



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

ZONING BOARD OF ADJUSTMENT

Public Hearing Minutes

April 28, 2026 – 7:00pm

7:00 pm - Meeting called to order by Chairman George Carmichael

Members present: George Carmichael, Marcia Breckenridge, Ross Thermos, Kevin Sawyer, Terence Fogg, Peter Letourneau, Phil Stenersen, Marty Kulla

Members absent: n/a

Public Present: Tom Coneys, Bancroft Rd; Donald Arssenault, 9 W Binney Hill Rd; Rita Arsenault, 9 W Binney Hill Rd, Angela Arsenault, 9 W Binney Hill Rd, Matthew Lasorsa, 50 Ferin Rd; Josiah Ketola, 26 Scotts Lane, Karla O'Malley, 19 Hoghgill Rd, Nick Golon, 48 Constitution Dr; Jean Jaeger, 41 Monomonac Terr; Bill Jaeger, 41 Monomonac Terr, Jim Critser, 77 Main; Chip Ernst, 144 Ferin, Ashburnham; Jennifer Helsel, 21 Daria Dr.; Loren Messina, 145 NH rt119; Sherm Garlock, 145 NH rt119; Ashley Saari, Monadnock Ledger Transcript; Jason Gorman, 15 Beach Ave; Leishih/McCarthy, 254 Ferin Rd., Ashburnham.

For general information, the Zoning Board of Adjustment (ZBA) has five voting members.

Alternates may participate during the testimony phase and are permitted to ask questions, as may members of the public. Anyone wishing to speak during portions of the hearing open to public comment must first be recognized by the Chair and should state their name and address for the record.

Once the testimony phase is closed, only the five voting members will participate in the deliberations and decision-making process.

If a regular member is absent or recuses themselves from a case, the Chair will appoint an alternate to serve in their place.

Recusals: none heard, sitting on the cases for April 28, 2026 will be George Carmichael, Marcia Breckenridge, Ross Thermos, Phil Stenersen, Marty Kulla

Notice of Public Hearing were posted: Town Offices (2x), Rindge Post Office (1x), Monadnock Ledger Transcript, Rindge town website

Public Hearings:

Carmichael addressed the Board and public in attendance to explain the difference between a Special Exception and Variance. A Special Exception is not an exception to the ordinance. It is a use that the ordinance already allows, but only if the applicant meets the specific conditions written in the ordinance. In most special exception cases, if those conditions are met, the Board shall approve the application, and may add reasonable condition. A Variance is different. A variance is permission to do something that the ordinance does not otherwise allow. Because of that, the applicant must satisfy the five variance criteria under RSA 674:33, including public interest, the spirit of the ordinance, substantial justice, property values, and unnecessary hardship. In simple terms, a special exception asks: "Does this allowed use meet the conditions in the ordinance?" A variance asks: "Should relief be granted from the ordinance because of all of the legal criteria, including hardship, have been met?"



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

ZBA Case# 2026-03: A Special Exception is requested as specified in the Wetlands Conservation District Ordinance, Section 6, of the Rindge Zoning Ordinance to permit Wetlands Disturbance of 0.38 acres as well as work within the 550ft buffer of said wetlands as part of construction of a proposed 37-resident subdivision at a property located at Tax Map 4, Lot 3-1.

