

Meeting Minutes for
Public Meeting/Public Hearing
April 15, 2025
KG, CS, MO, BH, RO, MG, DS, AB

PLANNING BOARD
RINDGE, NEW HAMPSHIRE
April 15, 2025

DATE: April 15, 2025 **TYPE:** Public Meeting/Public Hearing **APPROVED:** 5/6/2025
TIME 7:00 pm

CALL TO ORDER: 7:00 pm

ROLL CALL MEMBERS: Roberta Oeser, Doug Seppala , Bob Hamilton, Max Geesey, Curt Sauvola, Matt Olson

ROLL CALL ALTERNATES: Kelen Geiger

ABSENT: Joel Aho

EX OFFICIO: Bob Hamilton

PLANNING DIRECTOR: Al Bump

APPOINTMENT OF ALTERNATES: Kelen Geiger for Joel Aho

OTHERS PRESENT: Roniele Hamilton, Tom Coneys, Joshua Joslyn

Call to order and Pledge of Allegiance

Chairman Roberta Oeser said that this meeting is being video recorded as well as live-streamed.

Roll call by Chairperson

Appointment of alternates, if necessary

Kelen Geiger to sit for Joel Aho

Approval of Minutes:

1. April 1, 2025

MOTION: Matt Olson moved to approve the minutes as written. Curt Sauvola seconded the motion. **Vote: 6-0-1** (Bob Hamilton abstained)

Old Business/Continued Public Hearings

1. **Continued from April 1, 2025, CONSIDERATION OF** an application for a Major Subdivision for a Planned Unit Residential Development (PURD) submitted by Graz Engineering, LLC, 323 West Lake Road, Fitzwilliam, NH 03447 on behalf of ATA Construction LLC, 18 Bradford Street, Rindge, NH for property located at Tax Map 2, Lots 41A and 41 A3 on Forristall Road in the Residential Agricultural Zoning District. The applicant is seeking approval for an 11 lot PURD (only 10 building lots)

Chairman Roberta Oeser reopened the public hearing.

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Planning Director Al Bump read the following from the updated Planning Board memo:

“Regarding the Application:

- 1) The proposed subdivision is Tax Map 2 Lots 41A & 41A-3 which are located in the Residential-Agricultural District.
- 2) This subdivision will require state subdivision approval and an Alteration of Terrain permit approval.
- 3) The applicant obtained a variance from the Zoning Board of Adjustment for roadway construction on Lots 41A & 41A-3 that, when combined, do not have adequate frontage to meet the dimensional requirements per zoning (250' Frontage required).
- 4) The subject parcel is 38.277 acres. Based on the PURD regulations the applicant is allowed a maximum of 17 units. The applicant is proposing a 10-lot subdivision into single family home lots with two common land lots.
- 5) Public utilities will be required to be extended along the proposed roadway.
- 6) The applicant will need to propose the road name for the proposed roadway to the Board of Selectman as the Selectman must approve all road names.
- 7) The applicant has provided a pullout at approximately station 5+50 that meets the requirement of the Subdivision Regulations Section VI.5.E, which requires a pullout for any cul-de-sac length over 1,000 feet.
- 8) The Director of Public and Life Safety needs to review the adequacy of the proposed fire pond and dry hydrant.
- 9) A copy of the plans was submitted to the Conservation Commission for review and comment.
- 10) Sheet 6 shows grading and drainage for the proposed roadway within 50 feet of wetlands. The Planning Board needs to review and discuss this after input from the Conservation Commission.
- 11) It appears that the applicant has met the Common Land and Open Space requirements of the PURD regulations. Calculations proving this are shown on sheet 4 under “PURD Notes”.
- 12) The drainage calculations appear to adequately address the Subdivision Regulations regarding stormwater runoff.

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- 13) The PURD is subject to the Phased Development Ordinance. Based on 10 units and 25% per year for 4 years the applicant is allowed to construct 3 units per year for the first two years and 2 units per year for the final two years.
- 14) A mandatory homeowner's association will be required for the common land.
- 15) The applicant will need to obtain NHDES Subdivision approval and a NHDES alteration of terrain approval.
- 16) The common land lots should have lot numbers on them consistent with the Subdivision Regulations.
- 17) Applicant will provide pedestrian access to common land by way of an easement. Language to be approved by town counsel at applicant's expense."

