

Meeting Minutes
June 2, 2015
PS, BD, SB, JK, CE, DA, JP, CW, HK, SH, KS

PLANNING BOARD
RINDGE, NEW HAMPSHIRE
June 2, 2015

DATE: June 2, 2015 **TYPE: Public Hearing** **APPROVED: June 16, 2015**

TIME: 7:00 pm

CALL TO ORDER:

ROLL CALL MEMBERS: Phil Simeone, Bruce Donati, Jonah Ketola, Charlie Eicher, Jason Paolino, Sam Bouchie

ROLL CALL ALTERNATES: Cheves Walling, Holly Koski

ABSENT:

EX OFFICIO: Dan Aho

PLANNING DIRECTOR (Interim): Kirk Stenersen

PLANNING SECRETARY: Susan Hoyland

APPOINTMENT OF ALTERNATES

OTHERS PRESENT: Roniele Hamilton, Ed Rogers, Kelen Geiger, Larry Cleveland, Alfred and Gillian L'Eplatttenier, Caleb Maunu, Kim McCummings, Cheryl McCabe Charron

Pledge of Allegiance

Call to order and Roll Call by the Chairperson

Approval of Minutes

1. May 5, 2015

MOTION: Jonah Ketola moved to approve the minutes of May 5, 2015 as written. Bruce Donati seconded the motion. **Vote: 6-0-1** Phil Simeone abstained

2. May 19, 2015

MOTION: Bruce Donati moved to approve the minutes of May 19, 2015 as written. Charlie Eicher seconded the motion. **Vote: 6-0-1** Jason Paolino abstained

f. New Business/ Public Hearings

1. CONSIDERATION OF an application for Site Plan Review for a Residential Condominium submitted by SVE Associates on behalf of South of Monadnock Community, LLC and Craig & Megan Jensen. The property is located at Tax Map 6, lots 5, 6 & 7 consisting of 129.8 acres on Thomas Road, in the Residential Agricultural District.

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Chairman Phil Simeone said that the applicant has requested that this be continued until June 16, 2015

MOTION: Bruce Donati moved to continue the application for Site Plan Review for a Residential Condominium submitted by SVE Associates on behalf of South of Monadnock Community, LLC and Craig & Megan Jensen. to June 16th, Jonah Ketola seconded the motion.
Vote: 7-0-0

2. CONSIDERATION OF an application for Minor Site Plan Review submitted by Three Daughters, LLC. The property is located at Tax Map 4, Lot 23-1 on Route 119, Rindge, NH in the Residential-Agricultural District. The applicant is seeking to amend the site plan to revise limits of paving for Placid Commons -16 (2 bedroom units)

Ed Rogers, representing Three Daughters LLC, said that this project was reviewed last summer and is currently under construction. At this time, they are asking to make a minor change to the site plan. Ed Rogers said that Scott Honkala thought it would be beneficial for the purpose of maintenance and snow removal if they pave across in front of each unit instead of leaving a small ‘green’ area. He said after the snow we had this winter, it was determined that this change from ‘green’ area to porous pavement was a good idea. Ed Rogers said because they are using porous pavement, this change will not affect the storm water calculations. Mr. Rogers said all of the asphalt on this project is porous asphalt.

Interim Planning Director Kirk Stenersen provided the Planning Board with the previous plans to compare to this plan. Kirk Stenersen said that he has no issues with the waivers that Ed Rogers has requested and feels that this application is substantially complete. Due to the fact that this is an amendment to a previously approved site plan the applicant has requested waivers to the following sections of the site plan regulations: Section VI.A:3-12, Section VI.B:2,5,7,8,11-14,17 and 19 and Section XI.

Cheves Walling asked if this additional pavement would provide additional parking. Mr. Rogers said that it would, although that was not the intention for this change.

MOTION: Jonah Ketola moved to accept the application for Minor Site Plan Review as substantially complete and grant the following waivers:

- Section VI.A:3-12,
- Section VI.B:2,5,7,8,11-14,17 and 19
- Section XI.

