

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
March 4, 2008**

DATE: March 4, 2008 TYPE: Public Hearing DATE APPROVED: 4/1/08

TIME: 7:00 PM-9:00 AM CHAIR Kim McCummings

CALL TO ORDER, 7:00 PM

ROLL CALL MEMBERS: Kim McCummings, Deb Sawyer, John Vorfeld, Roberta Oeser,

ROLL CALL ALTERNATES: None Present

EX OFFICIO Tim Halliday

PLANNING DIRECTOR

PLANNING ASSISTANT: Robyn Payson

APPOINTMENT OF ALTERNATES

ALSO PRESENT: Police Chief Mike Sielicki

Announcements

Phantom Fireworks-Update

Robyn announced that Phantom Fireworks had decided to change from the dry fire suppression system to a water fire suppression system. They will be returning to the Board for a Site Plan Amendment in the near future.

Tim Halliday said he had spoken with someone at the Hinsdale store who said the FM200 fire suppression system was not as good as water but it meets code. So it may be a wise decision to change to a better system.

Kim directed the board members to forward any questions regarding this memo to the Planning Office.

Committee Updates

Roberta said that the Sign Committee may be meeting March 5, if the weather is not too icy.

Informal Review

Bed and Breakfast

Richard Feldman

Mr. Feldman of 129 Mountain Road is intending to create a small "Bed and Breakfast" in his home. The house is on 8 ½ acres of land in the Village District and Mr. Feldman is going to need to apply for a Special Exception and a Variance because of the year the house was constructed. There will be no external changes to the building. There will be no sign.

Roberta Oeser made a motion that the Planning Board send a letter of to the Board of Adjustment in favor the granting of the Special Exception and Variance. Tim Halliday seconded the motion. The motion carried unanimously.

OLD BUSINESS

Meeting Minutes

January 22, 2008-were tabled

February 5, 2008-were tabled

CONTINUANCE

Minor Site Plan-Continuance

Map 3 Lot 1 & 1-1

PLH-Lakeview, LLC

Tim Halliday recused himself

Present for this hearing are Nathan Chamberlain of Meridian Land Services Atty. Jeff Crocker Mr. Steve Pelkey and Police Chief Mike Sielicki to speak on behalf of the Road Committee.

Mr. Chamberlain reviewed the changes made to the plan that were requested at the previous meeting. He said he received comments from the town Planner today asking about the source of the Aquifer Protection District line on the plan by stating that Roger Keilig, the consultant who did the “geo-technical” study determined where the line should be and Mr. Chamberlain submitted a letter addressing how this determination was arrived at.

Mr. Chamberlain said that Jane’s memo stated that the Road Committee met regarding this project and suggested some turning lanes; the applicant will be submitting an updated driveway permit to the D.O.T. This is a change of use from Valley Marine to a retail fireworks store, there is no new construction proposed, only existing facilities will be used. He said the D.O.T will tell them whether they need turning lanes or not. He said he didn’t foresee turning lanes being warranted with such a minor change in use. This use has most of its traffic in the month leading up to the fourth of July. The rest of the year is very low traffic. Counts from the existing Rindge store are about twenty five trips a day. During the fourth of July season there are about two hundred and fifty trips a day. According to Mr. Chamberlain, this use is comparable to an Auto Parts store. He said they will work with the Road Committee as much as possible but they cannot do anything without D.O.T approval. He said that they would like to get a conditional approval based on the D.O.T. permit this evening.

John Vorfeld said that he saw in the minutes of the Road Committee meeting that Mr. Pelkey was talking about adding gas pumps and a convenience store. He wanted clarification of the project.

Mr. Chamberlain acknowledged that any new construction would require coming back to the Planning Board and all that is being addressed at this time is the change of use of the existing buildings.

Mr. Pelkey said at the very beginning it was asked of us by the Planning Department what their future intentions would be and what they would like to do. Then it was stated to just get to the specifics of what is being done right now. All that is being done right now is converting building “A” into a retail store and building “B” into an office warehouse. The earlier discussion was about what they could possibly do. He said he had not had any discussion pertaining to anything other than a fireworks retail store and a small warehouse office space in the existing buildings, and he had no idea where this discussion was coming from.

Kim said that the confusion may have come from the informal review where other buildings with additional uses were shown. But she agreed that there was no discussion of gas pumps at that time.

Atty. Jeff Crocker said this is a Minor Site Plan application. The only thing before the board is a change of use. There is no significant construction proposed. The issue in regard to traffic will be handled by D.O.T. the application will be filed with the driveway permit. It is a state road

and the D.O.T. has exclusive jurisdiction on that road. He said they had no problem with the Board making its approval conditional on compliance with D.O.T requirements.

