

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
February 19, 2013**

**DATE:** February 19, 2013    **TYPE:** Planning Board Meeting    **APPROVED:** March 5, 2013  
**TIME:** 7:00 pm – 9:45 pm  
**CALL TO ORDER:** 7:00 pm  
**ROLL CALL MEMBERS:** Chairman Kirk Stenersen, Phil Simeone, Mike Quinlan, Vice  
Chairperson Kim McCummings, (7:25pm)  
**ROLL CALL ALTERNATES:** Charlie Eicher, Burt Goodrich  
**EX OFFICIO:** Roberta Oeser  
**PLANNING DIRECTOR:**  
**PLANNING SECRETARY:** Susan Hoyland  
**APPOINTMENT OF ALTERNATES:** Burt Goodrich for David Tower, Charlie Eicher for Hank  
Whitney  
**OTHERS PRESENT:** Paul Grasewicz, Randy Burt, David Drouin, Suanne Yglesias, Bruce  
Donati, Brian Foucher

---

**CALL TO ORDER:**

Chairman Kirk Stenersen called the meeting to order at 7:00pm.

**ANNOUNCEMENTS**

**APPROVAL OF MINUTES**

**February 5, 2013**

**MOTION:** Roberta Oeser moved to approve the minutes of February 5, 2013 as written. Burt Goodrich seconded the motion. Vote: 6-0-0

**1. NEW BUSINESS**

**a. CONSIDERATION OF** an Application for a Minor Subdivision of land located at NH Route 119 West in Rindge, NH known as Map 9 Lot 13-2. Owner is Randolph P. Burt, 40 Bean Hill Road, Rindge, NH 03461. This application is for a 3 lot subdivision and is requesting Waivers to Sections V, 2.B.2 and V, 3.C.

Paul Grasewicz showed the Board a new plan with a minor adjustment to a boundary line that he discovered at the Historical Society. The lot is still over 5 acres.

Chairman Stenersen said that the Rindge Planning Board is currently without a planning director and he apologized to Paul Grasewicz for having just today compiled a list of comments and questions he had in regard to the plans and application.

Chairman Stenersen read the memo into record:

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

**Memorandum for Record**

To: Planning Board  
File: 09 – 13 – 2 (Map 9 Lot 13-2)  
From: Kirk Stenersen, Planning Board Chairman  
Date: Tuesday, February 19, 2013  
RE: Randolph Burt – 3-Lot Minor Subdivision of Tax Map 9 Lot 13-2

---

In the absence of a Planning Director I have reviewed the above mentioned application and offer the following comments for the Planning Board's consideration.

- 1) Graz Engineering, on behalf of Randall Burt, is requesting to subdivide approximately 27.60 acres into three residential building lots.
- 2) The applicant is requesting the following waivers:
  - a. Section V, 2.B.2, allowing five foot, rather than two-foot contour intervals.
  - b. Section V, 3.C, requiring a full drainage report
- 3) Due to the proximity to the Fitzwilliam border, the Town of Fitzwilliam and the South West Regional Planning Commission were notified as a courtesy.
- 4) The parcel is located in the Residential Agricultural District.
- 5) There is no public infrastructure or utilities proposed as part of this subdivision.
- 6) The plan needs to have a statement regarding the conformance of the proposed lots to zoning as per Section V.1.B.2 of the subdivision regulations.
- 7) The Lot numbering does not match what is required by the Subdivision Regulations. The Lots should be numbered 13-2-1, 13-2-2 and 13-2-3.
- 8) The area of the original parcel, Lot 13-2, is not shown on the plans.
- 9) As per the previously approved subdivision plans Lot 13-2 is 27.60 acres (1,202,360 sq. ft.) but the total areas of the three lots as shown on this subdivision plan is 27.609 acres (1,202,468 sq. ft.)?
- 10) Lot 13-9 is shown as 234,359 square feet and 5.385 acres. 234,539 square feet is actually 5.380 acres.
- 11) The Topographic Plan as submitted is not to a reasonable scale.
- 12) It appears there is a wetland along the western boundary of the property but the wetland delineation line is not shown.
- 13) There is a pond shown on the property which was not shown on the previous subdivision last year? I am assuming that the wetlands extend beyond the pond but are not shown on the plan.
- 14) There is an isolated wetland shown on the property which was not shown on the previous subdivision plan last year?
- 15) There are no wetland notes on the plan in regards to what criteria were used in flagging the wetlands or when they were flagged.

