



PLANNING BOARD
TOWN OF East Kingston
New Hampshire

2007-2008
David F. Sullivan, Chairman
Edward Warren, Vice Chairman

MINUTES
(Public Hearing of 13 November 2008)
7:00pm

AGENDA:

- ◆ Call to Order and Approval of Minutes
- ◆ **Public Hearing** for a lot line adjustment between Joyce M. Bodwell Trust, 79 North Road, East Kingston (MBL 15-03-06) and Naomi & Bradley Poole, 116 North Road, East Kingston (MBL 15-03-14) (PB #08-07).
- ◆ **Continued Public Hearing** for a lot line adjustment between Norman and Carol Freeman (Honey Bee Trust), (MBL 09-08-01) 52 Main Street, East Kingston and Granite State Gas (18-01GSGC) (PB #08-05)
- ◆ **Public Hearing** for a change recommendations to Subdivision Regulation Section VII
- ◆ Annual Review of the Elderly Housing ordinance.
- ◆ Approval of services to be provided and RPC Contract.
- ◆ Preliminary Review of the Workforce Housing Ordinance.

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 7:05PM.

ROLL CALL: Mrs. White called the roll.

Members present – Dr. RA Marston, Mr. R Morales, Mr. D Sullivan, and Mr. D Pendell, ex-officio.
Mr. E Warren, was not present.

Alternate members present –Mr. J Cacciatore; Mr. R Forrest was not present.

Advisors present – Dr. Jill Robinson, PhD., Planner, Rockingham Planning Commission (RPC)
Chief Sam Richard, East Kingston Fire Chief

Voting members – As Mr. Warren was not in attendance, Chairman Sullivan noted there was not a full voting Board and appointed Mr. Cacciatore as a voting member for the meeting.

Minutes. Mr. Sullivan asked for a motion to approve the October 16 minutes. There were no changes offered.

MOTION: Mr. Morales **MOVED** the Planning Board approve the 16 October 2008 minutes as written.
Mr. Pendell seconded, and the motion passed unanimously.

Mr. Sullivan asked for a motion to approve the October 24 minutes. There were no changes offered. As Mr. Sullivan, Mr. Cacciatore and Mr. Morales were the only ones present at the 24th meeting, only they were entitled to motion and vote.

MOTION: Mr. Morales **MOVED** the Planning Board approve the 24 October 2008 minutes as written.
Mr. Cacciatore seconded; Mr. Sullivan agreed. The motion passed. Dr. Marston and Mr. Pendell abstained.

PUBLIC HEARING FOR A LOT LINE ADJUSTMENT BETWEEN JOYCE BODWELL TRUST, 116 NORTH ROAD (MBL 15-03-06) AND NAOMI & BRADLEY POOLE, 79 NORTH ROAD (MBL 15-03-14), EAST KINGSTON (PB #08-07).

Mr. Sullivan opened the public hearing. Mr. Dennis Quintal was present.

This is a rehearing of this lot line adjustment, as an abutter had not been notified for the October meeting.

Live Free or Die

As the Board had already heard the specifics of this lot line adjustment in October and had motioned to accept it at that time, and there were no abutters present in spite of the re-notifications, the Board felt it was not necessary for Mr. Quintal to go through his presentation a second time. The full discourse of the presentation is included in the October 16th minutes.

Mr. Sullivan opened the floor to abutters; there being none, he closed the floor.

Mr. Sullivan entertained a motion to take jurisdiction.

MOTION: Mr. Cacciatore **MOVED** the Planning Board take jurisdiction on the application for lot line adjustment between Joyce Bodwell Trust (MBL 15-03-06) and Naomi & Bradley Poole (MBL 15-03-14) (PB 08-07). Mr. Morales seconded, and the motion passed unanimously.

Mr. Sullivan asked if the Board had any questions; they did not.

The conditions set forth at the October meeting were reviewed.

