

**PLANNING BOARD  
RINDGE, NEW HAMPSHIRE  
December 27, 2007**

**DATE: December 27, 2007 TYPE: Public Hearing DATE APPROVED: 2/19/08**  
**TIME: 7:00 PM-10:30 PM CHAIR Kim McCummings**  
**CALL TO ORDER, at 7:00 PM**  
**ROLL CALL MEMBERS:** Kim McCummings, Deb Sawyer, John Vorfeld Roberta Oeser  
**ROLL CALL ALTERNATES:** Art Fiorelli, Doug Gutteridge Dick Isakson  
**EX OFFICIO** Tim Halliday  
**PLANNING DIRECTOR**  
**PLANNING ASSISTANT:** Robyn Payson  
**APPOINTMENT OF ALTERNATES** Art Fiorelli for Dave Tower Keith Halloran in the Open seat

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Kim McCummings opened the hearing.  
**Public Hearing on Zoning Changes**

**Proposed extension of the Growth Management Ordinance**

**Art Fiorelli** presented the Growth Management Ordinance which expires March 31, 2008. It provides for a Planning Board recommendation for extension of the ordinance beyond that date if any school attended by Rindge students is at an enrollment of 90% or greater. The data received from the Superintendent of Schools shows that all of the schools exceed 90% enrollment.

**Kim opened the hearing to public comment**

**Mike Sielicki Rindge Police Chief**-He was concerned about the exemption of student housing. He said student housing taxes his resources. To make them exempt when they are probably the greatest users of recourses doesn't seem like a good idea. Also if the town and the college build the elderly housing they are planning the services will be taxed even more and there will be problems.

**John Vorfeld** asked how much of the police's services were used by commercial development.

**Chief Sielicki** said that 10%-12% is commercial and residential use is 15%-18%. 60% to 70% of his services are accidents, arrests, investigations, and calls to the college.

**Keith Halloran** said that he thought the college was a separate issue.

**Kim McCummings** said that the addition of students to the town though the college impacts town services.

**Mike Sielicki** said that the Board needed to look at the exemptions because the college and the elderly cause a lot of calls.

**Jason Czekalski** of Thomas Rd. questioned the validity of the statistical model (including the data from the School District) and said that it exposed the town to potential lawsuits. He said Hampton, Hookset, Barrington, Fremont have gotten their Growth Management Ordinances thrown out by the courts having a proper statistical study. He went on to say that Sharon had

nothing in common with Rindge and Ashburnham and Winchendon should be included in growth comparison calculations.

**Roberta Oeser** said she did research and said the Findings of Fact, in her opinion are based on incorrect data. The building permits include unused permits which were re-issued, and some of the permits were never used. She said that people with children are not building in Rindge. Young people with children cannot afford to build homes so new construction is being bought by older people with no children. Roberta also said the GMO has been promoted on school overcrowding. According to the superintendent's office (Roberta spoke to today), they are expecting school population it to go down every year.

**Pat Barry** said that the realities of the High School are that we have a Freshman Class of 148 we have an upcoming 8<sup>th</sup> grade class of approximately 150 and a 7<sup>th</sup> grade of 160. If those students are all retained over the next three years that's the reality. When they talk about the additions made to the school it does not address the core facilities.

**Jason Czekalski**-One of issues with the school discussed extensively during the run up to the new bond was that 2012 was going to be the year that the district capped out at its highest population and then it would start a long steady decline after that district wide. It appears that it is going to be reached early based on the number of new enrollment that he had been told, the latest will be 2010 not 2012 and then a decline will be seen from 2010-2020.

The other big issue is the economy. The Growth isn't going on.

**Ed Lamoureux**- said that he seemed to remember that when this was voted in, in 2004 that over two thirds of the town thought at that time with the figures and some real good minds working on this that it was a good thing.

He said has regardless of what the statistics say he has a lot of teacher friends in both schools and we have been over crowded, run down and perplexed with broken down trailers that the kids have been in for a long time. Why not have a safety net? If the building is not going on it isn't hurting anyone. But if it suddenly starts up again we have a safety net in place.

**Keith Halloran**-He said that he didn't think the standards of 2004 apply to 2008. He said he was intrigued about the college and elderly housing, on one hand the elderly don't call much upon municipal services but the college has been a disappointment.

He said that the college is a separate issue. The town and the college need to come together to work out something on a separate basis because it's a village within a village. They need to be called on the carpet to be told what they are consuming and be told enough is enough.

**John Vorfeld**- Its not as simple as saying that there are people moving in to the town that don't have kids. You have to be prepared for it because we pay taxes for those schools. Why would you want to be hit with a 25% tax increase because you let 85 houses be built that someone with kids moves in to.

**Roberta Oeser**-Roberta said most of those 137 lots that were created in 2003 and 2004 are gone now. We don't have the land right now

**Art Fiorelli**-Art said that the School District numbers used in the Findings of Fact were supplied by the School District. Also every year the projected enrollments presented by the school boards have been low. All we know is the school age population is growing and the current schools are already over crowded. That's all you can conclude as far as the schools go.

The municipal functions, which are addressed in the addendum to the Findings of Fact it is mentioned that the DPW facilities were not approved, there have been two votes on a public safety building that went down, and we are going for a third one now. Those are all part of the community facilities that are being over-taxed right now. As far as the GMO not ever being applied. The reason it has not been actually applied is that it was misinterpreted the first year it was in effect because they thought previously approved subdivisions were exempt and they were not. That number of 41 would have been 24 To say that the GMO has never been applied is true but it doesn't show the whole picture. If the GMO had been applied and had been applied properly it would have managed growth better in those first two years.