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

- 16) There is not a wetland scientist stamp on the plan certifying the location of the wetlands as shown.
- 17) The plans should indicate the required wetland setback to septic systems. It would also be advisable to show the building envelope for the construction of a septic system on Lot 13-11.
- 18) Note 9 on the plans states that “No structures allowed within 75’ of wetlands per town bylaw.” This is an incorrect statement, the setback is for impervious surfaces and it is 50’.
- 19) Due to the small building area on Lot 13-11 it would be advisable and helpful if the building envelope was shown.
- 20) Lot 13-11 as shown on the plan is 5.099 acres and does not require state subdivision approval and does not require a test pit as per our regulations. However, as the buildable area on the lot is approximately 0.3 acres and the area where a septic system can be placed is approximately 0.2 acres I think it is advisable to require that a test pit / perk test and/or a septic system design be submitted to assure that the lot is indeed a buildable lot.
- 21) There is an “existing access” shown on the plans servicing lot 13-11. This was not shown on the previously approved subdivision and as such would require NHDOT approval.
- 22) As of this time we have not received input from the Conservation Commission as they have stated they have insufficient information to make a recommendation.
- 23) This application appears to be further subdivision of the original Tax Map 9 Lot 13 and as such should be subject to the Town of Rindge Phased Development Ordinance.
- 24) This subdivision is subject to the Town of Rindge Impact Fee Ordinance.

Paul Grasewicz said that this is a 3 lot subdivision of a 27 acre parcel as shown on the previous subdivision plan. These three lots all have frontage on Route 119 and the driveways or accesses presently exist. The access on lot 13-11 was constructed per Randy’s DOT highway access permit. Paul said Randy applied to the state for the whole property at the same time and that it was his understanding that Randy had made improvements to the Elm Road with permission of the Selectmen. The Elm Road would be the access for the 17 acre lot and the westerly 5 acre lot. The building area designated as lot 13-9 would be at the northerly end of that lot. Paul Grasewicz said that they have not done soil testing out on the lot, but that Randy had done some excavation to generate sandy fill and gravel for the road, and the soil was good sandy soil. Paul said that the accesses are shown; the lots meet the Rindge requirements for frontage and area; and they all have good access to the highway as approved by the state.

Paul Grasewicz addressed several of the concerns that Chairman Stenersen had outlined in his memo:

- As it related to differing wetlands details from the Major Subdivision Plan (7 lot) of 2012 and this Minor Subdivision plan (3 lot), Paul Grasewicz said that on the June 2012 plan, they focused on the perimeter of a very large parcel of land. During this minor subdivision request, they refined the plans, by adding additional detail within the perimeter which included the pond and additional wetlands detail.
- Paul Grasewicz apologized for the differing scale on the topographic plan and said that this could be amended.

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

- Paul Grasewicz spoke to the incorrect lot numbering and said that he had checked with the Town of Rindge and apparently had received some incorrect information and could easily address that correction as well.

Chairman Stenersen asked Paul Grasewicz for input on a .3 acre buildable portion on lot 13-11. Paul Grasewicz said that they set a building envelope prior to setting the pins. Chairman Stenersen said his concern is that this may not be a buildable lot, and that the planning board should not approve it if it is not buildable. With only 1/3 acre available for a building and septic and well, it is a small area. Chairman Stenersen said that as there is not a wetland scientist stamp on the plan certifying the location of the wetlands as shown, he has concerns about approving this plan, especially in light of the differences of wetlands shown on this plan and the Major Subdivision plan of 2012.

Paul Grasewicz said that the Certified Wetland Scientist Stamp was not a regulation required in the Town of Rindge regulations. Randy Burt said that this is a buildable lot. He said that his plan meets the regulations and meets the requirements. Randy Burt said he was willing to come to the table at this meeting and show the Board the 10 foot septic setback, the 50 foot building setback and the 75 foot well radius and that there was sufficient land. He said that his application and plans meet the current requirements. Paul Grasewicz said that the envelope that Chairman Stenersen outlined as the building envelope would be the place to build a house within that lot and was consistent with the building envelope that he had outlined.