1. Certificate of Monumentation reflecting granite/concrete bounds properly set and signed off by Building Inspector.
2. Final mylar, together the full-sized and 11x17 copy of the final plan, to be submitted to the Planning Board for chairman signature and recording.
3. All outstanding or future fees and charges due to the Town in connection with the lot line adjustment, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Planner, **BUILDING INSPECTOR, AND FIRE DEPARTMENT; AND ADMINISTRATIVE COSTS INCURRED BY THE TOWN TO BE FULLY DISCHARGED.**

Mr. Quintal presented the certificate of monumentation, signed by the Building Inspector. He also brought the final mylar, 5 full sized copies and an 11x17 copy of the final plan for signature and recording. Mrs. White will provide an invoice to Mr. Quintal for the abutter noticing for the rehearing.

Mr. Sullivan entertained a motion.

MOTION: Mr. Cacciatore **MOVED** the Planning Board approve the application for a lot line adjustment between Joyce Bodwell Trust (MBL 15-03-06) and Naomi & Bradley Poole MBL (15-03-14) as stipulated in the application, with the above conditions. Mr. Morales seconded, and the motion passed unanimously.

Mr. Sullivan closed the public hearing. Mr. Quintal thanked the Board for their time.

CONTINUED PUBLIC HEARING FOR A LOT LINE ADJUSTMENT BETWEEN GRANITE STATE GAS (18-01GSGC) (PB #08-05) AND NORMAN AND CAROL FREEMAN (HONEY BEE TRUST), (MBL 09-08-01) 52 MAIN STREET, EAST KINGSTON.

Mr. Sullivan opened the public hearing.

Mr. Sullivan noted that the reason for this meeting was in response to Granite State Gas's disagreement of the Board's October decision for the gas company to fence in the entire area of both gas valves.

Mr. Erik Newman from Gallagher, Callahan and Gartrell, representing Granite State Gas, was present to speak to the Board.

Mr. Newman brought to the Board's attention that the decision rendered by the Planning Board on July 18, 2008 stated that, "delineation of the new fence will be shown on the plan and said fence will be installed within 30 days of the transfer of the deeds. This shall be approved by the Building Inspector before the final mylar is to be signed." Also, that this decision did not specify the fence location or instruct the Planning Board to determine the location of the fence. The intent was to install a fence that met industry standards.

For these reasons, Granite State Gas is requesting that the Board re-vist their decision to fence the entire area and to endorse the location of the fence as depicted on the plan presented to them at this meeting, which connects to the existing fence.

Two configurations were provided to the Board at the October meeting for their consideration, as the gas company did not want to install the fence in a location that was not acceptable to the Town. The Board had not chosen either Plan A or Plan B suggested by the gas company, but had chosen to have the gas company fence in the entire area.

The Board had discussion regarding the reasons they had made the decision to fence in the entire area, but ultimately agreed that since their July decision had not specified the location of the fence, it would be unfair to impose any new conditions after-the-fact.

They ascertained that a letter to Granite State Gas by the Selectmen expressing their concern of the unkempt condition of the grass within the ROW, and their request that the area be mowed at least two times per year, could be a solution. Or the Fire Chief could also send a letter to Granite State Gas as the overgrown grass could pose a potential fire hazard.

Mr. Sullivan opened the floor to abutters; there being none, he closed the floor to abutters.

Mr. Sullivan entertained a motion.

MOTION: Mr. Morales **MOVED** the Planning Board amend their October 16th decision to fence in the entire area, and motioned to approve the lot line adjustment plan for the fence for Honey Bee Trust and Granite State Gas Transmission, Inc. per drawing original date 4/07/08, revision B dated 10/20/08 which specifies the added monuments have been set and the proposed fenceline, referencing footnote 10; and to grant an additional 30-day extension, from the date of this meeting, to allow for completion of the fence installation; the new date will be December 20, 2008. Mr. Cacciatore seconded, and the motion passed unanimously.

Mr. Sullivan closed the public hearing.

Mr. Newman thanked the Board for their time.

PUBLIC HEARING FOR EAST KINGSTON SUBDIVISION REGULATION SECTION VII – GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND, PARAGRAPH T.

