

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
December 20, 2005**

**DATE: December 20, 2005 TYPE: Public Hearing DATE APPROVED: 01/17/06**  
**TIME: 7:00PM-9:00 PM. James Hoard**

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**CALL TO ORDER, at 6:00 PM**

**ROLL CALL:** James Hoard, Dick Isakson, Art Fiorelli, Tom Coneys, Keith Halloran, Doug Gutteridge, Kim McCummings, Roberta Oeser, Robyn Payson, Jo Anne Carr,

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**ALTERNATES**

Dick Isakson for Dave Tower Doug Gutteridge for Dr. Parker

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**ANNOUNCEMENTS**

Jo Anne distributed to the members of the Planning Board correspondence citizens of the town of Rindge had submitted to the Planning Board to be read into the record.

**Planning Board Vacancies for Election 2006:** Jo Anne announced the Vacancies for the upcoming election in March. There are 2-3 year terms 1-1 year term and 1-2 year term available.

**Discussion of Eddy Land**

The Eddy's are interested in donating a parcel of land to the Town for conservation purposed. A recommendation is needed from the Planning Board to proceed. Keith Halloran made a motion to recommend that the town accept the donation. Roberta Oeser 2<sup>nd</sup>. The board voted to recommend the donation unanimously.

**CONTINUANCE**

James Hoard appointed Dick Isakson for Dave Tower and Doug Gutteridge for Dr. Parker. Art Fiorelli suggested in the interest of fairness to all of the alternates, an alternate other than Mr. Gutteridge be chosen, as per prior discussions by the Planning Board regarding equitable appointing of alternates. Doug Gutteridge pointed out he had attended all site walks and hearings of this case. James did not re-consider the appointment and Mr. Gutteridge remained appointed an alternate on this case.

**Major Subdivision, East Monomonac Road**

**Map 3 Lot 72 Monomonac Estates**

**ATA Construction**

Craig Francisco updated the board on the status of the ATA project. Jo Anne submitted for the record the memo from Police Chief Mike Sielicki regarding the traffic study, which is on file at the planning office. The Chief stated in his memo that the traffic counts may be artificially low due to the time of year that the study was done.

Kathy John asked if the study should have done at the Winchendon line, as they had been concerned about the traffic load. Jason Czekalski stated that he did not believe that the Town of Winchendon had any legal interest that would be upheld in court.

- ◆ Outstanding Issues include:
- ◆ Completion of the nutrient loading study
- ◆ Common-land Language
- ◆ Vesting Language and Phasing Schedule

Art Fiorelli pointed out to Mr. Francisco that it would be necessary to obtain a special exception from the Zoning Board of Adjustment to do a dredge and fill to construct one of the driveways as

it will be within 50' of the wetland. If that driveway is to be paved with an impervious surface, it will require a variance.

Code Enforcement Officer Dave Duvernay told Mr. Francisco in order to be on the ZBA agenda for January, the special exception application would need to be received by the end of the first week of January.

This matter is continued to January 24, 2006

**Major Site Plan, Home Depot**

**Map 3 Lot 2, 4-6-1, 4-6-2, & 4-6-3**

**TF Moran**

**James Hoard Recusal Request** Jo Anne read the request from Ed Lamoureux for James Hoard to recuse himself from the Home Depot Project. James said he rejected any call for him to recuse himself and that he would act in accordance with the law, regardless of any personal opinions.

James made a motion to accept the Home Depot application in fairness to the applicant, Tom Coneys 2<sup>nd</sup> James would not take any public comment. Ed Lamoureux cited

**RSA 541-A:11 Public Hearing and Comment. –**

” I. Each agency shall hold at least one public hearing on all proposed rules and shall afford all interested persons reasonable opportunity to testify and to submit data, views, or arguments in writing or, if practicable for the agency, in electronic format, in accordance with the terms of the notice and the provisions of this section.”

Mr. Hoard refused to allow public comment on this issue and Mr. Lamoureux requested that his refusing public comment be recorded in the record of the meeting.

Roberta Oeser said that the application was not complete without the applicant obtaining a variance. Tom Coneys said that he felt in fairness to the applicant, the application needed to be accepted or rejected for specific reasons. Keith Halloran requested that the motion be withdrawn and this matter be continued until the ZBA appeal is resolved. He went on to say that rushing into acceptance at this point sets a dangerous precedent for future development in town, and is not in Rindge's best interest. The motion was not withdrawn-Vote as follows:  
Tom Coneys-Yes Dick Isakson-No Doug Gutteridge-Yes Keith Halloran-No James Hoard-Yes Roberta Oeser-No Art Fiorelli-No The application was not accepted.

Art Fiorelli made a motion for Jo Anne to draft a letter to the applicant notifying them of the decision and stating the reasons for rejection. Dick Isakson 2<sup>nd</sup> the motion passed. All but James Hoard voted in favor of the motion. The letter will be reviewed by Town Counsel and the Board Members prior to being sent.

**Discussion Sign Ordinance**

Roberta Oeser reviewed her proposed amendments to the Sign Ordinance. Further discussion and review of these revisions will be held on January 3, 2006

Art Fiorelli made a motion to go into executive session James Hoard 2<sup>nd</sup>. The Planning Board entered into executive session at 10:00pm

EXECUTIVE SESSION

Non Public Session per RSA 91-A:3

**Meeting Adjourned 9:55 pm**

**NEXT MEETING**

**January 3, 2006**

Respectfully submitted,

Robyn Payson