

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
January 11, 2005
MINUTES**

DATE: January 11, 2005 TYPE: Public Hearing DATE APPROVED: February 1, 2005
TIME: 7:00-11:30 PM. Dr. Gerald Parker

CALL TO ORDER, at 7:00 PM

ROLL CALL: Dr. Gerald Parker, Kim McCummings, James Hoard, Richard Isakson, Katie Duffy, Craig Cypret, Cheves Walling, Arthur Fiorelli, Robyn Payson, Jo Anne Carr

APPOINTMENT OF ALTERNATES: Dick Isakson for Dave Tower

Public Hearing

Proposed Zoning Amendments to the Commercial and Business/Light Industry Districts

Dr. Parker opened the meeting by reading the mission statement of the Planning Board. He then turned the meeting over to Jo Anne Carr to present the proposed Zoning amendment to the public. She stated that the Planning Board has had been discussing since spring of 2004, about the aspects of the development of commercial buildings, and what fits in the context of Rindge. As the board was reviewing Site Plan requirements, the conversation turned to size, scale, and scope of development. The language for proposed Zoning Amendment which is up for discussion at this hearing will consist of:

- Amend the commercial district, and add one element, which will read. *“All buildings will be limited in size to a maximum of 50,000 sq feet in gross floor area.”*
- The second amendment relates to the Business/Light Industry district which reads: *“All commercial buildings shall be limited in size to a maximum of 50,000 sq feet in gross floor area.”*

The reason adding the second amendment is, as our Business/Light Industry Zone allows Commercial development, it was necessary to include this so not to infringe on building Light Industrial uses.

Referring to the hand out “Retail Industry Benchmark Report” Jo Anne pointed out that this report shows various retail business and restaurants. This information clarified what businesses would be encouraged and what businesses would be limited. Jo Anne also pointed the hand out graphically illustrating the difference in building footprint size to help clarify what 50,000 sq ft can accommodate. Jo Anne noted the New Hampshire towns which have adopted a limitation on the highest level of commercial retail from 35,000 to 75,000 sq ft. The town of Walpole in 1999 passed a Zoning Ordinance limiting maximum footprint to 40,000. Sq. ft. Hollis, Londondary, Stratham and Windham also have building limitations among others in the state. Sizes of existing buildings in Rindge:

- Market Basket 48,000
- Hannaford 62,000
- Walmart 75,000
- Famm Steel 126,000

Dick Isakson made a motion to amend Article 8 sections a-s of The Business/Light Industry Zone, to specify the 50,000 sq ft limitation be applied only to Commercial development. This is to clarify that the limitation does not apply to all businesses, only those which are commercial.

Dr. Parker brought the Planning Board into session to vote on the matter. Art Fiorelli 2nd Dick Isakson's motion. Katie Duffy voted No, James Hoard voted No, Dr. Gerald Parker, Kim McCummings, Dick Isakson, Cheves Walling, Arthur Fiorelli voted Yes. The motion was carried. Dr. Parker adjourned the session and resumed the public hearing.

