

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
November 1, 2011**

DATE: November 1, 2011 TYPE: Planning Board Meeting APPROVED: 12/6/11

TIME: 7:00 pm –9:00pm CHAIR: Kirk Stenersen

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Kirk Stenersen, Kim McCummings, Hank Whitney, Mike Quinlan, Tim Halliday,

ROLL CALL ALTERNATES: Burt Goodrich Phil Simeone

EX OFFICIO: None

ACTING PLANNING DIRECTOR: Robyn Payson

APPOINTMENT OF ALTERNATES: Burt Goodrich for Dave Tower

Announcements

Robyn made the following announcements.

There will be a meeting of the Sign Subcommittee on Friday November 4th at 9:00am.

Robyn submitted an e-mail to the Town Administrator for \$15,800.00 to cover the \$10,800.00 contract with Roger Hawk and \$5000.00 to cover Plan New Hampshire.

The Master Plan public hearing for the Economic Development Chapter will be November 15th at the Rindge Meeting House at 7:00pm.

Robyn informed the Board that as of this date there were 17 applications that had been approved by the Planning Board this year. In 2010, there were only 5 applications.

OLD BUSINESS

Minutes

October 18, 2011 Mike Quinlan made a motion to approve the minutes. Tim Halliday seconded the motion. The motion carried with Burt Goodrich Abstaining.

2012 Budget

Robyn presented the proposed 2012 Planning Department Operating Budget. It is the same budget previously presented, the Board just needed to vote to approve it. Tim Halliday made a motion to accept the budget. Kim McCummings seconded the motion. The motion carried unanimously.

NEW BUSINESS

Major Site Plan

Map 6 Lot 98

Wal-Mart Real Estate Business Trust

Robyn presented her plan review. (Included with the minutes)

The applicant has requested the following waivers from the Site Plan Regulations:

1. Section VI(A)(2) which requires that the size of plans not exceed 22x34.

Kim McCummings made a motion to grant the waiver. Burt Goodrich seconded the motion. The motion carried unanimously.

2. Section VII (11) of the Site Plan Regulations, which requires that the impervious surface not exceed 50%. This provision was not adopted until 2005.

Currently Wal-Mart's lot coverage is 54%. With the proposed improvements, lot coverage will increase to 57%. Robyn recommended approval of this 3% increase in lot coverage. Following discussion, Burt Goodrich made a motion to approve the waiver. Tim Halliday seconded the motion. The motion carried unanimously.

3 Section VII (15) which provides that parking areas and access roads shall not be used for display or storage.

The Site Plan indicates that 52 parking spaces will be reserved for "temporary displays". The specific location of these spaces is not shown clearly on the plan. Parking lot storage and display has historically been a problem with Wal-Mart and something we have not allowed in other developments.

Robyn was not in favor of granting the waiver, and felt this issue was best addressed during the Site Plan Review process.

Attorney Peter Imse, representing Walmart said he would be willing to withdraw this waiver request and discuss the outside/seasonal storage issue during Site Plan Review.

Septic Design

The location of the wastewater treatment system was shown on the plan but the Planning Board did not feel they had enough information to accept the Plan.

Steve Decoursey of Bohler Engineering, lead Engineer on the project said it was not the custom to have the complete wastewater treatment plant designed at the time of submittal and the requirement would present a hardship.

Kirk Stenersen expressed concerns about the location of the system and the leaching fields because of his familiarity with the site. He said changes in the location of the leaching field and wastewater treatment facility could drastically change the Site Plan, so the Board may not have the final plan before them. The consensus of the Board agreed that there needed to be more information before the application could be accepted.

Following discussion, the Planning Board decided to not move forward with the application due to lack of completeness and directed Mr. Decoursey to come to the Meeting of December 6th with soil and flow data which would be enough information to consider the application complete.

WORK MEETING

Traffic Study

Heather Monticup of Greenman-Pedersen presented the Traffic Impact Study performed in October of this year.

Architecture

Robyn reviewed the prototype design submitted by Walmart for the renovation. She expressed disappointment at the design after her working with the company for over a year and clearly expressing the wishes of the town for the design of developments to respect the “Rural Character” and “New England” style of Rindge. She shared pictures of Walmart stores from Berlin NH and Round Rock TX that were much more in character with the “Main Street” and “Small Town” aesthetic she felt was appropriate for Rindge. The Planning Board also expressed disappointment. Burt Goodrich said that Walmart had “not been listening.”

Architect David Pearlman said he would be happy to work with the Planning Board and the Acting Planning Director to find a design for the building that would be agreeable on all sides. He said that it may be possible to use some of the current elements of the building and incorporate them in to a new design.

