

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
December 16, 2004  
MINUTES**

**DATE: December 16, 2004 TYPE: Public Hearing      DATE APPROVED: 1/18/05**

**TIME:** 7:00-10:00 PM. Katie Duffy, Chair

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**CALL TO ORDER, at 7:00 PM**

**ROLL CALL:** Katie Duffy, Paul O'Connor Kim McCummings James Hoard, Richard Isakson, Dr. Gerald Parker, Arthur Fiorelli, David Tower, Jo Anne Carr

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**APPOINTMENT OF ALTERNATES: Kim McCummings for Cheves Walling**

**Approval of minutes**

**November 2,** James Hoard motioned to accept Dave Tower 2<sup>nd</sup> minutes were accepted unanimously

**November 16<sup>th</sup>** Katie Duffy requested a postponement of approval to allow for time to listen to the tapes of the meeting. The board agreed.

**Announcements by Katie Duffy:** There are two available alternate positions on the board as well as a Planning Board member vacancy due to Charles Carroll's resignation. Dave Tower nominated Kim McCummings replace Charles Carroll until the end of this year in March. Paul O'Connor 2<sup>nd</sup> Kim's nomination to the Planning Board. Kim was accepted unanimously. Katie Duffy informed the Board Craig Cypret had expressed interest in filling one of the alternate vacancies. Paul O'Connor recommended Craig for the position of alternate. James Hoard made a motion to appoint Craig Cypret as an alternate. Dr. Parker 2<sup>nd</sup> Craig Cypret was appointed unanimously. Katie Duffy directed Craig to see the Town Clerk to be sworn in.

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Dick Isakson replaced Kim McCummings as alternate for Cheves Walling

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**OLD BUSINESS**

**Site Plan Review-Continued Hearing; Map 7 Lot 93-1**

**North Street, Christian Outreach Recreation Fields Bob Hakala** Mr Hakala presented to the board his final plan for the recreation fields. Changes included removing plans for additional lighting on the field, the wetlands have been flagged, the location of the field has been shifted to maintain a 75 ft setback to the road and the alternate field has been discarded from the plan. A right of way has been granted to the Conservation Commission to Converse Meadow and the field has been offered for the town Recreation Department to use. Arthur Fiorelli made a motion to accept the plan with the following conditions:

- Use of fertilizer as recommended by the Conservation Commission
- Pending outcome of BOA appeal.

Dave Tower 2<sup>nd</sup> The plan was accepted unanimously

Arthur Fiorelli made a motion to approve the plan with stated conditions. David Tower 2<sup>nd</sup>. The plan was approved unanimously.

**NEW BUSINESS**

**Notice of Voluntary Merger- Map 39 Lots 9-1 Lot 9-3 and Lot 9-4**

**Kimball Rd. Paul and Mary O'Connor** The parcel will be known from now on as Map 39 Lot 9-3. Lots 9-1 and 9-4 no longer exist. Jo Anne recommended this merger. James Hoard Motioned to approved the merger and Art Fiorelli 2<sup>nd</sup> the merger was accepted unanimously.

**Minor Site Plan Review- Rindge Country Convenience Store L.L.C. Map 31 Lot 7**

**Mark Wolterbeek Paul O'Connor recused himself for this matter.** Nathan Chamberlain with Meridian Land Services presented the plan for the former Marshall's Mini Mart, which has been purchased by Mark Wolterbeek. The plan is to renovate the entire building. It will remain a convenience store with half of the building available for a pizza or sub shop. The location of the pumps will remain the same. The primary alteration to the site will be to add an access drive around the back for deliveries. The septic system will be repaired or replaced. The canopy over the gas pumps will remain until it is time to replace the tanks in approximately 10 years. Frances Lee and Peter Atherio expressed concern about the road in regard to the failing septic system. Mark stated that the septic system will be replaced. Hours of operation will be from 6:00 a.m. to 11:00 p.m.

Dick Isakson moved to accept the plan James Hoard 2<sup>nd</sup>. The plan was accepted unanimously.

Dave Tower moved to approve the plan with the following conditions:

- State Septic Approval.
- Walk through by Jo Anne to ascertain if there are lighting, grading, road location and any other issues.
- Screened Dumpster

Dick Isakson 2<sup>nd</sup>. The Plan was approved unanimously

**Technical Subdivision Application-Map 2 Lot 59-2-1 and Map 2 Lot 59-2-2**

**Forristal Rd. Olaf Nordahl and Andre Beauregard**

**Katie Duffy recuses herself and Dr. Gerry Parker assumes the chair.** This technical subdivision is to shift the lot line to accommodate wetland setback for building footprint. There will be no change in acreage. Dick Isakson moved to accept the plan Kim McCummings 2<sup>nd</sup> the plan was accepted unanimously. James Hoard motioned to approve the plan Art Fiorelli 2<sup>nd</sup> the plan was approved unanimously.

