

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
November 2, 2004
MINUTES**

DATE: November 2, 2004 TYPE: Public Hearing DATE APPROVED: 12/16/04

TIME: 7:00-10:00 PM. Katie Duffy, Chair

CALL TO ORDER, at 7:00 PM

ROLL CALL: Katie Duffy, Cheves Walling, James Hoard, Richard Isakson, Arthur Fiorelli, Kim McCummings, Jo Anne Carr, Robyn Payson,

APPOINTMENT OF ALTERNATES: Robyn Payson for Dr. Gerry Parker, and Kim McCummings for David Tower

Announcements by Jo Anne Carr:

Tax Maps-Jo Anne and Robyn have spent the last 2 weeks working on resolving discrepancies on the Tax Maps for T. F. Moran. Robyn collected individual maps that T. F. Moran does not have. Dave Duvernay will be copying these maps and delivering them to T. F. Moran. Jo Anne is now reviewing the maps page by page and highlighting where there are issues. All this information will be given to the consultant and the maps will be corrected.

Brownfield's Redevelopment-The Planning Office has received brochures on Brownfield's Development. Famm Steel was thought at one time to be a good candidate Brownfield's Development but we have since learned, to qualify properties must be in the public domain in some way. Jo Anne will be looking into the possibility of a privately owned property qualifying.

Regional Housing Coalition-If anyone is interested in participating it is on November 19, from 8:00 a.m.-2:30 p.m. There is a real concern about lack of affordable work force housing. While managing our growth it is also important to think about the type of growth we are having. These are issues to consider when thinking about the Master Plan.

New Hampshire Association of Conservation Commissions is having their 34th annual meeting Saturday Nov 6th.

Monadnock Business Ventures-is having an event November 17, with the Jaffrey Chamber of Commerce with the "Business After Hours" Program.

OLD BUSINESS

Katie Duffy asked for an update in regard to a previously discussed issue of individuals who were cutting trees or moving earth in small amounts to inform the Planning Office which would help avoid unnecessary Code Enforcement issues. At the time, there was a suggestion of some sort of tracking method. Katie was interested in an update. It was generally thought a phone call would be sufficient but some kind of written documentation would help avoid confusion, and be information available to all boards. PTWIN would be an efficient way of tracking this type of information, but the program is not attached to the network in the Planning Office yet. Katie Duffy asked Art Fiorelli to try to expedite connecting PTWIN to the network on the computers in the Planning Office.

**Subdivision Application-Continued Hearing; Map 6 Lot 85
Lord Hill and Lord Brook Roads Albert and Elizabeth Mayer**

Jo Anne Carr said that Peter Goewey came up with an estimate for the road improvements. The Mayer's needed to determine whether they were going to get a bond for the road or pass the cost on to the next developer who would get a bond for the road development. If the Mayer's intend to make the improvements to the road themselves, they will need to present a plan to the board. If they establish an escrow account, rather than designing and building it themselves, the board will be able to approve the preliminary with the condition subject to the bond and move forward with the final plat in December. Otherwise, they will have to come back to show a road design. The Mayer's will decide whether they will want to improve the road themselves or bond for the road by the next meeting, November 16. There is also language needed on the plan regarding Map 6 lot 91 and Map 6 Lot 85-7 for easements of 2 wells. The well radii cross property lines and needs to be noted on the plans.