Roberta Oeser said that the small buildable envelope was a concern for her and that the lack of a certified wetland scientist stamp was also a concern. She said that on the original subdivision plan, Old Rindge Road was shown as abandoned, but on this plan, it is shown as a class VI road. Paul Grasewicz said that they found no historical proof of the town abandoning that portion of the road, and had therefore left it as a Class VI road. Roberta Oeser asked what the access was for the lot. He said they could go either way, but where they want to build would be more suited to the Elm Road.

Phil Simeone said that he needs more information to make an informed decision. He also questioned why, with all the land available, they could not configure a better lot. Randy Burt replied that this was the lot he wanted.

David Drouin said ConCom's concern was that the plan did not show the septic, well and house information. ConCom did not have enough information to see the property and they were not aware if it had been flagged as it was not shown on the plan. Paul Grasewicz said that it was flagged about a month ago.

*Kim McCummings arrived at 7:30pm.*

Burt Goodrich said that Chairman Stenersen had raised 24 points and he is not ready to accept this application as complete. Burt said perhaps the applicant could look at the 24 points and return with more information.

Kim McCummings said that, given the information she has, she would say that this application is not complete. She asked the applicant to look over the memo and concerns, and return with more information.

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

Chairman Stenersen said that the entire area as well as the area of each lot should be on the plan and should add up to the total area of this plan as well as the prior plan. Presently, it does not. Paul Grasewicz said that the area on this plan will differ from the prior plan because additional research turned up additional information which changed the area slightly. The first plans metes and bounds should agree with the prior plan he submitted. Paul Grasewicz said he will put a note on the new topo plan showing the total area and area of the parcel to be subdivided.

Randy Burt asked that ConCom make arrangements to meet him and his engineer at the site so that he could show them the building area. David Drouin said that this could be put on the agenda for February 28<sup>th</sup>, that ConCom would like additional information prior to that, so that they could plan for a site walk at a date to be determined at the February 28<sup>th</sup> meeting. David Drouin said that ConCom would be happy to meet with the property owner and engineer.

Phil Simeone asked about the culvert which was a condition of the prior subdivision. Randy said that he agreed to the culvert, but that there is no one living there, so it is not yet needed. The driveway is not in yet. There is logging taking place and the culvert will be put in at a later date when it will not be destroyed by a skidder travelling across it.

**MOTION:** Roberta Oeser moved to continue this until the Planning Board meeting of Tuesday, March 19, 2013 at 7PM. Charlie Eicher seconded the motion. **Vote: 7-0-0**

b. **DISCUSSION** with Brian Foucher and Kate Albert of Wi Valley as it relates to upcoming Site Plan Review to place telecommunications towers at Map 2 Lot 59 (Monadnock Tenant Coop Mobile Home Park).

Brian Foucher, presented his proposal which may be part of the Fast Roads project. Brian Foucher said that one of the areas within the Fast Roads project was in the Monadnock Tenant's Coop. WI Valley has submitted a proposal to Fast Roads for a project that needs to be completed by June 30, 2013. Although they have not yet been awarded the contract, WI Valley is meeting with us now due to the short timeline for completion, to educate us on the planning of what may happen.

In the park, there are 80 mobile home units, WI Valley proposes two solutions.

- One plan is for 2 transmitter antennas, 50 to 75 foot poles, not telephone poles, but a smaller tower structure. On Forestall Road, they would take a fiber hand off and bury conduit for a short distance. A second tower location within the park would broadcast to get density down further. Just up the hill from the office would be a tentative location for that tower. Opposite side from the well
- WI Valley has had a meeting with the owner of Renaissance (Tom Duffy), and has no agreement yet, but has discussed a better site for a larger tower on his property, an 80 or 90 foot structure. This is only a conceptual discussion

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

at this point. Fast Roads may not agree to fund this concept nor has the owner of Renaissance agreed to anything at this time.