Robyn asked if the Board would be comfortable if she worked directly with Mr. Pearlman in developing a design in the hopes of bringing something to the December meeting. The consensus of the Board was in favor of that although no vote was taken.

Meeting Adjourned 9:00pm

Non-Public Session per RSA 91-A: 3II a and b for personnel matters

NEXT MEETING

November 15, 2011

Respectfully submitted,

Robyn Payson



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MEMORANDUM

October 26, 2011

TO: Rindge Planning Board
FR: Robyn Payson, Acting Planning Director
RE: Plan Review Bohler Engineering – November 1, 2011 Public Hearing

Wal-Mart Real Estate Business Trust
Map 6, Lot 98
Major Site Plan

This is an application for Major Site Plan Review for a 41,798 square foot expansion of an existing 76,148 square foot Wal-Mart store located on 17.31 acres of land, with parking for 480 automobiles. It is stated on the plan that following improvements the number of parking spaces will be expanded to 490. Access to the property is off Route 202 via a driveway shared with Hannaford Brothers Supermarket. The property is located in the Business/ Light Industry Zoning District.

The proposed retail uses are allowed in this Zoning District and subject to Site Plan Review. The applicant has submitted plans entitled "Site Development Plans for Proposed Walmart Store #2057-06 750 US Route 202 Town of Rindge, Cheshire County New Hampshire Lot 98 Map 6" dated October 11, 2011. The plans were drawn by Bohler engineering (16 sheets). Stephen P. Decoursey is the engineer of record.

Included with the Site Plan, is a 3-page plan by Control Point Associates Inc. entitled "Walmart ATLA/ASCM Land Title Survey" dated October 11, 2010. John P. Lynch is the surveyor of record.

The applicant has submitted a Traffic Study entitled "Traffic Impact and Access Study, Proposed Walmart Expansion, Rindge New Hampshire October 2011." by Greenman-Pedersen, Inc. Engineering and Construction Services, and a Drainage Study dated October 11, 2011 by Bohler Engineering.

Waivers

The applicant has requested the following waivers from the Site Plan Regulations:

1. Section VI(A)(2) which requires that the size of plans not exceed 22x34.
I recommend approval of this waiver.
2. Section VII (11) of the Site Plan Regulations, which requires that the impervious surface not exceed 50%. This provision was not adopted until 2005.

The original Walmart building was approved and constructed prior to the adoption by the Planning Board of section VII (11), therefore RSA 674:39 II would apply to the lot coverage of the original project. Currently Wal-Mart's lot coverage is 54%. With the proposed

improvements, lot coverage will increase to 57%. I recommend approval of this 3% increase in lot coverage.

3 Section VII (15) which provides that parking areas and access roads shall not be used for display or storage.

The Site Plan indicates that 52 parking spaces will be reserved for “temporary displays”. The specific location of these spaces is not shown clearly on the plan. Parking lot storage and display has historically been a problem with Wal-Mart and something we have not allowed in other developments. I do not recommend approval of this waiver. However, if the Planning Board decides to allow temporary displays and sales in the parking lot, I recommend that the areas for such sales be reduced and strict conditions such as limitations of time and limitations on the types of items to be stored and or displayed be imposed.

Septic Plan

Walmart is proposing a new wastewater treatment system to service the building. The proposed location for this system is shown on the plan and included on the utility plan. However, the design plan for this system has not been submitted.

Section VI B of Submission Requirements states:

“All plans for site development including land clearing and grading, buildings, structures and appurtenances shall include the following: “

“#5 The design and location of all proposed utilities including but not limited to water supply, waste disposal facilities, septic tanks and leach field systems, or methods of waste water disposal, and provision for future expansion of sewage and water facilities.”

I have informed Steve Decoursey that without this information the application is not complete. Mr. Decoursey feels that he has provided sufficient information on the plans to satisfy the Board, and has requested a waiver from this provision of the submission requirements. In the event the Board accepts the application without the Septic Plan, the Board should be mindful that the 65 day approval deadline for the Site Plan would apply.

Architectural Design

According David Pearlman, Wal-Mart’s Architect, the building design currently proposed is the company’s “prototype”. According to Mr. Pearlman, Walmart is willing to discuss alternative designs with the Board.

I have obtained examples of other Walmart Building designs, which may be more appropriate for Rindge. They are currently available in the Planning office and will be available for the Board’s review on November 1st.

Development of Regional Impact

The Board will need to determine if this expansion qualifies as a Development of Regional Impact.

Per RSA 36:55 "development of regional impact" means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock.
- II. Proximity to the borders of a neighboring community.
- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.

Third Party Review

I recommend third party review of the wetland delineation and that portion of the proposed access road behind the building extends 20ft into the wetland buffer to insure that any runoff from the road will discharge 50+ feet away from the wetland.