

Meeting Minutes
July 15, 2014
HW, PS, BD, JK, KM, SH, KS

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
July 15, 2014**

DATE: July 15, 2014 **TYPE: Public Meeting** **APPROVED: August 5, 2014**

TIME: 7:00 pm

CALL TO ORDER:

ROLL CALL MEMBERS: Chairman Hank Whitney, Vice Chairman Phil Simeone, Bruce Donati, Jonah Ketola

ROLL CALL ALTERNATES: Kim McCummings,

ABSENT: Roberta Oeser, Sam Bouchie, Charlie Eicher

EX OFFICIO:

PLANNING DIRECTOR (Interim): Kirk Stenersen

PLANNING SECRETARY: Susan Hoyland

APPOINTMENT OF ALTERNATES: Kim McCummings to sit for Sam Bouchie

OTHERS PRESENT: John O'Day, Alice Cole

Pledge of Allegiance

1. Announcements

a. Bruce Donati reported that he met with Dr. Birge and Lisa Murray on June 24, 2014 to discuss the Franklin Pierce University (FPU) representative to the Economic Development Task Force (EDTF). Bruce Donati said that Dr. Birge questioned this town's commitment to economic development and said he was disappointed about some of the results of this past election and how they will affect student retention. Dr. Birge said that his staff has overlapping duties and he will not be sending a representative to the EDTF at this time. It was agreed that the EDTF would keep Dr. Birge informed via their monthly minutes of meetings and that they would revisit this decision in six months' time. Bruce Donati said that it was a good meeting

b. Bruce Donati said that he met with Jane Pitt and Candice Starrett to begin the update of the Commercial Real Estate Inventory from 2009. He said the next EDTF meeting will take place on August 11, 2014.

c. Phil Simeone said that he met with the Pearly Pond Management Committee two Saturdays ago. They have concluded their study and determined some causes for the increase in phosphorus. He said they were surprised that the majority did not come from Franklin Pierce but from natural causes occurring upstream. Phil Simeone said that the next step will be to determine how to curb the amount of phosphorus. He said there was also some discussion of an overlay system for the college that they may want to present before the Planning Board at a later date.

2. Approval of Minutes

July 1, 2014

3. Old Business

Hank Whitney asked if conditions had been met on the Ketola Subdivision at Able Road and Gillis Lane. Susan Hoyland said that during her last conversation with Mr. Ketola, he had said that he had not yet been able to get his equipment to the site to remove the fill from the wetlands buffer, and he would call when he had accomplished that.

4. New Business

a. Sandwich Master Plus – Office Visit

Kirk Stenersen said that he had provided a memorandum for record dated July 9, 2014 to outline this visit. Mr. Earl Marshall stopped into the Planning Office on Wednesday, July 9, 2014 and inquired about placing four (4) picnic tables outside in the grass along the right side of the existing parking lot at his place of business, Sandwich Master Plus at 145 U.S. Route 202.

Kirk Stenersen said that it is his opinion that this is a reasonable request that will not change the use or level of activity for the site and should not require a site plan application. However, he said, the Notice of Planning Board Decision from 2007 does appear to pose a problem.

In May of 2007 PLH-Rindge, LLC filed a minor site plan application for the change in use from office space to deli, meat market, and take out restaurant as tenants in the Atlas Fireworks Building, which is located in the General Commercial District. A review of the files found that the Notice of Planning Board Decision for the minor site plan application states that the approval is “Subject to the following conditions:

1. Lighting on the new sign shall be downward directed and shielded.
2. No more than two picnic tables will be allowed for outdoor use.”

Further research produced meeting minutes from the public hearing for the minor site plan application of May 15, 2007 which stated the following: “Roberta Oeser made a motion to approve the site plan with the following conditions:

- Sign lighting will be down cast and shaded.
- No more than two picnic tables in the landscaped area.”

Kirk Stenersen said that the wording of the decision should mirror that of the motion made at the meeting. He asked that the Board consider addressing this through two motions:

- 1) to amend the decision to reflect the actual motion made in 2007.
- 2) to recommend that the Planning Board issue a letter to Earl. Marshall stating that while only two tables are allowed in the ‘landscaped area’ the Board is amenable to additional picnic tables being placed outside of the landscaped areas.

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Kirk Stenersen said that he was wondering why a limit of two picnic tables was made a condition of this decision. He said Roberta Oeser was not in attendance this evening and he had hoped he could ask her about this so that he could better understand the need to restrict this to two picnic tables.

Kim McCummings said that four tables might be tight. She said she is thinking about impact on other businesses. Hank Whitney said he thinks this request for additional tables is reasonable. Kirk Stenersen said that there was almost 40 feet across this area. Kim McCummings said they need a trash can as well. Bruce Donati asked to see the actual site plan which Kirk Stenersen provided.