Public Comment

Les Cypret stated that he felt the Legal notice of the hearing was unnecessarily political as it referenced the Rindge 2020 report. There was debate among the public as to the validity of the findings and the interpretation of the report. Some felt that it was a fair representation of the wishes of the residents of the town of Rindge and others felt that the Rindge 2020 report was being selectively quoted to support a particular point of view. Andre Aho stated that there were two sides of the "Big Box" issue that needed to be looked at. Mark Smith-Felt that limiting a Retail business to 50,000 sq ft and not limiting Industrial made no sense. Chris Asaff asked if there would be more than one 50,000 sq ft building allowed on a lot. He was told that he would be able to and that there was never anything in the regulations to prevent more than one building on a lot. Jim Ledger stated that this was an ordinance intended to limit a specific large retailer. Others stated that the town needed Big Box development for tax purposes. Many people are finding it difficult to afford to live in Rindge and Commercial development pays more taxes than any other type of development. Mike Kundert stated that the three largest tax payers in town wouldn't be here if this limitation were already in place. Jean Carguillo asked if the 50,000 sq ft limitation could be raised to what the largest retail building is now. Terry Aho said that we need commercial development because we are getting less state aide. Kim McCummings pointed out that this was a very important issue that the whole town should decide, which is why it is being brought to town for a vote. Art Fiorelli said that he thought that the citizens were mistaken about the negative impact the building footprint limitation would have. Kim McCummings stated that this was the Town's decision which is why it is being brought to Town Meeting for a vote. Dr. Parker brought the Planning Board back in to session Katie Duffy made a motion to withdraw the warrant, James Hoard 2nd. The board vote was as follows: Cheves Walling-No, Dick Isakson-No, Art Fiorelli-No, Kim McCummings-No, Dr. Gerry Parker-No, Katie Duffy-Yes James Hoard-Yes. The motion to withdraw the warrant was not carried. Kim McCummings made a motion to amend the warrant to change the building foot print limit from 50,000sq ft to 75,000 sq ft. Art Fiorelli 2nd Katie Duffy commented that there should be no figure specified, and the proposed limit to impervious service in the Site Plan Regulations was sufficient. The board vote was as follows: Cheves Walling-Yes, Dick Isakson-Yes, Art Fiorelli-Yes, Kim McCummings-Yes, Katie Duffy-Abstained, James Hoard- Abstained Motion Carried to increase building foot print limit to 75,000 sq ft. Katie Duffy made a motion to further amend the figure to no building footprint limit, thereby withdrawing the warrant. James Hoard 2nd The board vote was as follows: Cheves Walling-No, Dick Isakson-No, Art Fiorelli-No, Kim McCummings-No, Dr. Gerry Parker-No, Katie Duffy-Yes James Hoard-Yes. The motion to remove the building footprint limitation was not carried. Tim Halliday said that he thought that the town voting on the Zoning amendment was the right thing to do, and he is not afraid of the town doing that. He had some serious issues he wanted to talk about regarding amendments to the Site Plan Regulations.

Art Fiorelli made a motion to adjourn the Zoning Ordinance segment of the hearing, Kim McCummings 2nd, motion carried unanimously. Zoning Ordinance hearing ended 8:45 to reconvene January 25, 2005

Public Hearing

Site Plan Regulations

Jo Anne Carr reviewed amendments to the site plan regulations, beginning with the provision for exemptions of certain projects as determined by size.

The following types of projects are proposed to be exempt from the Site Plan Process:

- Buildings less than 1000sq ft (currently they are not, and require site plan)
- Paving and creation of impervious area of less than 2500 sq ft.(currently is not)

Other changes include:

- Definition of what constitutes a Minor Site Plan has been clarified.
- For Minor Site Plan, instead of requiring a full scaled surveyed map, a plan drawn to scale will be sufficient.
- Updating storm water and erosion control to update and agree with state regulations. Storm water regulations will mostly affect Major Site Plans, which are those projects over 40,000 sq ft.
- Newly added, 9 factors of general standards and requirements items 1-26 starting on page 11-13 of the Draft Site Plan Regulations. A Composite of the existing site plan requirements and new elements brought forward.

New Items as Discussed

- Amount of impervious on a single site (50%).
- More specific Landscape requirements.

Sections brought forward from the Subdivision Regulations

- Community Facility Impact Analysis
- Developments Having Regional Impact

Apply to Commercial and Industrial uses as well as PURD's that have to come under site plan review so it made sense to include them in the Site Plan Regulations.

- Flood Hazard Areas, is a new section, as flood plain maps have been adopted you need reference to it in the Site Plan Regulations.
- Revocation – Under what circumstances a site plan may be revoked.
- Vesting-At what point does your Site Plan Approval become considered Grandfathered?

There were a number of changes proposed by the public and members of the Planning Board. The Site Plan Regulations will be discussed further at the next public hearing scheduled for February 15, 2005

Meeting Adjourned 11:30pm

NEXT MEETING

January 18, 2005

Respectfully submitted,

Robyn Payson