**Subdivision Application-Continued Hearing; Map 7 Lot 96
Converseville Rd. Jeremiah Ketola**

Robyn Payson recused herself from the board for this matter, as she is an abutter. Jeremiah Ketola stated that he has received his state Subdivision Approval, Septic Designs are complete and he is awaiting approval. The application for the wetlands crossing being filed with DES by Karl Hagstrom. Jo Anne stated that the board did not have any concerns if the Conservation Commission and the Board of Adjustment were satisfied with the wetlands crossing. Jo Anne had received no comments from Highway, Fire or Police. Jo Anne suggested to Jeremiah if the Board was comfortable with the preliminary plan that the mylar could be signed tonight as it is a four lot subdivision, with no road proposed. Arthur Fiorelli asked if the houses would be visible from Converse Meadow. His concern was that people would see if they were recreating on the west side of the meadow which is owned by the town. Jeremiah said that he could have gotten eight lots out of that parcel instead of the four he is creating. Art Fiorelli said that there was no question that Mr. Ketola's plan was better than what could have happened. Jeremiah said that they were developing in a way that did the least amount of impact. Katie Duffy stated that she understood that Jeremiah has taken into consideration that this is Converse Meadow and that he has used these two lots in a very positive way for the town. Richard Mellor of the Conservation Commission stated that he went out to Converse Meadow Thursday October 28 and then had a meeting that evening with the Conservation Commission. There was a fair amount of discussion about the project that he wanted to relate. Richard Mellor-He wanted to present in the interest of the town, that Converse Meadow was purchased with the intent of a certain amount of wildlife conservation and rural recreational area. When I mentioned at the first meeting about an easement I want to clarify that in no way did that mean access to the public. I recognize that this would be private land. One of the things we would like you to consider is an easement to restrict the cutting of trees along the edge for the purpose of a visual barrier. There are trees on the bank that come with the town property but it is pretty flat once you get there so even though we have a 200 foot set back, 200 feet of nothing doesn't take much to look over. So we would like to see at least 100 ft of it go back into forestation over time. We are not suggesting you plant it but over the course of time, that would be allowed to revegetate. We would like to see it forested within the 100 ft. The second part of this is being over an aquifer, it is important to keep this water clear. And one of the major hazards of this area is it's a bog area which is very fragile to phosphate contamination. If you have a lush lawn there, its going to destroy the cleansing

activity of the meadow its self. In this particular case you already have an access that the Town used for years that goes around the wetland and comes back through. Katie Duffy said, Should the Town purchase that piece of land? Or should the owner have some kind of compensation? If the owner follows the shoreline protection and uses the low phosphate is that enough and he wants an access down to Converse Meadow which I would think would be a benefit to the piece of property, and want to cut down but stay within the regulations that exist, would that be allowed?" Richard Mellor-"Let me just respond First of all, if it comes down to compensation, that would be something we could discuss with the land owner. The access to the water its self is minimal. A canoe is fine but no dock structures or anything." Katie Duffy-"My understanding that there is some kind of a tree buffer, if the owner of this property wanted to cut 6 or 7 trees and make an opening with a bench there." Mr. Ketola said-We said what we thought at the last meeting. I'm not in favor of any restrictions there already is state restriction. If you do this you will be doing it to all the property owners all the way around Converse Meadow. Katie Duffy-"We may be up for a final plat which sounds like you would have to have a discussion afterwards. So would the planning board put those restrictions on, I don't know. The second thing asked for, a wetland crossing for a driveway. Driveway crossing needs state DES with a recommendation from the Conservation Commission." Richard Mellor-"That's what I was alluding to earlier, as long as you have an existing access we would not be in favor of it. Richard Mellor-"But I wouldn't see a final plat until that is resolved if that's still pending. What I was also suggesting was in terms of balance, if that was a trade off for some other protection, the Commission might be flexible enough to balance that. Our support for that crossing could be weighted by our support for shore line protection." Jeremiah Ketola-"I think the trade off is we are doing two lots there instead of four more. That's the biggest trade off, minimum impact. Then you would have to fight four home owners along side the water front instead of two." Katie Duffy-"I think the board has heard Richard as the Conservation Commission, and what they would like to see. Now the board members have to decide if they want to accept this plan. As for the easement, do you leave it to the land owner how does the board feel about that? Arthur Fiorelli-"I wasn't at the first meeting so I don't know what transpired. I'd like to see preliminary approval of this but before final approval hear back from DES based on the Conservation Commission input and give a little more time to the Conservation Commission to meet with you to see if you can work something out that really doesn't effect the value of your property in any way, if anything, enhances it. But at the same time, perhaps accomplishes something for the town. That doesn't have to necessarily have to delay anything." Jeremiah Ketola-"Everything's protected by the State anyway with the waterfront. You are trying to put additional buffer in there basically. Its high water table property line and to be fair with others you have to go all the way around the whole thing" Cheves Walling- "My sense is that the way the discussion is going that the only way concessions are going to be made is that this is going to go to DES and then the Conservation Commission is going to recommend against a wetlands crossing and then they have leverage against the owners about getting an easement." Robyn Payson said "As a land owner on Converse Meadow and an abutter to this subdivision I am disappointed to see, what in my opinion is Jeremiah being "strong armed' into an easement because he needs a wetlands crossing. We were very concerned when we first heard that there would be a subdivision next to us, but upon seeing this plan we were very comfortable with the development. I am very disappointed to see a "if you don't do what we want, we won't let you do what you want" disposition from Conservation because they want an easement."