Mr. Sullivan opened the public hearing. Mrs. White had read the entire change recommendation at the October 16 meeting. For the conservation of time, she only read the two changes the Board had at the October meeting.

The two changes are as follows:

#6.a: *Shall be constructed of materials that are non-corrosive in normal water systems nor to groundwater.*

And an addition to the next to the last paragraph in section 8, following the list of NFPA Standards: *respectively, noting that at the time of adoption of this regulation, the height limit of buildings in East Kingston is thirty-five feet;*

Mr. Sullivan asked if the Board had any questions. Mr. Morales referred to the last sentence in paragraph e. and enquired to Chief Richard why it read: *“and painted in a color approved by the Fire Chief for visibility.”* Why wasn’t a color specified? Chief Richard stated he really did not care what color it was painted, but for example, if it were against some evergreens in the background, he would not want it painted green. He would want it painted some color for quick identification.

Mr. Sullivan opened the floor to comment. There being none, he closed to floor to comment.

Mr. Sullivan entertained a motion.

MOTION: Mr. Pendell **MOVED** the Planning Board amend Subdivision Section VII, paragraph T as read. Mr. Morales seconded, and the motion passed unanimously.

Mr. Sullivan closed the public hearing.

The full text of this section is 2 pages and attached at the end of these minutes.

RPC Contract

Mrs. White indicated she had previously distributed to the Board the list of services to be performed by the RPC as consultant, the model ordinance, and a copy of the agreement (contract) with the RPC for these services that needs to be signed by both the Planning Board Chairman and the Chairman of the Selectmen.

Mrs. White explained that it was necessary for the Board to indicate they had reviewed the RPC schedule of services and agree with it, that they reviewed the agreement between the RPC and the Town of East Kingston and agree to those terms, and approve the Chairman to sign the RPC agreement. Also, they would need to indicate a letter go to the Selectmen requesting they sign the RPC contact. This way the first check could be sent to the RPC.

Mr. Pendell inquired if the money for the services was coming out of the grant money, and if the schedule of services did not add up to the \$9,000, what would happen to the money that was left over? Dr. Robinson stated that any monies left over would go back to the Housing Authority as the grant was only to be used for implementation of the ordinance and could not be used for any other purpose.

MOTION: Mr. Pendell **MOVED** the Planning Board has reviewed the RPC's schedule of services to be performed in regard to the workforce housing ordinance and agrees with it; has reviewed the agreement between the RPC and the Town of East Kingston for the preparation of the workforce housing ordinance and agrees with it; approves the Planning Board Chairman to sign the RPC contract; and recommends the Selectmen sign the RPC agreement. Mr. Morales seconded. The motion passed unanimously.

Mrs. White read a letter she had drafted to send to the Selectmen. The Board agreed with the letter as read, and Mrs. White will send it to the Selectmen.

Review of the Workforce Housing Ordinance

Mr. Cacciatore asked Dr. Robinson about the 51%. Were homes specified by New Hampshire housing between certain values part of the workforce housing percentage?

Dr. Robinson said the answer was both yes and no. She explained that the new law has three parts.

Part 1 states towns must provide realistic and reasonable opportunities for workforce housing, defined as housing affordable to someone who make 100% of the median income.

Part 2 states that if you can show your town has already provided its fair share through different kinds of available housing stock, then you do not have to develop an ordinance. It is not a requirement of the law that you figure out whether or not you have provided your fair share of housing, the only requirement of the law is that you provide opportunities for this housing to be developed. These two parts are related, with one being a necessary requirement of the law, and the other is a measurement of whether the fair share has been met. The fair share portion is not a requirement, and the grant cannot be used for such an evaluation, as it is to be used only for development of the ordinance itself.