- Ross Thermos read the case and relevant ordinances.
- Amanda Nardini, Clerk, read a letter on behalf of Rindge Conservation Commission.
- Public Session – presented by Nick Golon from TF Moran of Bedford NH, on behalf of the applicants for the case.
 - When the size of the parcel is considered (242+ acres), less than 1% of wetlands on site will be impacted. 37 lots are planned with 36 being single-family and one being multi-family use consisting of sixteen units. Impact areas being proposed are in areas that have previously been logged and contain access road. Chris Danforth, TF Moran wetlands scientist, identified vernal pool and there is minimal impact to that area which is noted. Also noted that wildlife corridors have been considered as plan was developed to minimally disturb wildlife habitat. Areas highlighted by Conservation Commission as to the western area of the lot were addressed as the development would avoid the area. Wetland impacts have been minimized to the lowest effect possible.
 - Criteria 1: Use will not create excessive traffic, congestion, noise, or odors
 - Proposed development will generate vehicle use consistent with other single-family residential development, with approx. 44 new vehicle trips projected during both am/pm peak hours. Development has been designed to preserve open space and retain natural buffer.
 - Criteria 2: The use will not reduce the value of surrounding properties
 - Proposal calls for 36 single-family lots, permitted use within zoning district. Design will minimize impacts and maintain open space.
 - Criteria 3: There are adequate sewer and water facilities, and sufficient off-street parking is provided by the applicant.
 - All lots will be serviced by onsite well and septic and will include off-street parking at all residences.
 - Criteria 4: The proposed use will preserve the attractiveness of the town.
 - Proposed development in size and layout has been designed to minimize overall impacts to the lot and its wetlands while preserving a natural buffer that limits visibility from the abutting roadway and surrounding properties. The subdivision will provide additional housing options in the Town in a size and manner consistent with other developments in the Town.
 - Members of the audience
 - Loren Messina, 145 rt119
 - Questioned the vehicle impact and amount of cars that will be added to the traffic pattern, which Golon answered that the



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

amount of new vehicle trips was calculated through engineering studies of units and residences planned.

- Question to the Board on when the zoning district for the lot was changed to residential, Carmichael noted that it was voted on by Rindge public in a town election to change the zoning of the parcel from light industrial to residential.
- Presented a statement written with four primary concerns
 - Received notice on April 21 and feels it was insignificant to prepare materials. Despite a note from Carmichael that abutters notice was mailed on April 17, well within the required timeline per NH RSA 676:4, Messina countered that the timeline did not give enough time.
 - Messina noted that property records show discrepancies on lot lines between her deed and that of the surveyor which presents ownership issue of surveyed land.
 - Messina noted concern of environmental impact and downstream effects of runoff from residential units and asked for consideration of the long-term environmental impacts. Carmichael noted that the Planning Board will be addressing some of her concerns directly as it does not pertain to the ZBA hearing. Messina also addressed that the property was once planned to be a commercial development but the environmental concerns stopped the plan and noted that similar studies should be done with the present development proposal.
 - Messina noted concern with property access and trespass when the representatives associated with the project over the course of four days trespassed on her property for data collection without any notice or permission. Messina had informed the local authorities.
- Jim Critser, Main Street.
 - Critser noted he read the property deeds in advance of the meeting and noted that property deeds were spelled out and could be a point to resolve one of the above issues.
- Golon, TF Moran, responded to Messina's concerns in particular that the surveyor has experience and would be happy to work with abutter to delineate boundary areas and proper lines. He noted that, to environmental impact, that the storm water and runoff features are implemented to offset any wetlands impact losses. He did not have historic information of any prior proposal for commercial development. To



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

Messina's point of trespass, they make good faith effort to inform surrounding property owners when surveying and apologized if there was any perceived trespassing.

- Jennifer Helsel, Daria Dr.
 - Asked when zoning district was changed. Carmichael responded that it was included in town vote as a warrant article two years ago in election, on record even though ArcGIS systems have not updated the change yet.
- Donald Arsenault, 9 West Binney Hill Rd.
 - Asked if the access road for the development is across from West Binney Hill Rd. Golon noted that the access road will be diagonally across from West Binney Hill Rd.
- **Deliberative Session: Stenersen moved to enter deliberative session, seconded by Breckenridge. Board voted 5-0, motion passed and Board moved into Deliberative Session.**
 - Carmichael referenced his opening statement reminding Board on the difference between a Special Exception and a Variance. Asked Board if the applicant met the four criteria of the Special Exception.
 - The Board reviewed the four criteria and voted on them individually.
 - The use will not create excessive traffic, congestion, noise or odors
 - Carmichael remarked that he felt the traffic, noise and odors had been addressed.
 - Stenersen noted average density of 1 unit over 4 acres.
 - Noted concerns from wetlands and runoff that were raised will be addressed from the town and on the state level but are not relevant to ZBA's decision on Special Exception.
 - Thermos noted concern on discrepancy in boundaries. Carmichael agreed and asked if plan should be continued to allow for abutter survey. Stenersen noted that the lot line issue would be a civil matter if there was a discrepancy, and did not impact the overall plan of proposed development (not near roadway, access, etc.) Carmichael agreed. Kulla added that a lot line discrepancy, unless involving a major portion of property, would have little impact as it involved as back portion of the lot.
 - Breckenridge moved to that the use will not create excessive traffic, congestion, noise, odors as in criteria 1. Additionally the subdivision was designed to preserve, open space and a natural buffer, seconded by Kulla. Board voted 5-0, approved.
 - The proposed use will not reduce the value of surrounding properties