MOTION: Jonah Ketola moved to amend the original application's Notice of Planning Board Decision that says, "1. Lighting on the new sign shall be downward directed and shielded. 2. No more than two picnic tables will be allowed for outdoor use." to be the same as the motion made by Roberta on May 15, 2007 which says, "1. Sign lighting will be downcast and shaded. 2. No more than two picnic tables in the landscaped area." Secondly, Jonah Ketola moved to approve two picnic tables in the landscaped area as per the decision as well as two additional picnic tables in the grassy area. Also requiring that at least one trash receptacle be in the area of the picnic tables. Phil Simeone seconded the motion. **Vote: 5-0-0**

Chairman Whitney asked if this would be recorded at the registry of deeds. Susan Hoyland said all corrected Notices of Decision are registered.

5. Planning Department Report

Susan Hoyland said that she was in contact with Anna Tilton at the Cheshire County Registry of Deeds to inquire about timeframes for registering approved subdivisions. Anna Tilton confirmed that there are no timeframes specified in the RSAs for approved subdivisions to be registered. Chairman Whitney asked that a letter be sent to Sam Seppala, (re: Windswept Acres PURD) to share this information.

Susan Hoyland reported that she will be attending a Dept. Head meeting at the town offices on Thursday to discuss computer needs of all departments. Susan Hoyland asked Board members if they have any thoughts about the computer needs that they would like to share with her, she will bring them to this meeting. Some Board members said they would like to attend this meeting. Susan Hoyland said she would make Jane Pitt aware of that. Kim McCummings mentioned the ArcGIS software and a discussion took place as to whether or not the expense for this was from the Planning Dept. budget or the Town budget and whether or not the Planning Office wants to purchase new ArcGIS software or send items out as needed. Kirk Stenersen said he can look into the cost of purchasing new software. Susan Hoyland said she would ask Ellen Smith about this.

Kirk Stenersen upgraded the Board on Ernie Kirslis' request regarding addressing the Planning Board as to potential future plans on his property on Goddard Road and the possibility of owing Impact Fees. Both Kirk Stenersen and Susan Hoyland have spoken with Mr. Kirslis and at this time, as he has not applied for a building permit or provided any written plans of what he is intending to build, there seems to be no issue for the Planning Board to address.

6. Work Meeting

a. **Discussion:** To form subcommittees

Chairman Hank Whitney asked interim Planning Director Kirk Stenersen to share his plan. Kirk Stenersen said that he has combined information that Susan Hoyland had provided as well as former Planning Director Matt Henry's old files to create a list of items that need to be addressed in the ordinances and regulations. Kirk Stenersen said that due to a decision by the Board in 2012 (to limit the number of warrant articles to six), several items had not been moved forward for Public Hearing. Kim McCummings said that she was not in favor of limiting warrant articles to six and that all items should be moved forward.

Kirk Stenersen offered the following list of 5 Subcommittees:

1. **Zoning Subcommittee:**

- a. Requirement to merge adjacent non-conforming lots – no longer legal per RSA's
- b. Allowance for Multi-Family housing units / land area required per unit
- c. Acceptance of Roads and Roadway Advisory Committee
- d. Appeals process for each regulation and ordinance – make sure they are right
- e. Definition Guidebook?
- f. Phased Development Ordinance?
- g. Impact Fee Ordinance?

2. **Driveway / Site Plan / PURD Subcommittee:**

- a. Driveway regulation revisions are substantially complete – review changes and move forward to public hearing
- b. Site Plan Regulations
 - i. Complete overhaul to make a stand alone document
 - ii. % lot coverage requirements
 - iii. Major vs. Minor Site Plan requirements
 - iv. Drainage design calculation requirements
- c. PURD Regulation
 - i. Clarify the purpose of PURDs and common land
 - ii. Definition for frontage

3. **Sign Subcommittee:**

- a. Sign Sizes don't work for business / commercial districts – multiple variance requests in the past that the Planning Board has recommended

4. **Large Wind Energy Subcommittee:**

- a. Process has been started based on New Ipswich's Ordinance

5. **SWRPC Subcommittee:**

- a. Study of pros and cons of SWRPC and what they have done for the Town in the past and what they have to offer moving forward

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Kim McCummings said that the Board may want to think about regulations for Solar Farms as there is nothing currently in our regulations. Bruce Donati suggested that Large Wind, Small Wind and Solar should be combined in one ordinance called Alternative Energy. Kim McCummings said that could be one subcommittee but she felt that they should still be under separate regulations. Kim McCummings said that it is a good idea to keep regulations short, and not create little books. Bruce Donati asked if there was a town that had a Solar Wind ordinance in place. Kim McCummings said that could be researched. Kirk Stenersen asked how much regulation the state does as far as Alternative Energy, wind farms, solar farms. Kirk Stenersen said if the state has regulations, does the town really need to go beyond that? Phil Simeone said he recalls that there are state regulations on situations that are over a certain number of turbines. Kim McCummings suggested looking into this to see if there is anything the Board needs to do to tailor it to Rindge.