Part 3 is the builder's remedy, which states if an applicant comes to the town and either because the town doesn't provide realistic opportunities through their ordinances, or the conditions of approval put on the applicant make

their development economically non-viable, that builder can go to court and state that the town is not doing their job under the law. At that point, the town could come back and state that they have already provided plenty of workforce housing. They had looked at the regional housing needs assessment, had done their own analysis based on assessors records of the actual housing stock, and can show they meet their fair share of workforce housing based on what the housing is assessed at (current housing stock) or being sold for (new building).

These three parts of the law interact, but the only part of the three that is a requirement is providing the opportunity. That's why the IZIP program focuses on writing an ordinance.

Mr. Cacciatore asked if the State would be coming up with a price for the affordable housing. He offered to do a market analysis of the existing homes in town to see what share of affordable housing they have at the present time. Dr. Robinson stated that the grant is constrained by only being only used to develop the ordinance. Mr. Cacciatore stated he would donate his time to do the market analysis, and would just need some help from the office in respect to the tax cards 1,800 sf and under. Mr. Pendell expressed concern that if a member of the Planning Board completed the market analysis, the Board could be accused of skewing it in their favor.

Mr. Morales thought affordable might be different depending on each family's income, and noted that even though the market was down at the present time, when it went back up you could not dictate to someone what they could sell their house for.

Mr. Cacciatore stated as he understood it, if a home was bought under workforce housing, the owners would need to sign a contract stating they know they are in the program and they know they could be fined if they sold it within "X" amount of years from when they purchased the home. Mr. Morales stated they could not sell it for a profit either. Mr. Cacciatore's understanding was that since there are homes in East Kingston that are selling for the price range covered by workforce housing, they have enough housing stock to meet the 51%. He reminded the Board the Town does not have as much open land available for building as they might think, as it was bought for conservation easements and much of what was remaining was wetlands. And they do not want to get into cluster developments.

Dr. Robinson agreed it was an excellent idea to measure what the Town already has, but it is not a requirement. One town decided to look at their assessor's records to see what their housing stock was and whether it fell into the range. Mr. Cacciatore remarked that assessments are very far off the real values of homes at this time.

Since the RPC writes ordinances and does planning, the part of this ordinance they can help with is looking at the town's existing zoning ordinance and determining if it provides opportunities or barriers for this type of housing development.

Dr. Robinson stated that looking at the housing stock should be a parallel process to developing the ordinance and looking at the existing ordinances.

Mr. Morales referred to the existing Town Center District, and stated they had tried to make an effort to define affordable and workforce housing. He noted that those definitions now looked to be in conflict with percentages of the new definition and would need to be rewritten.

Dr. Robinson reiterated that the law states you have to provide for workforce housing in at least 51% of the land that's zoned for residential land use. Workforce housing does not just mean multifamily housing. The law states that multifamily housing has to be provided for somewhere, but you do not have to provide for it in the full 51%; it does not state what the percentage number is for multifamily housing. It will be up to the Town and the Planning Board to interpret that.

Dr. Robinson had taken the state's model on inclusionary housing ordinance and incorporated the points of the new laws into it. She had also consulted with New Hampshire Housing, the writer of the original ordinance, and others in the RPC and had added a number of provisions to meet the procedural requirements.

Incentives for developers to build this type of housing could be density bonuses and/or reduced lot sizes, for example. There are also provisions for New Hampshire Housing Finance Authority or some other entity to take on the task of making sure the affordable housing stays affordable.

Workforce housing is tied to the area median income, which at this time is \$77,000 for a four-person household. The Planning Board's job is to make sure the ordinances are not a barrier to someone who wants to build workforce housing.

Mr. Morales referred to the note on page 2 and opined it appeared the Town should not just adopt the ordinance, but needed to execute a plan that identifies what the percentage is and where the housing should be built. The Town Center District is one area where this housing could go, as existing houses could be converted to multi-family housing. In addition, other land in Town should be identified as available for this type of housing to be built. Mr. Cacciatore noted that because of the wetlands, cluster development would most certainly happen.

Mr. Pendell asked if they identified that 25% of the Town met the criteria for workforce housing, and 3 years from now values went up and there was nothing in place to restrict the dollar value of that sale, then the Town does not comply because those houses have increased in value and are not in that range.