Arthur Fiorelli-“It doesn’t have to be an easement.” Cheves Walling “As far as I’m concerned, we can accept the plan. I don’t think the Planning Board can put any restrictions on this particular site. If its something that can be worked out between the parties that’s great. Katie Duffy-“The intent or the interpretation of the ordinance, the zoning, the subdivision. Jeremiah Ketola has met all the requirements we follow. Its not up to us to work out an easement. If he chooses to go through the steps to go to DES then they get the recommendation from Conservation that’s the step he takes. If DES does not approve the wetlands crossing, Mr. Ketola will have to appear before the board with a minor revision.

Motion to accept plan by Cheves Walling James Hoard 2nd The Preliminary Plan was accepted unanimously.

Motion to approve plan by James Hoard Arthur Fiorelli 2nd The Preliminary Plan was approved unanimously

**Mini Site Plan-Floor Covering Sales and Installation Business; Map 6 Lot 99-4
Dennis Vadeboncoeur 29 Commercial Lane**

Mr. Vadeboncoeur is opening a Floor Covering Sales and Installation Business located on Rte 202 at Leona Letorneau’s Office and Storage buildings. He is re-using existing office space and is before the board to discuss traffic flow and use of the storage facility. Mr. Vadeboncoeur described his expectations for traffic storage and parking needs to the board. There will be a show room, an office, some storage of materials but no high volume storage. There will be no change in the exterior lighting on the building. Signage will be addressed with the code enforcement officer but will be kept within the specifications of the town. Hours of operation will be Monday - Friday 9:00 a m – 5:00 p.m. and Saturday 9:00 a.m. – 3:00 p.m..

Motion to accept by Robyn Payson James Hoard 2nd site plan was accepted unanimously.

Motion to accept with the following condition:

- Dumpster will be enclosed.

Motion to approve by James Hoard Robyn Payson 2nd site plan was approved unanimously.

**Site Plan Review-ContinuedHearing; Map 7 Lot 93-1
Christian Outreach, Recreation Fields Bob Hakala**

Jo Anne received notification from the Board of Adjustment that there was an appeal made to this project. Her recommendation to the board was to open the hearing, continue to discuss it but then continue the hearing until after the Board of Adjustment made a determination on the appeal. Katie Duffy informed the board that this decision being appealed, is an administrative decision made by the code enforcement officer Dave Duvernay who determined that the ball-field was an ancillary use for the church, and fell in to what the project had originally been approved for by the Board of Adjustment. Jo Anne stated-the appeal is to the administrative decision made by the code enforcement officer. Dave Duvernay made an administrative opinion that found the use of the ball fields was an accessory use. Jo Anne then informed Mr. Hakala that he could be scheduled for this Planning Board meeting for further site plan review. Subsequent to that, there was an appeal to the Code Enforcement Officer’s decision. The hearing for the appeal is on November 23. Site Plan review can be re-scheduled for December 7th provided there is a favorable outcome to the appeal. Mr. Hakala stated that Town Counsel agreed with the Code Enforcement Officer’s decision. Jo Anne read the statement from Town Counsel to the Board confirming this. To explore this test as to whether or not this might be