Chairman Roberta Oeser said that two waiver requests from Appendix A of the Subdivision Regulations had not been discussed at the last meeting. These waiver requests were for the radius of the road and the shoulder and drainage at the corners. Planning Director Al Bump said that the Fire Chief Rick Donovan and the DPW Director Mike Cloutier reviewed the plans and had no issue with these requests. Additionally, the Fire Chief said that the dry hydrant and fire pond are sufficient.

Chairman Roberta Oeser said that she would entertain a motion for the waiver requests before further discussion.

MOTION: Roberta Oeser moved to grant the two waivers requested from Appendix A of the Subdivision Regulations and the Typical Road Cross Section detail for Eden Street PURD, Major Subdivision application of Map 2 Lots 41A and 41A-3. Max Geesey seconded the motion.

Vote: 7-0-0

Josh Joslyn from GRAZ Engineering said he wanted to speak with the Board about the lot numbering. He said that the actual development is on Lot 41A and the piece that has the frontage is on Lot 41 A-3. Roberta Oeser said that a condition of approval would be to merge these two lots. She said we need to check with Assessing to clarify which lot to start with.

Chairman Roberta Oeser read the Con Com letter into record.

Chair Oeser

In the interest of time, I am reaching out to you via email instead of a formal RCC letter, in time for your meeting on the 15th.

At the Conservation Commission meeting tonight, we met with Josh from GRAZ Engineering and Andre Aho to follow up on our earlier letter to the Planning Board regarding the Forestall Rd PURD, Map 2, Lots 41A, 41A-3.

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We went over our concerns regarding the road not crossing the wetlands, that the plan is line to line, so there will need to be diligence on the part of the excavating contractor at the time of construction to minimize the potential for error. It was clarified that the retaining walls at the bend in the road were out of the wetlands, that the road would be curbed to divert the water more than 50 ft away toward the treatment area.

We also discussed the common land and the desire to have access for the residents that would avoid the wetlands as much as possible and Mr. Aho suggested a new easement through the 12 acre lot to the northeast that uses an existing woods roadbed and then turns to the west along the wetlands buffer to the upland.

We are satisfied with the project details as presented and the adjustments discussed, noted above.

We thank Mr. Aho for his time and attention and wish him success with this project.

Chairman Roberta Oeser said that “common land” should be useable and these are not accessible in the winter months. Josh Joslyn said this is passable land. Kelen Geiger said that ConCom was pleased with the plan. Josh Joslyn pointed out useable common land.

Chairman Roberta Oeser said that the build out for the phasing would be 25% or 3-3-3 and 1. Josh Joslyn asked if they could build 4 the first year, and two for the next three years. Andre is building this for his 4 children. A discussion took place culminating with the Board recommending 4-3-3.

Chairman Roberta Oeser read the following from the Planning Office memo as updated:

- 1) All applicable governmental permits shall be obtained, which may include, but are not limited to:
 - a. NHDES Alteration of Terrain Permit
 - b. NHDES Subdivision Approval for all proposed lots under 5 acres
- 2) Prior, during and after recording of the decision, the applicant shall be made aware that any conditions placed on this Planned Unit Residential Development through other governmental or permitting agencies are hereby included in this approval.
- 3) A Mandatory Homeowners Association is required and the common land must be transferred per PURD “L” when created.
- 4) The proposed roadway name requires approval from the Board of Selectman.
- 5) The project is subject to the Phased Development Ordinance and shall be phased such that occupancy permits will be granted in the following manner:

Year:	Number of Units:
1	4
2	3
3	3

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- 6) Active and substantial development or building under RSA 674:39, relative to the 5-year exemption to regulations changes shall be 5 years from the date when all conditions precedent have been met. The applicant has 180 days to meet all conditions precedent, or the approval is null and void. The applicant may request an extension to this requirement with proper justification for an extension. Substantial completion within the development, required within 24 months of final approval per RSA 674:39, shall be the construction of the roadway with gravel, utilities and drainage in place.
- 7) No occupancy permits shall be granted until the base course of pavement is in place.
- 8) An inspecting engineer shall be chosen by the Planning Board and paid for by the applicant to ensure the roadway is built according to the plans and to town standards.
- 9) Applicant will establish an escrow account to pay for all required inspections.
- 10) The applicant shall provide a construction bond for the construction of the road for an amount to be calculated by the applicant and approved by the inspecting engineer and DPW director. The construction bond shall be in place prior to the issuance of a building permit.
- 11) The applicant shall provide the planning office with 4 paper copies and an electronic copy of final plans once all approvals have been obtained.
- 12) The approval requires the merger of Lots 41A and 41A3. Lot 41A3 will no longer exist.
- 13) Tax Map numbers will be supplied by the Assessing office.
- 14) Applicant will provide pedestrian access to common land by way of an easement. Language to be approved by Town Counsel at the applicant's expense.