Sam Bouchie seconded the motion. **Vote: 7-0-0**

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Chairman Phil Simeone asked what type of maintenance is required for this type of porous pavement. Ed Rogers said that it would be appropriate to not use salt or sand it too much. He said the less material you put down in the winter, the less you will have to vacuum up in the spring. He said you can't just brush it off. Chairman Phil Simeone said that there is a maintenance issue with this material. Ed Rogers agreed with Phil Simeone and said it is not appropriate for every site but that the added benefit in this case was huge to them as the alternative would be to have a large area of detention to retain storm water and that takes up a lot of space on the site. With such a flat site, there are issues with being able to store all this storm water in and then being able to let it out into the swamp, with such a flat area. Chairman Simeone asked how the requirement to not use salt and sand be conveyed to the residents.

Jason Paolino asked if something would be in the bylaws about this. Ed Rogers said that these are apartments but should they come to the point where they are condominiums, it would be addressed in the by-laws. Interim Planning Director Kirk Stenersen said that, should this property be converted to condominiums, they would have to come back before the Board.

Bruce Donati asked if Fire Trucks or ambulances would be able to gain access. Ed Rogers said yes and that these areas are not to store snow, merely to make it easier to plow snow without having to avoid green areas.

Gillian L'Eplattenier asked if there were green areas/grass around this building. Ed Rogers said there is some grass around the other side of the driveway, in between units and around units. He said that outside of that, there is 38 acres of a mixture of upland and wetland open space.

Chairman Simeone asked for any final comments from the Board.

Interim Planning Director Kirk Stenersen said that all the conditions from the original approval would still be in effect; and that he would like to add another condition. He said we have not received the final Declaration of Driveway Easement and Maintenance Agreement which needs to be recorded at Cheshire County Registry of Deeds. He said we have received a preliminary copy but it is still being reviewed between Town Counsel and Placid Commons Counsel. Kirk said he would like to have that completed and registered as a condition of this approval.

Jonah Ketola asked if the 3500 sf was listed in this approval as that is why he came there. Kirk Stenersen said we have the plan which will be approved by the Board. Holly Koski asked if this was originally approved with the condition that the Declaration of Driveway Easement be done prior to building this building. She asked if that was not done. Kirk

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Stenersen said that is correct, we had received it but it has not been finalized and by putting this condition on this approval, it will be completed. He is trying to expedite the process.

MOTION: Bruce Donati moved to grant approval of the Placid Commons Minor Site Plan Review to amend the original site plan as requested with the following two (2) conditions: Jonah Ketola seconded the motion. **Vote: 7-0-0**

1. All conditions of the original approval are still in full effect, the original conditions were as follows:
 - a. All applicable governmental permits shall be obtained, which may include, but are not limited to:
 - i. NHDES approval of septic system(s) and/or subdivision approval.
 - ii. NHDOT approval for change in use of driveway entrance.
 - iii. USEPA – NPDES construction permit.
 - b. Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this subdivision/site plan through other governmental or permitting agencies are hereby included in this approval.
 - c. This subdivision/site plan is subject to the Town of Rindge Phased Development Ordinance. I recommend the Planning Board alter the Phasing schedule for building permits due to the unique circumstance of six (6) units per building to:

2014:	6 units
2015:	6 units
2016:	4 units
 - d. This subdivision/site plan is subject to the Town of Rindge Impact Fee Ordinance. Impact Fees shall be collected prior to the issuance of a Certificate of Occupancy. The Impact Fees are \$2,729.00 per unit or \$43,664.00 total.
 - e. The proposed “Declaration of Driveway Easement and Maintenance Agreement” shall be recorded at the Cheshire County Registry of Deeds.
 - f. All shared driveways (and units) shall conform to the NH Enhanced 911 naming and numbering system as managed by the Director of Public and Life Safety, Rick Donovan.

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- g. All construction, site work, and site operations shall be consistent with the most recent set of plans by Rogers Engineering Solutions (Revised 6-24-2014) and associated documents (e.g. Drainage Report – Revised June 24, 2014).
- 2) Prior to the placement of any porous pavement the proposed “Declaration of Driveway Easement and Maintenance Agreement” shall be recorded at the Cheshire County Registry of Deeds.