Roberta Oeser asked if this is a new part of the grant. Brian Foucher explained that this is a subcontracting bid through Fast Roads Grant. He said that originally this was supposed to be fiber but there were no telephone poles to connect to, and it would be too costly to trench. So they chose an alternative plan to meet the grant requirements. They need to meet certain area requirements to satisfy the grant. This is one way to do that.

Chairman Stenersen said that this would require a Site Plan Review for the two locations and would require meeting the regulations within the Telecommunications Ordinance.

Brian Foucher said he has concerns with meeting the fall radius. They may need to put up a temporary tower for a day to test it.

Chairman Stenersen said that he sees no reason why they cannot do a test. Chairman Stenersen said that Brian Foucher and WI Valley would need to seek a variance from the ZBA to not meet the fall radius requirements. The Planning Board cannot waive that part of the ordinance. ZBA applications would be due March 5<sup>th</sup> to be put on the Agenda for March 26<sup>th</sup> meeting.

Brian Foucher said he would get a copy of the Site Plan Regulations on line and that he already had a copy of the Wireless Telecommunications Ordinance.

**c. DISCUSSION: Impact Fee Ordinance and Application**

Chairman Stenersen said that this discussion is pursuant to an email from Dave Duvernay. ADU's are not listed on the Impact Fee Structure and clearly, ADU's are a new dwelling unit which would be subject to Impact Fees.

The Board entered into a discussion of the Impact Fees and the Impact Fee Ordinance and determined that they could not make changes to the Ordinance without putting it before the voters, but that they could amend the fee structure through the Public Hearing Process.

A consensus of the board determined that they preferred the 25% of the single home fee as a good place to start to access ADU fees. They also determined that ADUs would be under the heading of Townhouses and Attached units as ADUs are attached units.

Phil Stenersen suggested considering doing away with Impact fees for residential properties given the state of the economy and the need for affordable housing. He suggested perhaps paying them to the builder to encourage new home construction to get the economy going again. Charlie Eicher shared that the amount of impact fees received by the School system was negligible as compared with their budget. Phil Stenersen said that for the builder of homes, it is a considerable expense, adding to costs.

Burt Goodrich suggested that the board take a look at this at a later date and consider suspending these fees. In the meanwhile, the board needs to address Dave Duvernay's request.

Meeting Minutes  
February 19, 2013 KM, PS, RO, KS, MQ, CE, BG, SH

Kim McCummings suggested putting this on the Agenda for the March 5<sup>th</sup> meeting for further discussion and hold the Public Hearing on March 19, 2013.

**MOTION:** Burt Goodrich moved to adjust the impact fee assessment schedule to include accessory dwelling units at a fee of \$1349 and take this to public hearing for further action at the March 19<sup>th</sup> meeting. Phil Simeone seconded the motion. **Vote: 7-0-0**

Kim McCummings asked Susan Hoyland to try to locate the folders from 2006 when this process of assessing and adjusting the fees took place and provide it at the March 5<sup>th</sup> meeting.

<b>2. NON-PUBLIC SESSION per RSA 91-A:3IIb for Personnel Matters</b>
--

- |   |
|---|
| <ul style="list-style-type: none"><li>a. Approval of Minutes of January 15, 2013</li><li>b. Approval of Minutes of February 5, 2013</li></ul> |
|---|

**3. MOTION:** Roberta Oeser moved to go to Non-Public Session per RSA 91-A: 3IIb for Personnel Matters. Phil Simeone seconded the motion. **Roll Call Vote:** Kim McCummings AYE-Phil Simeone-AYE Kirk Stenersen-AYE Mike Quinlan-AYE Roberta Oeser-AYE Burt Goodrich-AYE- Charlie Eicher-AYE

### OLD BUSINESS

- Kim McCummings updated Phil Stenersen on the engineering invoice situation re: East View Estates. She is waiting for a return phone call to finalize this.
- David Drouin asked the Planning Board if the West of the Border lighting was in accordance with our current regulations. Chairman Stenersen suggested he refer this question to Dave Duvernay, our code enforcement officer.

### ADJOURNMENT

The meeting was adjourned at 9:45 pm.

NEXT MEETING  
March 5, 2013

Respectfully submitted,

Susan Hoyland  
Planning Secretary