NOTE: Conditions 1, 3, 4, 8, 9, 10, 11, 12, 13 and 14 are conditions precedent.

Bob Hamilton asked about the Phasing schedule and suggested that 4-2-2-2 would accommodate Andre's request for 4 in the first year as well as staying at 10 units over 4 years. A discussion took place with members weighing in with other suggestions.

MOTION: Max Geesey moved to adjust the phasing schedule for 4-3-3. Doug Seppala seconded the motion. **Vote: 4-3-0** The vote failed.

Further discussion took place and the conditions of approval were amended for the phasing schedule to read 4-2-2-2. The applicant may return before the Board at a later date if it is necessary to amend this.

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Tom Coneys (from the audience) asked for clarification of lot 11 and how this would be impacted if it were sold. Josh Joslyn said the approval would then be for an 11 unit PURD.

Chairman Roberta Oeser closed the public hearing.

MOTION: Max Geesey move to grant approval of the “Eden Street - Planned Unit Residential Development” subdivision application on Tax Map 2 Lots 41A & 41A-3 as presented with the 14 aforementioned conditions. Matt Olson seconded the motion. **Vote: 7-0-0**

New Business/Public Hearings

1. Public Hearing for amendments to Site Plan Review Regulations
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Chairman Roberta Oeser reviewed the changes to the Site Plan Regulations.

On page nine:

J. A certified 'as built' plan will be required prior to the issuance of a occupancy permit and may be required for site plans for without structures.

On page eleven:

1. New Hampshire Department of Environmental Services (NHDES) septic design approval where applicable; or letter of certification by a licensed septic designer that an existing septic system is adequate to meet the needs of the proposed use, *or an inspection report indicating the system is in 'fair' or better condition from a company normally involved in the business of septic inspections*, if applicable.

On page thirteen:

18. Any additional information deemed necessary by the Board to make an informed decision.

C. Short Term Rental specific submission requirements

1. All of the requirements as set forth in Section VI.1.A. 1-7 (Expedited Site Plan Review), Sections VI.1.B.4 - 6, VI.B.2.A.2, VI.B.2.B.4, 6, and 15. (Minor Site Plan Review). Also indicate location for trash storage. Application for a Conditional Use Permit to be included.

- 2. Any additional information deemed necessary by the Board to make an informed decision.*

Chairman Roberta Oeser said that Planning Director Al Bump will create a checklist for applicants.

Chairman Roberta Oeser said that the definition of Short Term Rental is the same definition that was adopted by the Town in March.

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On page four:

Short Term Rental: Any individually or collectively owned single-family house or dwelling unit, or any unit or group of units in a condominium, cooperative, or timeshare, or owner-occupied residential home, or part thereof, that is offered for a fee for less than 30 consecutive days for transient occupancy.

Planning Director Al Bump said he has received two calls regarding Short Term Rentals (Site Plan Review) applications. One of these was from Washington state and one from Maryland. They own a house in Rindge but do not live in town.

Chairman Roberta Oeser asked for questions from the Board.

Kelen Geiger asked who would be going out to these short term rentals to confirm that they have smoke detectors and other requirements. Chairman Roberta Oeser said that would be Life Safety (Rick Donovan) and we will need a list for that as well through the CUP (Conditional Use Permit).

Kelen Geiger asked what the consequences will be if someone is operating a Short Term Rental without the proper approvals? Chairman Roberta Oeser said it is up to the Board of Selectman to enforce.

MOTION: Roberta Oeser moved to adopt the Site Plan Review Regulations amendments as read. Doug Seppala seconded the motion. **Vote: 5-0-2** Matt Olson and Bob Hamilton abstained.

Planning Office Report

A short discussion about audio and video-taping and live-streaming the meetings took place. Some members spoke in favor of transparency and taping the meeting while others felt that some people are not comfortable in attending if they know they are being recorded. A discussion took place which included discontinuing the live stream for two months to see if attendance at meetings improves. The Board decided to talk about this at the next meeting.

Adjourned: 8:33 PM

Respectfully submitted,
Planning office staff