Ed Rogers said that Scott Honkala is ramping up the construction and that they had previously talked about waiving the restrictions on Occupancy Permits through phasing. Ed Rogers asked Clerk Susan Hoyland if she had received any correspondence from Atty. Callahan on that. She said she has not. Ed Rogers said he will forward that to the Planning Office. Mr. Rogers said they may be back in a few weeks to discuss that.

3. CONSIDERATION OF an application for a Technical Subdivision submitted by Caleb P and Sheri S. Maunu. The property is located at Tax Map 5, Lots 35-1; 35-2 and 35-3, located on NH Route 119 in the Residential Agricultural District. The applicant is seeking approval for a technical subdivision (lot line adjustment).

Kirk Stenersen presented this application for Caleb and Sheri Maunu. He said this is a pretty straight forward technical subdivision located on the southerly side of Route 119, just to the west of University Drive, in the Residential-Agricultural zoning district.

Kirk said the existing parcels are as follows:

- Lot 35-1 is 3.70 acres with 151.72 feet of frontage
- Lot 35-2 is 19.20 acres with 127.34 feet of frontage (2 sections)
- Lot 35-3 is 0.38 acres with 294.30 feet of frontage.

He said currently these parcels are vacant wooded lots although there was a trailer a number of years ago that was situated on the small lot. He said the proposal is to create lots that are more conforming than they are currently.

They are proposing the following:

- Lot 35-1 will be 18.00 acres with 151.72 feet of frontage
- Lot 35-2 will be 3.28 acres with 171.61 feet of frontage
- Lot 35-3 will be 2.00 acres with 250.03 feet of frontage

Bruce Donati reviewed this application for completeness and said that the existing lots lines and proposed building setback lines are not shown on the plan. The setback requirements are mentioned

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in the notes Phil Simeone said that as it is in the notes, does that meet the requirements? Kirk Stenersen said that the existing lines are shown in color on the plan he is presenting tonight and if the Board wants the setback lines on the plan, he will have that done. Bruce Donati asked if the requirement for the lot lines needs to be waived. Jonah Ketola said that typically, those lines are not shown on the plan as it would have too many lines. He said it is listed in the notes and the plan has a scale so it is on the plan, just not drawn out.

MOTION: Bruce Donati moved to accept the Technical Subdivision application for Tax Map 5, Lots 35-1, 35-2 and 35-3 as substantially complete as presented. Charlie Eicher seconded the motion. **Vote: 7-0-0**

Chairman Simeone opened the public hearing.

Kim McCummings asked what the regulations say with regard to showing the setbacks on plan.

Bruce Donati read from the Subdivision Regulations:

“ SECTION V - SUBMISSIONS REQUIREMENTS

1. Technical Subdivision

B. Submission Documents concerning Zoning.

4. Existing and proposed lot lines, bearings and distances, lot sizes in square feet and acres, consecutive numbering of lots and building setback lines with distances.”

The Board discussed whether or not the setback lines being in the notes met the Submission Requirements. Sam Bouchie said that the last several plans did not show the lines. Jonah Ketola said that if it is in the notes, it is on the plan. Charlie Eicher said that if you don't require it now, you cannot require it in the future and that he would be in favor of a waiver.

MOTION: Charlie Eicher moved to waive any requirements relative to the drawing of setback requirements. Jonah Ketola seconded the motion. **Vote: 7-0-0**

MOTION: Bruce Donati moved to grant approval of this Technical Subdivision of Tax Map 5, Lots 35-1, 35-2 and 35-3 as presented with three conditions: Sam Bouchie seconded the motion. **Vote: 7-0-0**

- 1) Monumentation (iron pins) shall be set at the new lot corners.
- 2) 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

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hereby included in this approval.