ZONING BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD

RINDGE NH 03461

PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964

www.rindgenh.gov

- Breckenridge moved that the proposal calls for a residential subdivision with 36 single-family house lot a permitted and would not be reducing the surrounding property values and in addition it has been the boards practice that there no one from the audience indicated with professional opinion or experience that property values would diminish, seconded by Carmichael. Board voted 5-0, approved.
- Stenersen added that the crossing of the wetlands requested in the case would not diminish property values.
- There is adequate sewage and water facilities and sufficient off-street parking provided by the applicant.
 - Breckenridge moved to agree that there is adequate sewage and water facilities as written, seconded by Carmichael. Board voted 5-0, approved.
- The proposed use will preserve the attractiveness of the town.
 - Breckenridge read from the application: Proposed development in size and layout has been designed to minimize overall impacts to the lot and its wetlands while preserving a natural buffer that limits visibility from the abutting roadway and surrounding properties. The subdivision will provide additional housing options in the Town in a size and manner consistent with other developments in the Town.
 - Breckenridge moved to accept Criteria 5 as written, seconded by Stenersen. Board voted 5-0, approved.
- Carmichael moved to approve the Special Exception in Case #2026-03 as written as it has satisfied the four criteria as written. Seconded by Breckenridge, Board voted 5-0 approved.

ZBA Case# 2026-04: A Special Exception is requested as specified in Article V, Section A-3 of the Rindge Zoning Ordinance to permit the construction of up to 16 multi-family units within 4 townhouse-style structures on a property located at Tax Map 4, Lot 3-1.

- Breckenridge read the case and relevant ordinances.
- Public Session – presented by Nick Golon from TF Moran of Bedford NH, on behalf of the applicants for the case.
 - Criteria 1: Use will not create excessive traffic, congestion, noise, or odors
 - Specific to the multi-family lot, up to 16 units are proposed within 4 townhouse-style structures. The anticipated new traffic from the use would be negligible with 8 new vehicle trips projected during both the am and pm peak hours on NH rt119. Additionally the lot proposed is to retain a natural buffer from abutting parcels and reducing visibility. Lastly, noise



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

and odors would not be excessive as they would be consistent with other residential uses.

- Applicant used many iterations of plan to best buffer multi-family units on 32-acre parcel to prevent issues in criteria 1.
- Criteria 2: The use will not reduce the value of surrounding properties
 - The proposal calls for a residential use within a residential zone contained within 4 townhouse-style structures that would be visually consistent with other uses. Noted that up to 6 units are allowed per building, applicant is looking for only 4. Additionally design utilized shared driveway.
- Criteria 3: There are adequate sewer and water facilities, and sufficient off-street parking is provided by the applicant.
 - The lot will be served by both an onsite well and septic system and will include a shared parking area for all residents.
- Criteria 4: The proposed use will preserve the attractiveness of the town.
 - The proposed use in both size and layout has been designed to minimize overall impact to the lot while preserving natural buffer that limits visibility from the abutting roadways and surrounding properties. The construction of 4 multi-family buildings will provide housing options in the town without impacting public utilities, introducing significant vehicle trips to adjacent roadways or altering the essential character of the neighborhood.
- Carmichael asked again the size of the acres - 242 acres
- Public Commentary
 - Jim Critser, Main Street
 - Stated that existing example of multi-family units on rt119 has impacted traffic significantly and negatively. From his experience, traffic is very congested because of the development and he expects similar from this proposal.
 - Carmichael cautioned blaming the increase in traffic over the years based on one development and not as an overall effect of a growing business and population footprint in Rindge.
 - Loren Messina, 145 rt119
 - Noted that traffic is a concern on an already busy and fast highway and used a trip calculator generator to note the weekly and daily impacts of vehicles entering and leaving the development is significant. Carmichael noted that the board must rely on the professional data prepared.
 - Donald Arsenault 9 West Binney Hill Rd
 - Noted that the school bus route turns around at the state line and that the bus stop for children on West Binney Hill Rd is at the



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

entrance of the road on the corner of NH rt119. Both the turnaround and the stop already creates a significant concern in that vehicles are creating a dangerous environment for school-age children getting on and off the bus, and are frequently passing the bus along the route. He is worried that the development will increase this danger and poor traffic habits.