**Katie Duffy re-assumes the chair**

**Minor Subdivision Application Preliminary Plan Map 3 Lot 72**

**East Monomonack Rd. Andre Aho**

**Dave Tower recuses himself.** Craig Francisco of Bedford Design Consultants presented the plan for Andre Aho. State Subdivision and Septic approval has already been received. Art Fiorelli raised his concerns regarding lead contamination at the site.

1. There were differences between the two previously submitted reports in the analytical results regarding ground water contamination. He didn't feel that a satisfactory answer from DES had yet been received regarding these discrepancies.
  2. The ground water contamination and the potential contamination of Lake Monomonac.
  3. The possibility of the Town being held liable for lead contamination some time in the future.
- Andre responded, by stating that there were two recommendations for dealing with the lead contamination issue. The church could have left the lead-contaminated soil in place or they could remove it from the site. The church took the more proactive approach by removing the contaminated soil from the site to prevent it from leaching into the ground water. Dr. Parker

asked Andre if the soil of the target area had been removed within the last couple of years. Andre asserted that within the last year the contaminated soil had been removed from the site. Dr Parker then asked if the conflicting reports were completed before or after the soil was removed. Andre replied stating that the conflicting reports were made before the soil was removed. The two different engineers that looked at the site gave the two different solutions. The church chose the more proactive solution. DES then recommended a ground water sample to check the water and no contamination of the ground water was found. Taking that into consideration DES wrote the most recent report, which was submitted to the Planning Board with the application for the Subdivision. Dave DuVernay stated that he spoke with DES who reported that this was considered a closed file. Dr. Gerry Parker motioned to accept the plan James Hoard 2<sup>nd</sup>. The plan was accepted unanimously. Dr. Gerry Parker motioned to approve the plan James Hoard 2<sup>nd</sup>. The plan was approved unanimously.

### **WORK MEETING**

#### **Jo Anne Carr -Site Plan Review Presentation**

#### **Site Plan Regulation Review Discussion**

The Board reviewed revisions of the final draft of the Site Plan Regulations in preparation for presenting them to the citizens for their examination before the first public hearing. Regarding the building footprint limitation of 50,000 sq feet, Paul O'Connor suggested that it be a Zoning Ordinance rather than an aspect of the Site Plan Regulations so that the citizens of the town have the opportunity to vote as to whether they want that type of limitation in their town. There were citizen present who were pro and con the footprint limitation; they expressed their opinions to the Board. Dave Tower stated that as an elected representative it is important to follow the wishes of the people of the town. He felt that the footprint limitation issue should go forward as a Zoning Ordinance to allow the people of the town to vote and decide. Dick Isakson made a motion to propose a zoning amendment that would appear in the sections of the Ordinance that deal with the Commercial Zone and the Business Light Industry Zone. The amendment would limit building size to 50,000 sq ft. Arthur Fiorelli 2<sup>nd</sup> Katie Duffy-no, Paul O'Connor -yes Kim McCummings-yes James Hoard-no, Richard Isakson-yes, Dr. Gerald Parker-yes, Arthur Fiorelli-yes, David Tower-yes. Motion carried. Paul O'Connor amended the motion by moving that the 50,000 sq foot limitation be stricken from the Site Plan Regulations as it is going to Town Meeting as a Zoning Ordinance. Katie Duffy 2<sup>nd</sup> Motion passed unanimously. Jo Anne suggested a public hearing for the building foot print issue, combined with a building code proposed by Fire Chief Rick Donovan, and the amendments to the Impact Fee. Art Fiorelli moved that the proposed changes to the Zoning Ordinance be posted and the first public hearing for Zoning changes be January 11, 2005 Dr. Gerry Parker 2<sup>nd</sup> The motion was passed unanimously. Dick Isakson made a motion that the Board accept the Site Plan Regulations and post them for public hearing. Dr. Gerry Parker 2<sup>nd</sup> James Hoard -no Katie Duffy-yes, Kim McCummings-yes, Paul O'Connor-yes, Richard Isakson-yes, Dr. Gerald Parker-yes, Arthur Fiorelli-yes, David Tower-yes

The first Public Hearing for the Site Plan Regulations will also take place on January 11, 2005.

**Meeting Adjourned 10:00pm**

**NEXT MEETING**

**January 4, 2005**

Respectfully submitted,

Robyn Payson