

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
April 17, 2012**

DATE: April 17, 2012 TYPE: Planning Board Meeting APPROVED: May 2, 2012

TIME: 7:00 pm –8:00 pm

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Chairman Kirk Stenersen, Vice-chairman Kim McCummings, Mike Quinlan, Hank Whitney, Phil Simeone

ROLL CALL ALTERNATES: Burt Goodrich

EX OFFICIO: Roberta Oeser,

PLANNING DIRECTOR: Matt Henry

APPOINTMENT OF ALTERNATES: N/A

OTHERS PRESENT: Matt Despres

CALL TO ORDER:

Chairman Stenersen called the meeting to order at 7:00pm. Chairman Stenersen seated Burt Goodrich for David Tower.

APPROVAL OF MINUTES

- 1) March 9, 2012 (Nonpublic)

Motion: Mike Quinlan moved to “approve the nonpublic meeting minutes of March 9, 2012”. Hank Whitney seconded the motion. Vote: 2-0-3

- 2) March 20, 2012 (Public & Nonpublic)

Motion: Mike Quinlan moved to “approve the public meeting minutes of March 20, 2012”. Phil Simeone seconded the motion. Vote: 4-0-1

Motion: Phil Simeone moved to “approve the nonpublic meeting minutes of March 20, 2012”. Mike Quinlan seconded the motion. Vote: 2-0-3

- 3) April 3, 2012

Motion: Roberta Oeser moved to “approve the public meeting minutes of April 3, 2012”. Mike Quinlan seconded the motion. Vote: 4-0-1

ANNOUNCEMENTS

CONSIDERATION of a request to waive impact fees for a proposed home located at 19 Camri Court Map 01 Lot 10-09

Matt Henry explained that there was a home that burned down on Map 01 Lot 10-09. Matt Sauvola, owner of the property at the time, requested that the Planning Board allow him to rebuild on Map 5 Lot 4. The Planning Board granted his request. Matt Henry referred to the

impact fee ordinance which outlined the reasons impact fees may be waived by the Planning Board to include: Elderly housing, in-kind donation of real property or facility improvements, student housing, low income housing based upon income. He said that it does not appear that Mr. Dupres meets this criteria.

The Board reviewed memo's from both Rick Donovan and Matt Henry. There was discussion regarding the sale of the lot to Matt Dupres. Matt Dupres said that Mr. Sauvola did not inform him of the impact fee that was owed prior to the sale.

The Board discussed Rick Donovan's memo which stated that building permits may not be transferred from parcel to parcel under any circumstances. Kirk Stenersen said that while somebody may feel the Planning Board made the wrong decision, their intentions were made clear at that meeting. Matt Henry stated that while a building permit does not transfer owners if a parcel is sold, Planning Board approvals and conditions placed on them typically do. It appears that impact fees were a condition placed on this parcel on September 8, 2011, regardless of whether it was correct to do so.

Kim McCummings stated that it was made clear that their intentions were to subject Map 01 Lot 10-09 to the impact fee when the initial approval was granted at the September 8, 2011 meeting. Kim McCummings read from the meeting minutes.

Motion: Phil Simeone moved to "deny the impact fee waiver request made by Matt Dupres for Map 01 Lot 10-09". Mike Quinlan seconded the motion. Vote: U/A

Roberta Oeser said that the appeal procedure should be described in Matt Henry's letter to Matt Dupres.

DISCUSSION: Goals and Objectives

Matt Henry presented a slideshow to the Planning Board stating his proposed upcoming goals and objectives (Appendix A). Matt said that priorities will be centered around Economic Development and analysis of town regulations geared at putting the results of the charette into practice.

Planning Board comments included:

- 1) Agreement with creating momentum by moving Economic Development along.
- 2) Agreement that Economic Development should be a task involving every town department. The Planning Board generally agreed with the makeup of the Task Force but Chairman Stenersen suggested adding a member of the conservation commission to be included. The Planning Board agreed.
- 3) Burt Goodrich suggested that in addition to a Community Design section of the Master Plan, the Planning Board also consider drafting a History & Culture Chapter.

- 4) Kim McCummings suggested the Planning Board look at one or two chapters of the Master Plan so they do not have a document that is too outdated. The Master Plan was adopted in 2006. Matt Henry said that the statute suggests that Master Plan's be updated "from time to time" with no specific timeframe given. However, common practice is to revise them every 6-7 years.
- 5) Chairman Stenersen said that the Site Plan Review Regulations should be a priority so they are in-line with current procedures as well as the Subdivision Regulations. He suggested the engineering aspects should be revised soon. Matt Henry said that the Board can revise the engineering part in 2012 and the Community Design aspects in 2013. The Board agreed.
- 6) Kim McCummings stated that she has an ongoing list of sign changes that will be revised.
- 7) The Planning Board agreed that the purpose of the Economic Development Task Force should be to ensure each entity is on task with the Rindge Economic Development Initiative's implementation plan. They should be the one who follows up with each town committee to make sure the plan is followed.
- 8) The Planning Board suggested that Matt Henry attend a selectmen's meeting the week of May 30 to suggest this implementation committee and receive input from the selectmen.
- 9) The Burt Goodrich suggested that they call the committee makeup a draft and revise it based upon selectmen input. The Planning Board agreed.

DISCUSSION: Recruitment/Appointment of Alternates

The Planning Board asked Matt Henry to write memo to Carolotta Pini, Town Administrator, informing her of the 4 alternate slots and other Planning Board subcommittees. Chairman Stenersen read the list of subcommittees to be appointed. They included: Driveway, Site Plan, Sign, Master Plan, and Zoning.

OLD BUSINESS

Planning Director's Report: Matt Henry reported the following:

- 1) Site Plans less than 1000 sq. ft.
 - a. South of the Border: Proposing increasing the amount of propane storage canisters. They are proposing placing them in small cages which will be more aesthetically pleasing.
 - b. West of the Border: Proposing adding storage cages as well as barriers to meet fire code. Matt Henry said that he does not feel that, as presented, it triggers Site Plan Review.

- 2) Matt Henry informed the Board about complaints with Christian Outreach Church (Map 7 Lot 93-01). He said that they had received approval from the Planning Board in 2008 to construct a recreation facility. One of the conditions the Planning Board placed on them was that if there were complaints about the facility, the Planning Board would request they come back to the board in order to impose hours of operations. However, these complaints have nothing to do with the facility for which the conditions were imposed. The facility is not yet complete and the foundation is the only portion complete. Therefore, the Planning Board would not be able to call Christian Outreach in for SPR on that basis.

Matt Henry explained that if Christian Outreach seeks approval for future construction the Planning Board could certainly impose reasonable conditions to mitigate impacts for the entire lot such as landscaping to induce traffic calming or hours of operations, but a new application would be required in order to do that.

Matt Henry also explained that in 2004 there was an appeal of an administrative decision to the ZBA against the Code Enforcement Officer, Dave DuVernay, arguing that the accessory use (recreation) surpassed the primary use (church). The ZBA found in favor of Christian Outreach & Dave DuVernay.

If in the opinion of the Planning Board, the use of the church is now accessory to the use of the recreation facility, the Planning Board could require them to conduct Site Plan Review on those grounds.

Matt Henry said that in his opinion, the issue remains a law enforcement action at this point.

- 3) Matt Henry filled the Planning Board in on a new NH Supreme Court decision which states that the ZBA is not exempt from 150 day FCC “shot clock” when conducting a rehearing on cell towers.

ADJOURNMENT

The meeting was adjourned at 8:00pm.

NEXT MEETING

May 1st, 2012

Respectfully submitted,

Matt Henry
Planning Director