- 3) Subject to impact fee assessment.

h. Planning Office Report

Chairman Phil Simeone said that the Planning Office had received the letter from ConCom following their site walk at the Kohlmorgen Excavation site. (Map 11 Lot 1-1) He read the letter for the record:

May 29, 2015

Rindge Planning Board
30 Payson Hill Rd.
Rindge, NH 03461
Subj: Kohlmorgan Gravel Operation

Attn: Chair Phil Simeone

Mr. Simeone,

Per the request of the Planning Board in the conditional approval for the renewal of the gravel extraction permit for the Kohlmorgan gravel operation off Woodbound Road, the Conservation Commission had a site visit on May 18, 2015.

A quorum of the Commission was there as well as the Planning Board vice-Chair and the landowner, Mr. Kohlmorgan. We observed the first pit area to the left of the service road that is scheduled to be reclaimed this fall. We found that it had not been over excavated, that the digging had stopped at the water level and that there was material left to work with in the reclamation process.

We then proceeded to the second area further up the road to the right where excavation has been started. The access to this area is over an old concrete culvert that appears to be in good shape and the work area in general seems to be well managed.

There were no surprises in this site visit, the operation is proceeding as originally presented and all perimeters appear to be maintained to date. From what we saw, this looks to be a well-run operation.

The only suggestions we had for Mr. Kohlmorgan are that he could take some of the brush generated and place it along the banks of the original site, not part of this permit, that predates his ownership, to help with the natural reclamation occurring there to control any erosion that may occur. The headwall of the current site should also be watched so that it stays at or lower than recommended height.

The Conservation Commission would like to make another visit to observe the finished reclaimed area this fall, if we could be notified upon completion.

It is apparent that the overall good condition and attention to detail and cleanliness of the site is likely related to the landowner being on sight and very involved in this operation.

Should the Planning Board need any other information, please feel free to contact us at any time.

Regards,

David G. Drouin, Chair RCC

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Interim Planning Director Kirk Stenersen said that Judge Kissinger in the Hannaford vs. Town of Rindge Planning Board ruled in favor of the planning board. There is still an appeal process, but hopefully this is coming to an end.

Master Plan Discussion

Chairman Phil Simeone said that the Board needs to discuss how to continue the project of reworking the Master Plan. At the Public Input meeting, it was suggested that a subcommittee should be formed. He asked for Board members to weigh in with their thoughts about a subcommittee and how many members it should have. Should it be formed with members of Planning Board, ConCom, and citizens and how many members should be on the Board?

Jason Paolino said it was good to have a public meeting although he said it wasn't a very good turnout. He said he thinks it would help everyone if the Planning Board would circulate a working copy for people to look at, as a working copy with edits to be proposed, attacking it section by section.

Chairman Simeone asked Jason Paolino if he thought the Board should do it, or should a subcommittee be appointed to do that. Jason Paolino said he thinks it makes sense for the planning board to send out a copy for review. Charlie Eicher said that the Planning Board did provide chapters one and two. He said he cannot see the Board sitting down and doing the two chapters and then going out and asking the people if they like that. Chairman Simeone and Charlie Eicher agreed that having a subcommittee made up of some Board members and some citizens would be a good approach. Dan Aho asked if there had been interest from citizens who were willing to serve on this. Susan Hoyland said that she has an email list from the meeting and that quite a few people expressed interest. Dan Aho said a subcommittee would be a good idea.

Chairman Simeone suggested 2 Planning Board members, a ConCom member and then 6 citizens from different districts in town so that it is a good representation of the town. Bruce asked about the notes that Kirk took and would Kirk be on this committee. Chairman Simeone said that that would be a time and budget issue and if the Planning Board can afford to pay Kirk that would be a possibility.

Kirk Stenersen said he had five points that he heard at the public input session:

- Shorten the Vision Statement and have a Master Plan that provides the minimum required by law.
- Keep the Rural Character and maintain the sense of community-small town.
- Do not promote high density housing; do not try to create new village districts but support and improve existing villages (center, east, west)
- Remove all references to use of the term Charrette and no federal money

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- Minimize retail stores. /strip malls and keep to 202 corridor.
-

Interim Planning Director Kirk Stenersen said, to him, there is going to be a balance between general public desires and landowners rights; that's the balance in planning.