Kim expressed issues of concern which included:

- turning
- the speed transition
- and the pedestrian traffic

Chief Sielicki said that the Road Committee met with the D.O.T chief engineer and walked the site. He said common sense tells you the traffic is going to increase with the new use. The Roadway Committee suggested turning lanes to get traffic off the road to safely turn. He said we know from experience if they don't get in touch with the state and voice our concerns as a community; we will end up with a mess like we have on 119 and Main St. We don't want to see that again. We want to see the business open with a safe rout in and out for vehicular traffic and pedestrian crossing. They also discussed putting the yellow flashing light back up. D.O.T said they didn't like the flashing lights so they removed them.

Les Cypret said he spoke to the state engineer who told him he would not endorse turning lanes because they would eliminate the shoulders that are there and they would rather have the shoulders than turning lanes.

Roberta Oeser said part of the problem is we can't dictate what happens in Massachusetts. She said she would like to see the four foot bump taken out of the road in Winchendon because that's the traffic hazard.

Chief Sielicki said that he had a meeting in Winchendon on Thursday and he will discuss it with them.

Atty. Jeff Crocker said that statute is clear. State roads are controlled by the state. If the state wants a traffic study the state will request a traffic study. Any committees and concerned citizens have a right to make their concerns known to the D.O.T

Les Cypret said that when he had the boat store he would make 20 to 25 trips a day across the street in a slow moving vehicle. That is more of a challenge to deal with traffic. He said he could not see there being any increase in traffic with this use.

Roberta said that there are two bottlenecks on 202 at each end of Rindge; Massachusetts is not going to widen that road for us. She said she didn't think making this applicant address a situation that he is not creating is his duty.

Mike Sielicki said he disagreed with her. The road width is part of the problem but you are moving a business further down the road to a congested area where there is no doubt there will be an increase in traffic. You have to correct existing problems if you are going to increase the flow of traffic. That's the Road Committee's concern. He said that is why the Road Committee suggested a third party engineer so there could be independent input and suggestions given to D.O.T. to remedy the problem. This was done when we had the problems on 119.

Other than the traffic issues the applicant complied with the Board's requests at the previous hearing

There was a discussion about drainage; because of the pervious surface most of the water will sheet into the swale, to Lord Brook and Lake Monomonac.

John Vorfeld said he felt uncomfortable that this was not addressed at all especially where there is drainage that goes into Lord Brook and the Board made a point of protecting Lord Brook with the last Fireworks companies' application. The same thing should be asked as of the previous applicant.

Atty. Crocker said that at the previous meeting the applicant was given a list of items to address which he has done and would like to see the Board approve the application conditional on compliance with D.O.T requirements.

Kim said she would rather see the D.O.T process taken care of first.

Chief Sielicki said all D.O.T. is going to say is that the Driveway Permit is approved. That's not going to address our communities' safety concerns. There needs to be a third party engineer come up with a solution and then we go to D.O.T.

Nate Chamberlain asked who would be paying for that third party review.

Chief Sielicki said that applicant would.

Mr. Chamberlain argued that there is no new use and no new impacts so there should be no mitigation. If there is an existing problem it's between the town and D.O.T.

Chief Sielicki said we are fooling ourselves if we say that the fireworks store isn't going to increase traffic.

Mr. Pelkey said he thought that was addressed when he was asked by the planner if he would agree to a traffic detail if there were any problems with traffic.

Kim said we need some professional input to see what the list of options is to make that stretch of road as safe as possible.

John Vorfeld said that since this was an existing problem the town might want to pay for it.

Roberta thought that was a good idea because it was not Atlas Fireworks problem.

Kim suggested splitting the cost with the applicant.

Mr. Pelkey said his concern was the engineers would be in conflict with D.O.T.

Roberta said that she did not want the Road Committee's comments to go to the third parties review. She said she wanted an independent opinion because in her opinion an engineer is going to say what you want to hear.

John Vorfeld made a motion for third party review of which the town will pay half, on the impact of this business on automobile and pedestrian traffic between the two businesses. Roberta seconded the motion. The motion carried unanimously.

Roberta Oeser made a motion to continue this matter to March 18, Deb Sawyer seconded the motion. The motion carried unanimously.

NEW BUSINESS

Major Site Plan- New Application Submission

Map 6 Lot 99-3

Route 202

SRA- Todd Lornell

Oak Engineering-Sean Malone

Sean Malone presented the plan for a proposed 39,000 square foot development. This project does not impact any jurisdictional wetlands. The septic plans have not been submitted because there were more test pits necessary. Those have been dug and the septic plan will be submitted shortly. The checklist was reviewed and the applicant will revise the plan to include the items noted. The application must be updated and resubmitted to the Board for acceptance so that it can be sent out for third party review.

Major Subdivision-Final Platt

Map 5 Lot 4 Abel Rd/Whicker Drive

Matt Sauvola

Robyn read the planning Memo written by Jane recommending that the Final Platt be signed following the review of the Homeowner's documents.

Roberta made a motion that the Final Platt be signed as soon as the homeowner's documents are approved. Tim Halliday seconded the motion. The motion carried unanimously.

Meeting Adjourned 9:00 PM

NEXT MEETING

March 18, 2008

Respectfully submitted,

Robyn Payson