customary to a church facility Jo Anne asked Mr. Hakala to submit a list of churches with ball fields, which he provided. He also was prepared to say that the hours the ball-fields would be used would be less than those of the church and sanctuary which is also permitted and used as a school. Mr. Hakala satisfied all requests put forth by Jo Anne and Code Enforcement; all that is being waited for is the outcome of the appeal. Bob Hakala said that he was presenting a new plan to the board with the field shifted to satisfy Nancy Cornelius' concern that they were infringing on the 75' setback. Any reference to the future field was also removed. Mr. Hakala presented the result of soil sampling which had been done on the property. There was no lead contamination found. Additional items addressed; wetlands have been flagged, an easement has been granted to the Conservation Commission and a right of way has been established between Doug Gutterage and John Dowdy. Donna McKelroy came forward to state that Nancy Cornelius had added her name to the appeal to the Board of Adjustment without her knowledge or consent. Art Fiorelli asked if there were any further changes to the plan that the board needed to know about. Mr. Hakala said that he had spoken with Nancy Cornelius November 2nd and offered to consider removing the lighting if she would withdraw the appeal. She refused to withdraw the appeal so he decided to go ahead with the lighting as planned. Lighting is not intended to be included in the initial construction of the field due to the expense but he want to keep the possibility open for the future. When the installation of lights will be planned, Mr. Hakala will come before the board with a lighting plan showing specifications. Mr. Hakala understands that lighting is of particular concern to the neighbor hood and is willing to work with the neighbors to find an equally acceptable solution. Donna McKelroy said she had no problem with a ball field with no lights and no additional parking. She was afraid of what's going to happen when it gets in. Katie Duffy said that Mr. Hakala has indicated that lights are planned on for the future, but the board would see a lighting plan and the lighting would be regulated and hours that the field would be lit would be established. Donna McKelroy said "The lights probably wouldn't bother me at my house but we just changed the clocks last week. So its light until 8:00pm or 9:00pm in the summer anyway. So the only reason why you would need lights is to play after 9:00pm ." Katie Duffy said "Or for maybe an hour. There could be a time limit so lights couldn't be on after so if it was dark or if it was a dark night they could finish the last inning they could be on for half an hour to an hour but they had to be off by a designated time. But I think that is why it is a very good idea to come before the board because those are the things that we address." Donna McKelroy-"Because if the lights are on at 10:00pm at night theres people there and noise until 10:00 o'clock at night" Cheves Walling-"The other thing you have to keep in mind here is that you have the opportunity to put the light situation out of your mind. If you want to drop the appeal." Donna McKelroy"I didn't sign the appeal" Cheves Walling"But I'm saying that maybe you can discuss that." Katie Duffy-"We aren't looking at lighting specs and he would have to come back for another hearing if he wanted to put lighting in." The hearing is continued to December 7.

Planned Unit Residential Development-Continued Hearing; Map 50 Lot 52-2 Off Meadow View Road. Robert Van Dyke

- Mr. Van Dyke presented the updated site plan to the board. Per the Fire Chief to address, fire fighting concerns Mr. Van Dyke has planned a 12,000 gal cistern in the center of the development. The cistern will be filled and be checked once a year. The Fire Department usually does this. There was an issue of combined frontage on two single family houses with a shared driveway Mr. Van Dyke had the plan amended to create two separate lots with

frontage. Snow management End of cul-de-sac is a hammerhead to aid in snow removal. Incorrect lot numbers were corrected. Septic loading calculations were submitted. When asked about whether overhead or underground power would be used, Mr. Van Dyke said he would probably use a combination of both as he has in the rest of the PURD. Art Fiorelli asked about the slope Design will have to go to a 3rd party

NH of the up hill driveways. Norm Soney answered that the slope was 10%. Jo Anne said that maximum allowable driveways slope is 12% so although the slope is high, it is within spec. Art was concerned with run off into wetlands. He suggested consulting with Jo Anne for information on controlling run off. Jo Anne has not received any drainage calculations yet.

- State Subdivision Approval
- State Septic Approval
- Drainage Calculation will need to go to a 3rd party..
- Road DOT regarding road
- Need to submit application to DES

Randy Bragdon of Souhegan Valley Engineering Inc. has asked that 3rd party engineers communicate directly via phone as much as possible.

It was requested by the board that Mr. Van Dyke provide some kind of schedule of the future development plans for Taggart Meadows. Schedule is helpful in defining “active and substantial development” for the purposes of vesting the project.

James Qualey expressed concern about the traffic this project will generate and a concern about any further tree cutting on the common land.

James Hoard motioned to accept the Preliminary Plan Kim McCummings 2nd Preliminary Plan unanimously accepted.

The hearing is continued with applicant’s permission until December 7, 2004

James Hoard Motioned to adjourn Robyn Payson 2nd

Meeting Adjourned 10:00pm

NEXT MEETING

November 16, 2004

Respectfully submitted,

Robyn Payson