Chairman Hank Whitney said that tonight, we need to address who will serve on each committee. Susan Hoyland said that Holly Koski had called and said her first choice would be Large Wind Energy and second choice would be the SWRPC study. Bruce Donati said that last year the Planning office sent out emails asking each member what they would like to do. Kirk Stenersen said he would be glad to do that. Chairman Whitney said that some of these subcommittees have work that was done previously that is very close to completion. Phil Simeone said he was on the Large Wind Energy a few years back and he would like to go back on that one. Bruce Donati said that he was quite busy at this time with the EDTF and would like to bow out of subcommittee work at this time. Jonah Ketola asked how this process worked. Vice Chair Phil Simeone explained that each committee has a Chairman who is responsible for taking notes and preparing minutes, making sure the meeting is posted properly setting up times and places to meet. Kim McCummings volunteered for Driveway/Site Plan/PURD and the Sign Subcommittee. Hank Whitney offered to serve on the Driveway/Site Plan/PURD committee. Kim McCummings suggested that we may want to advertise for alternates and townspeople who would like to serve on subcommittees. Kirk Stenersen said in the past the Board has tried to have a minimum of two board members and perhaps up to 3 citizen members. He said anyone from town is welcome to attend the subcommittee meetings. Phil Simeone said that there are many people living in Rindge who may be able to share expertise specific to a subcommittee's needs. Kirk Stenersen said that some of this work is already done and he has no problem trying to pull some of this together during his office time. Kirk Stenersen said he would send out an email tomorrow so that Charlie, Sam and Roberta can have input into this. Kim McCummings asked a question about our zoning regulations that state that non-conforming lots need to be merged if owned by one owner. Kirk Stenersen said that this cannot be done or enforced as it is illegal and that it needs to be changed.

b. Discussion: Economic Development Task Force

1. Change wording in Charter to remove Charrette

Susan Hoyland said that this item was moved forward from a prior work meeting. Chairman Whitney said that this could be moved forward to the next work meeting and until such time as we are ready to combine it with other items to be brought forward to Public Hearing.

2. Change wording in REDI Action List

From meeting of May 20, 2014: Master Plan re: Recommendation No. 8 of REDI action plan*:

1. Al LeFebvre is recommending a change to the wording to add:

“Private infrastructure amenities including high-speed internet, telephone and cable TV are present, but **need to be more** efficient and affordable for all.”

Kim McCummings said that she did not feel these changes needed to be made to the REDI action plan as that is a goal and not meant to say that we are ‘there’. Phil Simeone said that this change would be redundant. Kim McCummings said this action plan was intended to be a guide to follow. Kirk Stenersen said that this item is unnecessary to change. Bruce Donati said that Al Lefebvre had taken the time to address the board and asked if Al would be notified of this decision.

c. Discussion: Planning Director Search

Chairman Hank Whitney said that at this time, he feels the Planning Office is working and there is no need to go out for a search at this time. He said that this could be discussed in earnest at a later date. Vice Chairman Phil Simeone said that Roberta Oeser had suggested a four day work week as an option. Vice Chairman Phil Simeone says that he likes how things are going now, but if we don’t do something, we may lose funding and have to start all over again. Kim McCummings said that before you move to a search, you need to know what you are looking for. How many days a week, what is the pay, what hours, what skills do we need, what do we want a Planning Director to do? She said four days would be four days and not include weekends. She said she thinks the Board needs to move forward to make some decisions and set up a timeframe for a Director. Hank Whitney says that his view of this is that our part time interim Planning Director probably has a better handle on looking forward and what is needed. He asked Kirk to weigh in on this. Hank Whitney said that things seem to be working. Kim McCummings said she thinks some of it is working, but that Board members are attending meetings, and covering things that Kirk cannot do. She said part of this is working but there are other things that are not working. Kim says this works for the meetings only because we have people who are available but if this Board changes and we don’t have that talent available, we have created a void. Vice Chairman Phil Simeone said the Board should form a subcommittee to do what Kim has suggested, to decide what we want for a Planning Director and what our timeframe is. Bruce Donati asked if we could form this subcommittee after all the other subcommittee work is done. Jonah Ketola asked if this discussion could take place when Roberta Oeser, our Selectwoman, is here to advise us from the BOS position. Jonah Ketola said that limiting it to a four day workweek may be problematic if something comes up outside of those hours. Kim McCummings said that past history says that if the money for the Planning

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Director is not used it will be very hard to get that budget money back. Chairman Whitney said we could revisit this discussion again when our ExOfficio is here. Chairman Whitney said that since we have moved forward with our plan of adding Tina to the office and having Kirk as a subcontractor, things are smoothing out and going quite well.

7. **Non-Public Session pursuant to RSA 91-A:3IIa**
8. **MOTION: Kim McCummings moved to go to Non-Public Session pursuant to RSA 91-A:3IIa Phil Simeone seconded the motion. Kim McCummings AYE: Hank Whitney: AYE Phil Simeone AYE, Bruce Donati- AYE Jonah Ketola AYE**

Adjourned at 8:45 pm

Respectfully submitted,

Susan Hoyland
Planning Secretary