Charlie Eicher suggested to get volunteers from the public and empower Kirk to form the subcommittee and allow Kirk to work out the details of who what where and when. Charlie Eicher said he did not think the Board should be working on all these details. Kirk Stenersen and Chairman Simeone suggested a 9 member board might work with Planning Board members, Con Com member, Economic Development member and citizen members. Bruce Donati said that he would prefer to have an Economic Opportunity Committee rather than Economic Development because Economic Development gives a vision in your head of parking lots and big box stores and he would like to see a statement regarding that. Bruce said that property rights and retaining natural resources would be something he'd like to see somewhere in the Vision statement. Jason Paolino said that any of these meetings need to be outside of working hours for full public participation; and not behind closed doors. He said they can't be held during the day because folks aren't available. Interim Planning Director Kirk Stenersen said that subcommittee meetings are not behind closed doors but open to the public. The public may attend to listen to what is taking place. Jonah Ketola said that members of the subcommittee can decide when it is possible for them as a group to meet.

Kim McCummings said that there is a road map for this process. She said a subcommittee is put together and to Jason's point about timing, if you want full participation, you might consider having every other meeting in the evening. Phil Simeone said that that is always a problem with subcommittees to be able to work around people's schedules. Kim McCummings shared some history of the past Master Plan Steering committees and how that process worked. She said that prior to Rindge 2020, there was a series of meetings at the Meeting House. Four or five groups came out of that meeting and the committee drafted a Vision Statement. They went to every committee in town; went to the BOS; asked for feedback, opened the meeting to members of the town; went to public schools, private schools and tried to reach every corner of the community and the final draft was based on that feedback. Kim said this was not done by the Planning Board but from feedback from the townspeople.

Cheryl McCabe Charron said that what Kim is referring to was facilitated by a program with Franklin Pierce University and that developed into the 2020 and the charrette and that's what people do not want.

Cheves Walling said that, at that time, they were starting from scratch and at this time, he doesn't think we need to start at ground zero. Cheves Walling said we have a Vision statement now, we just need to amend and edit it. Cheves Walling said that the subcommittee should be a representation of the time. He said he doesn't know how a subcommittee can be open to the public and get any work done. Interim Planning Director Kirk Stenersen said all meetings are open to the public.

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Charlie Eicher said we have a Vision and Land Use statement now. We are going back to it and asking if it is still applicable. We are not starting from scratch to do this all over again, we are just changing what no longer applies and making changes based on the existing environment.

Bruce Donati said he would like to see Kirk facilitate. Vice Chairman Donati said at a public meeting, the public can hear what is going on, but if they are not on the committee, they may be asked not to speak while the committee is working and wait until the end of the meeting. Eventually, there will be a document and then they can weigh in on it.

Jonah Ketola said to send an email to all who signed up from the last meeting as well as to all town departments and put together a list of who is willing to serve. Chairman Simeone agreed with this. Jonah said someone may want to facilitate this so that the Board does not have to pay Kirk to facilitate this. Jason Paolino said he may be interested in facilitating this.

Larry Cleveland said that it should be a subcommittee and not a large group as was at the school in order to keep it organized. Larry said that people work 1st, 2nd or 3rd shifts and it may be a good idea to rotate the schedule as Kim had suggested.

Bruce Donati said about a year ago, he recommended that all mention of the word charrette be removed from the REDI plan. It has not happened and this is his third and last request.

Roni Hamilton asked how far back it was when the Planning Board was involved with Southwest Regional Planning Commission (SWRPC). Chairman Simeone said we haven't been a member for many years. Roni Hamilton asked if SWRPC was involved with the Master Plan. Chairman Simeone said he couldn't answer that. Kim McCummings said the Master Plan goes back to the 1970's as far as she knows and some of those years, the town was involved with SWRPC.

Gillian L'Eplattenier said we have wonderful information in prior Master Plans and that will still exist, but the focus is to do away with what is not appropriate now.

Chairman Simeone said he would sit down with Interim Planning Director Kirk Stenersen and go over this process.

Motion to Adjourn: 8:20 PM

Respectfully submitted,

Susan Hoyland
Planning Secretary