As far as FPU he agreed that is a BOS and FPU problem. That's an issue in any college town. He said he was not sure how you would count the residential units in a dorm. You have to deal with that as a totally separate different issue and that is not on the table. As far as elderly housing goes it is always going to be an insignificant percentage of the housing built in town.

**Tim Halliday**-He said he thinks everyone at the hearing cares for the town and he appreciates the discussion. He said that we all know building is going to cycle and he doesn't think the Growth Management Ordinance will be necessary for the next two or three years He said the BOS was addressing the FPU issues with the new management there.

**Deb Sawyer**-We are in a slump but people love Rindge and they are moving here. The GMO should be there to fall back on.

**Kim McCummings**-She said she agreed with a lot of what was said and she saw the GMO as a planning tool that the town and Planning Board can use to keep up with the pace of the town. We may need to look at the balance of the college and 55+ housing and how it fits into the GMO in the future. However that should be supplemental to the GMO and not taking it away. Kim suggested extending the GMO for 1 year rather than

Kim asked for suggestions for amendments

**Jason Czekalski**-said he would be in favor of extending the GMO one year which would allow for time to find out if Ashburnham and Winchendon should be included in the statistical model.

**John Vorfeld**-said we need to keep in place the thought that the most conservative way of managing our tax dollar in town is to limit residential growth. Building houses costs more than it gives us. We don't need to justify it we just need to other reasons to back this GMO up.

**Art Fiorelli**-There have been many towns challenged in court over their Growth Management Ordinances. We based our GMO on those towns that prevailed. Also new statistical data will not be available in a year because the next federal census will not be available until 2010. In the mean time student housing can be addressed through an amendment. But he was not in favor of only renewing the ordinance for a year. He was in favor of going again with the five years and amending it every year if necessary.

**Mike Sielicki Rindge Police Chief**-Mike said that they have been compiling information about calls and have that information available. Also he was asking that the exemption for student and elderly housing be amended in some way.

**Art Fiorelli**- was concerned about changing that exemption.

**Pat Barry**- said anything less than three years appears like the Planning Board is not confident that it is needed. Although five years may be too long.

**Keith Halloran** said as long as the Board reports to the public the reasoning behind continuing the ordinance they will have respect for where the board is coming from and they can decide to vote for it or not. He also thought three years was a more appropriate length of time for the ordinance to last.

**Jason Czekalski**-said that not all of the Office of Energy and Planning's numbers come from the US Census. The state has accurate census data as recent as 2005. By January or February of 2008 the 2006 numbers will be available.

Roberta Oeser suggested removing student and elderly housing from being exempt to be under Special Exception.

**Art Fiorelli**-said that making this decision at this meeting without study.

There was further discussion by the board during which they discussed reviewing the GMO if it was renewed and considering amendments to be included on the September 2008 Special Town Meeting Ballot.

Roberta made the motion for the following amendments

**Remove the following from letter G**

G. Exceptions

1. Proposals for elderly housing, as defined in Article XVII(15) of the Rindge Zoning Ordinance, may be excluded from this ordinance upon a finding by the Planning Board that the proposed project does provide such housing and provided said proposed housing complies in all other regards with the Rindge Zoning Ordinance and other applicable regulations.
3. Proposals for Student Housing (see definition: Article XVII(31) of the Rindge Zoning Ordinance) are exempt upon a finding by the Planning Board that the proposed Student Housing is located within the College District as defined by the Town of Rindge Zoning Map and further provided that the proposed Student Housing complies in all other regards with the Rindge Zoning Ordinance and other applicable regulations.

**Add the following to letter L Special Exceptions**

The Zoning Board of Adjustment may grant a Special Exception for the following proposals, following an affirmative recommendation from the Planning Board

1. Proposals for elderly housing, as defined in Article XVII(15) of the Rindge Zoning Ordinance, may be excluded from this ordinance upon a finding by the Planning Board that the proposed project does provide such housing and provided said proposed housing complies in all other regards with the Rindge Zoning Ordinance and other applicable regulations.
2. Proposals for Student Housing (see definition: Article XVII(31) of the Rindge Zoning Ordinance) are exempt upon a finding by the Planning Board that the proposed Student Housing is located within the College District as defined by the Town of Rindge Zoning Map and further provided that the proposed Student Housing complies in all other regards with the Rindge Zoning Ordinance and other applicable regulations.

Amend Letter K to read:

The Ordinance will remain in effect until 11:59pm March 31, 2011

And post for public hearing to review substantive changes

Deb Sawyer seconded. The motion carried unanimously.

**The second hearing will be held January 15, 2008 at the Rindge Meeting House at 7:00pm**

**Proposed setback changes**

Roberta reviewed the warrant article

The point of reducing the set backs is to provide for access roads, and to allow signs to be closer to the road.

There were minor editorial changes made but there were no substantive changes or amendments proposed.

Roberta Oeser made a motion to post this article on the warrant Art Fiorelli seconded the motion. The motion carried unanimously

**Meeting Adjourned 10:30pm**

**NEXT MEETING**

**January 3, 2008**

Respectfully submitted,

Robyn Payson