Dr. Robinson stated that the key provision of the law is that *you provide realistic opportunities for the development* for this type of housing. She also realizes that without special financing and programs, they could not guarantee the houses would stay in the price range to qualify. Mr. Cacciatore noted that you could not control the prices of housing unless you are in a special state program; who is going to police it? Dr. Robinson noted that the New Hampshire Housing Finance Authority would police that. There would be conditions in the deed and on the resale of the house. A topic for debate is how much should you allow the buyer to realize; setting that level is an art. The RPC's position is that you should be able to control the continual affordability, and still allow the buyer to realize some equity.

The Planning Board cannot control the market. All they can do is look at their ordinances and regulations and see if they are complying with the law.

Mr. Pendell noted he had attended a seminar put on by the LGC and Rockingham is issuing the fair share analysis as to what the towns should have in unit numbers. If anyone challenges that, the law provides that it will be heard within 6 months. It cannot be drawn out for 2 years in hopes the developer will give up.

Dr. Robinson explained the Fair Share analysis. It states the proportionate share of workforce housing each town should be providing. The assessment does not say whether the town is actually providing that share; it would be up to the town to check their records and determine what percent they already provide.

Dr. Robinson reminded the Board that time was of essence in completing the ordinance, as the terms of the IZIP grant is that the ordinance will be ready to be placed on the warrant in March. By the end of December, the ordinance has to be ready to go. Mrs. White interjected that the ordinance needed to be completed by December 18, as that is the date of their meeting in December. Dr. Robinson stated the date was later than that, and Mr. Pendell stated that January 10 was the last date to bring forth a citizen's petition.

Dr. Robinson stated that the first public hearing date was January 3, and there should probably be at least two public hearings on the ordinance. This session was to answer questions, and they should get down to working on the provisions of the ordinance at the meeting on the 20th.

She provided a memo to the Board members, which explains the law and some of the background of the law.

Review of the Elderly Housing Ordinance

Mrs. White stated that the Board had asked her to research and find out the correct numbers for the percentage, as they thought there was a discrepancy with the existing number.

She reported the following figures: there were 912 homes in East Kingston to date; 777 single family units and 138 elderly housing units. 912 divided by 138 was 15.1%, so the numbers in the elderly housing, as they exist now, are the correct percentage numbers.

MOTION: Mr. Pendell **MOVED** the Planning Board acknowledge that they had reviewed the elderly housing ordinance, had no changes to it at the present time, and would review it again next year at this time. Mr. Cacciatore seconded. The motion passed unanimously.

Changed Fee Schedule.

Mrs. White reported that she had gotten together with the staff in the Selectmen’s office and they had determined in order to eliminate the perception that the town was making money on their noticing and only covering their costs, it would be beneficial to have a lump sum figure for an application that included abutter notifications, the legal notice and the recording fees. There could also be a few additional items depending on what type of application it was. The only other way to get an more accurate figure would be to bill for the noticing after-the-fact, as at the time a person submits an application, it is not known how many other people would heard on the same public hearing date. The dilemma was that applicants wanted to know how much it was going to cost them for the application and pay for it when they walked through the door.

MOTION: Mr. Pendell **MOVED** the Planning Board accept this new proposed fee schedule in place of the previously approved fee schedule. Mr. Morales seconded. The motion passed unanimously.

Addendum to the October 16 minutes

Town Road Standards

In the October 16 minutes, Mr. Donald stated that Mr. Lewis did not want to meet the town standards for the roads in the elderly housing development. The Town Engineer approves all the town roads and they are all built to Town standards.

Budget figures

In the October 16 minutes, Mr. Pendell stated that the town budget and the school budget were about \$2 million each and roughly 25% of the Town’s tax revenue comes from the elderly residents in all the developments.

The actual numbers are as follows:

School budget – EK elementary – EK portion	\$2,154,354
Coop -- EK portion	<u>\$2,670,384</u>
	\$4,824,738
Town budget	\$2,448,400

Letter from the Planning Board to the Selectmen re: Cricket Hill Roads.

