existence of a shared driveway agreement.

Motion: Roberta Oeser made a motion to continue the hearing on the Major Subdivision application on tax Map 11 Lot 1 to October 6th at 7pm. Kim McCummings seconded the motion.

Vote: Yes- 7- No -0- Abstain -0.

Reports of Officers and Subcommittees

Jason Paolino gave an update on the status of the PURD subcommittee and that the meeting schedule will be posted as soon as locations and times are confirmed.

Planning Office Report

1. Discussion: Hometown Diner, Map 6 Lot 17-1

The discussion focused on recent changes at Map 6 Lot 17-1, since the change in ownership of the Hometown Diner and the addition of the Phoenix Smokehouse on the same site. The Board reviewed the original approval for the site as well as a recent interview with the new owner that appeared in the August 18th Ledger Transcript. Based on information from the article the Phoenix Smoke House was described as a "separate entity from the diner". In addition, the hours of operation, frequency of live entertainment and other events, appeared to represent a possible change of use of the property. Chairman Jonah Ketola asked Planning Director Kirk Stenersen to draft a

Meeting Minutes
September 1, 2020
JK, SB, JP, KM, HK, RO, CW, KS

letter outlining the Boards concerns regarding the activity on the site, for Jonah to review, and to submit it to the Board of Selectmen tomorrow.

Other Business

Meeting adjourned 9:22pm

Respectfully submitted,

Kim McCummings
Planning Secretary