

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
July 26, 2005**

DATE: July 26, 2005 TYPE: Public Hearing DATE APPROVED: 08/02/05
TIME: 7:00-8:00 PM. James Hoard

CALL TO ORDER, at 7:00 PM

ROLL CALL: James Hoard, Arthur Fiorelli, Dave Tower, Keith Halloran, Doug Gutteridge, Tom Coneys, Roberta Oeser, Robyn Payson, Jo Anne Carr

APPOINTMENT OF ALTERNATES: Doug Gutteridge for Dr. Jerry Parker

Announcements-

Jo Anne informed the Board that Maurice C. DeLisle, who bought the Mayer Subdivision, requested that his Impact Fees be waived. Dave Duvernay denied his request because, even though the Fee Schedule had not been established when his application was approved, the Ordinance had been adopted in 2003. Therefore, he would not be exempt from the fees.

Art Fiorelli asked if Mr. DeLisle applied for the Subdivision before the fee schedule was adopted. Jo Anne said he had applied for the subdivision, but the premise for assessing the Impact Fees is based on the final approval of the Subdivision or when the building permit is applied for. Art Fiorelli said he thought that recently the Impact fees were waived on another Subdivision before the Impact Fee Schedule was approved.

Jo Anne said that was true, and that was probably an incorrect action according to the reading of the Ordinance by Town Counsel and The Code Enforcement Officer Bob Van Dyke's Phase I condo's should have an Impact fee assessed. Art said that the Board should be consistent in order to be fair.

Dave Tower said that he believed that the rationale for waving the Impact Fee was when the application was accepted in relation to the adoption of the Fee Schedule. Jo Anne said that this could be looked into further. Town Counsel said that these Subdivisions had been accepted subsequent to the adoption of the Ordinance. Dave Tower said, the Subdivision Application was accepted prior to the Fee Schedule being adopted. He went on to say that there was a relatively recent case that involves the imposition of Impact Fees, turning on when the acceptance of the Subdivision Application occurred. Jo Anne said that if the Subdivision had been approved and vested it would be protected. Art asked if the deadline was the adoption of the Ordinance or the Fee Schedule. He suggested the Board consult Ben Frost for an opinion to be clear on this issue in the interest of fairness.

RESIGNATION

James read Craig Cypret's letter of resignation. Craig Cypret left the board with regret to pursue an employment opportunity. He trusts the Board will select a replacement that will reflect the wishes of the community.

FILLING ALTERNATE VACANCY

Dave Tower suggested that the Board use the results of the first alternate appointment. There was a full board present for the vote . All of the members voted their choice for alternates in order. The order was as follows:

- Tom Coneys
- Keith Halloran
- Robyn Payson
- Kim McCummings
- John Vorfeld
- Maryanne Harper

Kim McCummings could therefore be considered the next in line for the. Dave Tower said that since there was a full board present for that vote it would seem the logical way to proceed. Art Fiorelli made a motion to appoint Kim McCummings as alternate assuming she was still interested. Dave Tower 2nd Vote as follows:

Dave Tower-Yes James Hoard-No Roberta Oeser-No Tom Coneys-No Art Fiorelli-Yes The vote was 3-2 against appointing Kim tonight. Keith Halloran said that the vote was not against Kim, but against appointing her without her present. The three remaining candidates will be contacted to ascertain their interest and it will be added to the agenda. The agenda will be posted at the Town Hall, The Post Office and on the Town Web-Site.

Tom Coneys asked if at the end of the year in March, if he did not win election or if he did not run, if he would pick up his alternate position again. He was told no. When you are appointed by the Planning Board to fill a vacancy, that appointment lasts only until the next election, then there is the option of running for that seat to serve out the balance of the term. Once you have been made a full member of The Planning Board, you lose your alternate status. You must be re-appointed to become an alternate again.

VICE CHAIR POSITION

Art Fiorelli nominated Tom Coneys be appointed Vice Chair. Roberta Oeser 2nd Appointment unanimous with Tom Coneys abstaining.

NEW BUSINESS

Site Plan Amendment Re-Hearing

Map 3 Lot 1 Map 3 Lot 1-1 Valley Marine Real Estate, LLC

Les Cypret

Mr Cypret presented his application is for minor amendments to a previously approved site plan at the above location in the Business/Light Industry District. Much of the work was completed in 2003 – 2004. Issues to be addressed through this hearing include change in use from residential to commercial, traffic pattern through the site, access drives off of 202, change in drainage to accommodate parking area, grading and tree removal on the south side of the existing sales building, changes to landscaping plan and re-establishing the state and private property boundary. Dave Tower made a motion to accept, Art Fiorelli 2nd the plan was accepted unanimously. Dave Tower made a motion to approve the plan, Roberta Oeser 2nd the plan was approved unanimously.

**Amended Site Plan-Re-Hearing
Map 6 Lot 99-6-1 Sonja Drive Office Park
Navian Development Co., LLC.**

Attorney Jim Callahan asked for a continuance on this matter. This matter is continued to August 16.

OTHER BUSINESS

The Board discussed taking hearing times off of the agenda in order to avoid waiting for applicants when the Board is ahead of schedule. Tom Coneys made a motion to change the agenda, removing the hearing times, Dave Tower 2nd the change to the agenda was unanimously accepted.

Meeting Adjourned 8:00pm

NEXT MEETING

August 2, 2005

Respectfully submitted,

Robyn Payson