Mrs. White reminded the Board that at the October 16 meeting, they had asked her to write a letter to the Selectmen in regard to the roads in Cricket Hill. Mrs. Downey had also asked for a copy of the letter to be sent to their condo association, so Mrs. White had included other information as well for their information. She read the letter to the Board and they agreed it was fine the way it was written.

MOTION: Mr. Pendell **MOVED** the Planning Board accept the letter as written to be sent to the Selectmen and the Cricket Hill Condo Association. Mr. Morales seconded. The motion passed unanimously.

Mr. Pendell noted that Mr. Morales had ascertained the two hearings on the agenda for next week might take up all the meeting time, and suggested that they meet at 6:00 pm to review the Workforce Housing ordinance before the public hearings. The Board agreed they should meet before the public hearing time to work on the ordinance. Mrs. White will post an amended agenda.

HANDOUTS TO THE BOARD

- **Selectmen’s Meeting Minutes of October 27th.**
- **Request for Project Review** by the NH Division of Historical Resources. This is only an FYI and has to do with Cooper’s Grove, which lies mostly in Kingston with a small area in East Kingston.
- **A Memorandum from the RCP** regarding reference materials to assist towns in their response to SB 342.
- **November Calendar.**

Mr. Sullivan closed meeting at 8:40pm.

Respectfully submitted,

Barbara A. White
Recording Secretary

David Sullivan
Chairman

October 16 and October 24 minutes were approved as written. See addendum to October 16 minutes.

Minutes approved _____

Attachments

- Revised SDR Section VII, Paragraph T – 2 pages**
- Revised Fee Schedule**
- Letter to Selectmen re: RPC Services and Contract**

East Kingston Subdivision Regulation Section VII – GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND. AMEND the Subdivision Requirements, Section VII, paragraph T. Remove existing paragraph T (*Fire Pond Hydrant Installation and Cistern Requirements*) and replace with the following:

T. Fire Protection Requirements

All subdivisions shall construct a suitable water supply for fire protection by means of fire ponds or fire cisterns or fire wells, with associated dry hydrants, that provide a minimum of 30,000 gallons of usable water, capable of drafting at a continuous rate of 1,000 gallons per minute; located within a truck travel distance of 2,600 feet of the front entrance of the farthest dwelling unit of the subdivision.

“Usable water” shall be defined as the amount of water from the water supply source capable of being drafted through its associated dry hydrant at all times of the year and all weather conditions such as, but not limited to drought conditions and ice formation. Usable water shall be calculated after subtracting three (3) feet from the bottom of the water supply source for strainer installation, silt buildup, and whirlpool action due to low water level and three (3) feet from the top to account for severe winter conditions such as ice. Fire cisterns may reduce these limits of engineering design, approved by the Fire Chief, provide adequate drafting capabilities.

A suitable water supply shall be installed in accordance with NFPA 1142 *Standard on Water Supplies for Suburban and Rural Fire Fighting* and:

1. All installers of suitable water supply sources:
 - a. Shall provide the Fire Department with two (2) copies of engineered plans, affixed with the registered Engineer’s stamp, which shall contain elevations, total water capacity, usable water volume as defined above, and detailed hydrant, piping and other appliance installation and a third stamped copy approved by signature of the Fire Chief shall be provided to the Planning Board,
 - b. Shall not begin construction of said suitable water supply until said plans are approved by the Fire Chief and Planning Board,
 - c. Shall be responsible for the complete filling and maintenance of the suitable water supply until the Fire Chief has accepted the installation,
 - d. Shall provide an asphalt approach twelve (12) feet wide and forty (40) feet long parallel to the roadway sufficient enough to bear East Kingston Fire Department (EKFD) fire apparatus and so located for easy access to dry hydrants and fill piping,
 - e. Shall install two (2) 3-foot high and 3-inch diameter concrete filled steel posts located two (2) feet in front of all hydrants, six (6) feet apart, one on each side of said hydrant, and placed in a twelve (12) inch diameter by twenty-four (24) inch deep concrete anchor, and painted with a color approved by the Fire Chief for visibility,
 - f. Shall not allow more than a 90-degree angle along any portion of any piping assembly flowing water nor allow more than a combined 180-degree angle throughout the entire length of any piping assembly;
2. All dry hydrant suction piping:
 - a. Shall be six (6) inch American Society for Testing and Materials (ASTM) Schedule 40 steel,
 - b. Shall have a six (6) inch female swivel connector compatible with EKFD threads and male plug mounted 30 inches in height above finished grade,
 - c. Shall not exceed a ten (10) foot vertical lift of water for fire ponds and fire wells or shall not exceed a fourteen (14) foot vertical lift of water for fire cisterns.
 - d. Shall have all horizontal piping slope slightly uphill toward the pumper connection,
 - e. Shall have a thirty (30) inch diameter poured concrete collar, thirty-six (36) inches deep from finished grade and braces or other support structures as needed,
 - f. Shall be so located for easy access for fire apparatus.

All fill piping:

- g. Shall be four (4) inch American Society for Testing and Materials (ASTM) Schedule 40 steel or Schedule 40 PVC with circumferentially glued joints,
 - h. Shall have a four (4) inch Storx style connector compatible with EKFD threads and cap mounted 36 inches in height above finished grade,
 - i. Shall be so located for easy access for fire apparatus;
3. All vent piping:
 - a. Shall be capable of allowing a minimum of a 1,000 gallon per minute draft without damaging any tank, piping or other equipment,
 - b. Shall be sixty (60) inches in height above finished grade,
 - c. Shall terminate with the use of elbows or "T" connectors and associated screening, if necessary, so as to prevent unwanted material or animals from entering said vent:
 4. All fire cisterns and fire wells shall provide a means of visually measuring water levels during all weather conditions approved by the Fire Chief, such as, but not limited to:
 - a. A lockable "manhole" which shall be easily accessible, or
 - b. A gauge that shall be easily viewable from the dry hydrant;
 5. A fire cisterns and fire wells:
 - a. Shall be constructed of materials that are non-corrosive in normal water systems nor to groundwater,
 - b. Shall be anchored for prevent rising or movement,
 - c. Shall be inspected and approved by the Fire Chief prior to backfilling;
 6. All fire cisterns:
 - a. Shall be buried completely below frost line, a minimum of four (4) feet,
 - b. Shall install strainers six (6) inches above the bottom of the tank to preclude obstruction due to sediment and debris,
 - c. Shall anchor all strainers and piping by means of poured concrete pads, braces and/or other support structures as needed and approved by the Fire Chief;
 7. All fire ponds and fire wells:
 - a. Shall install all strainers completely below frost line, a minimum of four (4) feet,
 - b. Shall install strainers twenty-four (24) inches above the pond or well bottom sufficiently to preclude obstruction due to silt or vegetation buildup,
 - c. Shall anchor all strainers and piping be means of poured concrete pads, braces and/or other support structures as needed and approved by the Fire Chief;

Any subdivision in which the front entrance of the furthest dwelling unit of the subdivision is located within a truck travel distance of 2,600 feet of an existing suitable water supply in current used by the Fire Department may request an alternative fire protection requirement which shall consist of installation of a sprinkler system for each dwelling unit, inspected and approved by the Fire Chief, which meets the requirements of NFPA 13 *Standard for the Installation of Sprinkler Systems*, NFPA 13D *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, or NFPA 13 *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, respectively; noting that at the time of adoption of this regulation, the height limit of buildings in East Kingston is thirty-five feet; and the assessment of a per dwelling unit water supply maintenance fee upon issuance of a building permit.

The design and plans for the installation of a sprinkler system shall be incorporated as part of the dwelling unit's printed construction plans. No construction of an alternative fire protection requirement shall begin prior to the approval of the Fire Chief and the Planning Board.

(Amended 10/16/08)