- Phil Stenersen asked Golon how wide the far strip of land in the rear of the multi-family lot measures, Golon responded that it is 50ft wide.
- Tom Coneys, Bancroft Rd
 - Noted that attractiveness of town is a criteria and asked ZBA to consider cumulative effect of not just this, but all present and future multi-unit developments in rural areas and how that may snowball effect into other areas of town.
- Loren Messina, rt119
 - Noted again the post office delay in certified mail delivery not allowing for enough time to prepare a significant case against the applicant. Asked next steps for process. Carmichael replied that NH law only requires evidence that the noticed was mailed and not proof that it was received within 5 days prior to the hearing. This proof was presented showing that the notice was mailed within the required time period before the hearing.
- Stenersen asked what Messina's assumption on lot discrepancy is. Messina replied it pertains to the overall lot owned by the applicant, not necessarily are part of the proposed development and that she is unsure of specifics.
- **Deliberative Session: Breckenridge moved to enter deliberative session, seconded by Stenersen. Board voted 5-0, motion passed and Board moved into Deliberative Session.**
 - Carmichael noted that, if the variance criteria were approved, he would like to include a condition stating that the proposed development represents the full extent of development for the property, and that no further subdivision of the property would be allowed. Stenersen countered that such a stipulation used to be part of Planning Board process but questioned the legality of the process. Carmichael responded that New Hampshire RSAs allow reasonable conditions to be added to an approval vote.
 - Breckenridge supported Carmichael's point and referenced town voting records that continuously voted in favor of preserving the rural character.
 - Criteria 1: The use will not create excessive traffic, congestion, noise or odors
 - Breckenridge read from the application: Specific to the multi-family lot, up to 16 units are proposed within 4 townhouse-style structures. The anticipated new traffic from the use would be negligible with 8 new vehicle trips projected during both the am and pm peak hours on NH



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

rt119. Additionally the lot proposed is to retain a natural buffer from abutting parcels and reducing visibility. Lastly, noise and odors would not be excessive as they would be consistent with other residential uses.

- Breckenridge moved to accept as written, seconded by Stenersen. Board voted 5-0, approved.
- Criteria 2: The proposed use will not reduce the value of surrounding properties
 - Breckenridge read from the application: The proposal calls for a residential use within a residential zone contained within 4 townhouse-style structures that would be visually consistent with other uses. Additionally design utilized shared driveway.
 - Breckenridge moved to accept as written, in addition it has been Board policy to listen to testimony of those who have expertise in tax value changes and none were present, seconded by Stenersen. Board voted 5-0, approved.
- Criteria 3: There is adequate sewage and water facilities and sufficient off-street parking provided by the applicant.
 - The lot will be served by an onsite well and septic system and will include a shared parking area for all residents.
 - Breckenridge moved to accept as written, seconded by Stenersen. Board voted 5-0, approved.
- Criteria 4: The proposed use will preserve the attractiveness of the town.
 - Breckenridge read from application: The proposed use in both size and layout has been designed to minimize overall impact to the lot while preserving natural buffer that limits visibility from the abutting roadways and surrounding properties. The construction of 4 multi-family buildings will provide housing options in the town without impacting public utilities, introducing significant vehicle trips to adjacent roadways or altering the essential character of the neighborhood.
 - Breckenridge moved to accept as written, seconded by Stenersen. Board voted 5-0, approved.
- Carmichael stated that he would like to add a reasonable condition to the approval as and that applicant's representative noted that total and complete plan is proposed as written. Thermos countered that the applicant's representative confirmed that the plan was final and complete as far as he was informed by the applicant, but could not speculate on if the property would see further development.
 - Carmichael moved to approve the application as written with the confirmation that the development as proposed is the extent of the



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

development with no future extension. Board voted 3-2, motion not approved and Carmichael tabled the vote for discussion.

