

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
June 16, 2009**

DATE: June 16, 2009 **TYPE: Public Hearing** **DATE APPROVED: 9/1/09**
TIME: 7:00PM-9:15 PM **CHAIR: Kim McCummings**
CALL TO ORDER: 7:00PM
ROLL CALL MEMBERS: Kim McCummings, Roberta Oeser, Rick Godin, Kirk Stenersen,
Tim Halliday, Hank Whitney
ROLL CALL ALTERNATES: Robyn Payson, Phil Simeone, Art Fiorelli, Chris Asaff
EX OFFICIO: N/A
PLANNING DIRECTOR: Jane Pitt
PLANNING ASSISTANT: Robyn Payson
APPOINTMENT OF ALTERNATES N/A

Subcommittee Update

Wireless Subcommittee

Rick Godin reported the Wireless Subcommittee will begin meeting in July.

Driveway Subcommittee

Tim Halliday said the Driveway Subcommittee is in the process of determining a time to meet.

Impact Fee

Roberta said they were in the process of scheduling the first meeting.

PURD/Subdivision/Site Plan

Kirk said the Subcommittee is close to completing its work.

Master Plan Subcommittee

Kim said she knew Burt had sent out an e-mail with proposed dates for a first meeting, but no meeting date has been set.

Kim said that the Subcommittee coordinators need to determine when their first meeting is going to be and decide who the chairperson of the Subcommittee will be. They were also reminded to let the Planning Office know of the time and place of all meetings so they can be posted. There also need to be minutes kept of all Subcommittee meetings.

Minutes

May 19, 2009 Roberta made a motion to approve the minutes with corrections Rick Godin seconded the motion the motion carried unanimously

June 2, 2009 Roberta made a motion to approve the minutes with corrections Rick Godin seconded the motion. The motion carried unanimously.

New Business

Hampshire Country School-Impact Fee

A request has been received by Hampshire Country School to waive the impact fee on the small house being built for their new headmaster. This is a not for profit boarding school that serves boys with various non verbal learning disabilities which require a great deal of attention and guidance. This will not be only a home; the first floor will also be open to the school. The school has given over 1400 acres of land spanning Rindge and New Ipswich to a perpetual conservation easement which is held by the North East Wilderness Trust.

Jane said that although this circumstance does not fit the waiver provision perfectly, it is close enough to raise it for consideration with the Planning Board. Her points in favor of granting the waiver are as follows:

- They are a school
- There are no Rindge students currently, but there is always the possibility of a child from Rindge attending.
- They are tax exempt and this property is tax exempt.
- They are giving over at least half of this house to the educational function of the school
- When they deeded the conservation easement the property they deeded was valued at about two million dollars they took a payment of one million four hundred thousand dollars. The six hundred thousand dollar difference could be construed as a possible contribution, which fits into the waiver provisions where the board can consider a waiver when there has been a cash payment or gift of property.

Following discussion,

Kirk made a motion to continue this matter to gather more information Roberta Oeser seconded the motion. The motion carried unanimously.

Anderson-Impact Fee Payment Agreement

Jane distributed a letter written by Dave Duverney regarding the Impact Fee Payment agreement between the town and Mr. Anderson. Rick Godin questioned the interest rate proposed which is 6%. Tim made a motion to accept the letter, Rick Godin seconded the motion the motion carried unanimously.

Chris Asaff asked if the letter had already been sent out. Jane said she didn't know so but would find out.

Rick Godin made a motion to reconsider the decision to accept the letter based on the interest rate being charged. He felt the interest rate should be the same as the tax collected receives which is 12%. The motion failed for lack of a second.

Technical Subdivision-Lot Line Adjustment

Map 10 Lot 35 and 36 Whitney Lane

Elizabeth Gregory/Wade Asaff

Jane introduced this application. Ed Rogers of Rogers engineering solutions is the engineer of this technical subdivision. The result will bring the lot into conformity and the other lot will retain conformity.

The lots front on Whitney Lane, which according to the town is a class 6 road. Mr. Rogers said he has information he is willing to share with the town proving Whitney Lane is a Private Road.

Roberta made a motion to accept the application. Kirk Stenersen seconded the motion.

The motion carried unanimously.

Kirk made a motion to approve the technical subdivision.

1. State subdivision approval
2. Monuments be set

Roberta seconded the motion

The motion carried unanimously.

**Major Site Plan –New Application
Map 6 Lot 99-3 Commercial Lane
Galaxy Development**

Jane introduced the Site Plan in the Business Light Industry District, which includes Tractor Supply Company, Dollar Tree and two other tenants, one of which may be a restaurant.

Jane recommends accepting the application, and scheduling a site walk. Jane also suggested sending out the Site Plan and Traffic Study for third party review. Sean Malone of Oak engineering presented the application for “Commercial Lane Plaza”

Sean Malone of Oak Engineers presented the Site Plan in detail. Also present was Eliot Fierberg of Galaxy Development. The Tractor Supply Company store is about 20,000 square feet with an exterior 15,000sq ft concrete display area. Dollar Tree and two other units are being proposed. One of the units is being looked at as a possible restaurant. There are 131 parking spaces proposed.

Site work will include cutting down the hill in the front and moving it to the back. The access will be off Commercial Lane. The applicant has already met with the Road Committee, and included their recommendations in the plan. DOT has reviewed and approved the curb cut permit. There is a landscape island across the center of the parking lot to provide green space and to minimize cut through traffic. Lighting will be shoebox fixtures on 25 ft poles. They are dark sky compliant downward lighting. Mr. Malone described the plans for Drainage Run off and Septic in detail.

Well, septic plans Site Specific permits have been submitted, as well as a Minimum Impact Dredge and fill wetlands permit for the two small wetlands that total 2600 sq ft.

Mr. Malone reviewed the building elevations which include for Tractor Supply, a gable and metal awnings and also include unique architectural features to each of the tenant façades.

Rick asked where the proposed tree line was on the plan and expressed concern that the cutting was not consistent with the Wetlands Ordinance.

Mr. Malone said the clearing is within the fifty foot buffer but the pavement is not. There is grading within the buffer which is allowable.

Rick agreed it was allowed as long as you stay within the 50% basal area cutting restriction. He also said he didn't think this was the same plan the Conservation Commission had seen.

Mr. Malone said there was more detail on this version and slightly different.

Elliot Fierberg said the original plan had an outside area of 20,000 sq feet and now it has been scaled back to 15,000 sq feet.

Rick asked that the tree cut area be flagged

There was discussion about the pylon sign which will be visible from Route 202. A rendering of the entrance sign is also needed. Both will need to show setbacks from the property lines of those signs. Jane said, the Board needs to know with specificity where those signs will be. The ZBA relief was received for the Tractor Supply sign that will be on the building.

Roberta made a motion to accept the application. Tim Halliday seconded the motion.

The motion carried unanimously.

Tim Halliday asked if the outside storage area was concrete and suggested a walkway to the KFC store. Kim agreed that would be a good idea if that was possible.

Mr. Malone said the storage area was concrete, and the problem with creating a walkway was the site will be ten feet lower than the KFC.

Jane expressed concern about people being led out into the traffic flow of KFC.

Kim said pedestrian access of the entire Commercial Lane and Sonja Drive area needs to be addressed. People will use the road if there is no walkway. If a walkway is not possible, the Board has to be considerate of that when putting the travel way in consideration for the safety of pedestrians.

Tim Halliday said people will walk between developments. The question is what is the best way to go about doing it.

Brent Aucoin asked why the Board would expect Galaxy to bear the cost of that walkway.

Eliot Fierberg said he was not necessarily opposed to a walkway, but there are difficulties with the site.

Sean Malone said they had only control of their site.

Roberta said the commercial impact fee can be off set by off site exactions.

Sean said the next time they are together they will explore the possibility of a walkway.

Chris Asaff said he used to work with the company that developed KFC, the car wash and Phase 10. He said he didn't know how a walk way would work across all the businesses because they would be crossing a drive through lane, then the exit point of a car wash to get to Dunkin Donuts. Then you cross to get to Phase 10. He said he would drive, not walk to the other businesses in the area for safety reasons.

Kirk Stenersen said it is doable but it would be on KFC property.

Brent asked if the town would accept the road.

Jane said no. It is an issue of budget and money.

Art Fiorelli asked about the light intensity and the area set aside for snow storage. Art suggested using a larger number of lower light poles with lower wattage.

The President of the Town Pines Homeowners association expressed concern about light pollution impacting the development abutting the project at the rear.

Sean Malone said they would not see any light pollution from this development.

Kirk Stenersen made the motion to continue to Site walk-July 7 at 5:30pm Roberta Oeser seconded the motion. The motion carried unanimously.

Kirk made a motion to reopen hearing to discuss additional issues Tim Halliday second motion carried unanimously.

Roberta wanted the board to decide what would need to be sent out for third party review.

Kirk asked if the Traffic Study had been already been reviewed. Jane said that road committee had vetted it but it had not been sent out for third party review she anticipated a very cursory review because the plan the traffic study was in relation to was larger than the current plan. Jane's main concern is to avoid conflicts at the internal intersection.

Kirk pointed out that the Site Specific review and the Alteration of Terrain Permit requirements are rigorous can be considered peer review in this case.

Jane was asked if she was comfortable of the level of review by the state being sufficient. Jane said she was in this case.

Outstanding Issues

- Jane said she would bring the traffic study back to the Road Committee to get their input as to whether or not it should go out for third party review.
- Finalize Sign Design and Location including ground sign rendering
- Review lighting with possibility of using lower than 25' poles

Mr. Malone and Mr. Fierberg said Tractor Supply has standards that they want to follow. Jane suggested Tractor Supply can achieve what they need to accomplish without overkill.

- Accessing other stores through island in Parking Lot
- Snow Storage

Existing conditions on plan with numbered flags for site-walk to be e-mailed to Jane

Kirk Stenersen suggested that the setbacks on the plan be checked because they have been changed recently.

The question of this being a Development of Regional Impact was raised.

Roberta made a motion to declare this is not a Development of Regional Impact Tim Halliday seconded the motion. Motion carried with Rick Godin and Kim McCummings voting No.

Roberta made a motion to continue this to the site walk July 7th at 5:30pm. Kirk Stenersen seconded the motion. The motion carried unanimously.

Roberta motioned to adjourn at 9:15 pm

NEXT MEETING

July 7, 2009

Respectfully submitted,
Robyn Payson