- Stenersen opposed Carmichael's stipulations and noted that it sets more restrictions on one set of property in Rindge than any other property in town. Carmichael noted that the reasonable exception takes into account the testimony of the audience in attendance and overall the town's voting population who have indicated by vote that retaining a rural character is an important value to them.
 - Stenersen disagreed with this assessment, as did Kulla.
- Carmichael asked if it would be reasonable to add that that the proposed development presented in the application be the extent of the property's plan. Breckenridge agreed and again noted that the town has repeatedly voted to preserve the rural nature of the town, added in concerns from Conservation Comm about wildlife corridors and how a reasonable condition would help to preserve these assets.
- Carmichael moved to approve the Special Exception with the condition that the development approved be limited to the proposal presented at the meeting, and that no further development of the entire property be permitted under this Special Exception, seconded by Thermos. Board voted 3-2, approved.
- Carmichael moved to approved special exception in ZBA Case #2026-04 as written with condition as previously voted on, seconded by Thermos. Board voted 5-0, approved.

Other Business

- Board deliberation for submission deadline of supplemental materials in the rehearing of Case #2025-15 concerning the following:
 - ZBA Case# 2025-16: A Variance is requested from Article V, Section B-1 of the Rindge Zoning Ordinance to permit the creation of a lot with less than the required minimum frontage located at Map 16 Lot 7-0 in the Residential/Agricultural District at 102 Hubbard Hill Road and owned by Jason Gorman.
 - Mr. Gorman's attorney has advised the board that they are in negotiation with a neighboring property to add and asking for an extension of the application deadline. Carmichael read letter from the applicant's attorney asking for a one week extension for deadline materials to May 12. If not granted, asked for rehearing to be moved to June ZBA meeting.
 - Carmichael noted that the decision would require discussion and a vote from the board. Noted that it seems reasonable. Thermos noted that extension is due to other boards' deadline needs.
 - Kulla asked if May 12 would provide sufficient time for proper notification as required, confirmed by Carmichael and ZBA clerk.
 - Carmichael moved that board allow deadline extension of materials to May 12 at noon for Jason Gorman's application materials, seconded by Breckenridge. Board voted 5-0, approved.

Approval of Minutes: March 24, 2026



ZONING BOARD OF ADJUSTMENT
30 PAYSON HILL ROAD
RINDGE NH 03461
PH. (603) 899-5181x105 FAX (603) 899-2101 TDD 1-800-735-2964
www.rindgenh.gov

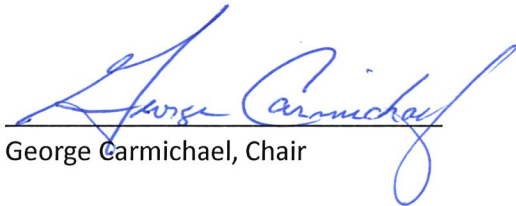
- Carmichael moved to approve minutes as written, seconded by Breckenridge. Board voted 5-0, approved.

Adjournment

- Carmichael moved to enter Non-Public Session per NH RSA 91-A:3, II (e), seconded by Breckenridge. 5-0, approved.
 - ZBA entered Non-Public Session at 8:40pm per NH RSA 91-A:3, II (e)
- ZBA returned from Non-Public Session at 8:55pm.
 - Breckenridge moved to seal the minutes of Non-Public Session, seconded by Carmichael. Board voted 5-0, approved.
- Carmichael moved to adjourn, seconded by Thermos. Board voted 5-0, adjourned, 9:00pm.

Respectfully submitted, Amanda Nardini

Minutes Approved at the May 26, 2026 Meeting of the Rindge ZBA


George Carmichael, Chair


Marcia Breckenridge, Vice Chair

NH RSA 677:2

Motion for Rehearing of Board of Adjustment, Board of Appeals, and Local Legislative Body Decisions. – Within 30 days after any order or decision of the zoning board of adjustment, or any decision of the local legislative body or a board of appeals in regard to its zoning, the selectmen, any party to the action or proceedings, or an abutter as defined by RSA 672:3 may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor; and the board of adjustment, a board of appeals, or the local legislative body, may grant such rehearing if in its opinion good reason therefor is stated in the motion.