



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES
(Public Hearing of 6 January 2009)
6:00pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval of Minutes** for November 13th, November 20th, and December 18th.
- ◆ **Public Hearing** for the Workforce Housing Ordinance

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 6:06PM.

ROLL CALL: Mrs. White called the roll.

Members present – Dr. RA Marston, Mr. R Morales, Mr. D Sullivan, Mr. E. Warren and Mr. D Pendell, ex-officio.

Alternate members present –Mr. J Cacciatore and Mr. R Forrest were not in attendance.

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

Board Business

The first order of business was to approve the minutes of November 13th, November 20th and December 18th. Mr. Sullivan asked if there were any changes or additions to the minutes. There being none, he asked for a motion to approve.

MOTION: Mr. Pendell **MOVED** to approve the East Kingston Planning Board minutes of November 13th, November 20th, and December 18th as presented. Mr. Warren seconded. The motion passed unanimously.

PUBLIC HEARING FOR THE WORKFORCE HOUSING ORDINANCE

Mr. Sullivan opened the public hearing for the Workforce Housing Ordinance. There were no members of the public present.

Mr. Morales applauded Dr. Robinson for the work on the Ordinance, and asked about a few points he needed clarification on. Dr. Robinson explained that RSA 674.21 Innovative Zoning is in effect now, and includes inclusionary zoning, conservation subdivisions, and several other zoning tools. RSA 672.1.III.e. takes effect in July 2009 and talks about the importance of housing..

Mr. Morales also asked for clarification on V.B.1. and the phrase “*not less than 30 days.*” Dr. Robinson stated that it meant that under the law, the Board has to give an applicant at least 30 days. They could decide to give more than 30 days, must give *at least* 30 days.

Mr. Warren noted he had read an article in Monday's Union Leader that some towns are fighting the workforce housing ordinance. Mr. Morales contemplated they might not have been as far along with their work on the ordinance as East Kingston was and did not realize they would not be ready when the law went into effect. He thought they might be struggling with how to put an ordinance together rather than fighting the ordinance itself. Mr. Sullivan stated they couldn't really fight it since as of the first of the year; it was law.

Mr. Sullivan asked for a motion.

MOTION: Mr. Warren **MOVED** to approve the ordinance as presented and to send to the 2009 warrant. Mr. Morales seconded, and the motion passed unanimously.

Mr. Sullivan closed the public hearing. Mrs. White passed around the signature sheet.

Board Business

- Mrs. White reviewed that at the next Planning Board meeting on January 15th, there would be a public hearing for Larry Bean for a site plan review for him to be able to convert his barn to a commercial use. His property is in the commercial zone.

Mrs. White had asked Mr. Bean if Chip Dodge, his prospective tenant, would write up a letter of intent mapping out how he intended on running his business, proposed hours, what types of chemicals he would have stored there and other information the board would be interested in knowing. She also asked if it were possible, if Mr. Dodge could attend the meeting in case the board had questions for him that were not included in his letter. Mr. Bean had said he would get in touch with Mr. Dodge.

Chief Richard interjected he had spoken to Mr. Bean and had inspected the building they were speaking of. Mr. Bean explained to Chief Richard what he proposed to do with the building, and the Chief had offered some suggestions on what he would need to do to get it up to speed. Chief Richard had discussed hazardous chemicals and if his tenant would be having a paint booth, what Mr. Dodge would be doing with the sawdust, the electrical system, etc.

Mr. Pendell asked if the Chief had seen any major issues in his walk-through. The Chief replied he thought it would be doable for Mr. Bean to use his building as he proposed. The building has an open rafter system and he suggested to close it up with sheetrock. He also suggested Mr. Bean meet with the building inspector about changing the electrical system since the existing system does not meet code for a commercial structure. His exit doors are sufficient for egress. Chief Richard also reviewed that it was a commercial building and no living quarters would be allowed. The Chief had explained to Mr. Bean that in the case of a fire, the Fire Department would do their best to contain it, but that it is a huge open building. The Chief stated that Mr. Bean was very open and responsive to his suggestions for the changes. Chief Richard understood that Mr. Bean's relative would be using the front part of the Building for a machine shop.

- Mrs. White also reviewed that there would be a public hearing on the EK Subdivision Regulation for the General Requirements for the Subdivision of Land. This regulation had been previously been added and voted on, but since that time, the selectmen's office had found out that the fee proposed was not legal, so the Board needed to vote to rescind the previously approved addition and motion to accept the new wording.
- In addition, there was a second public hearing for the Workforce Housing Ordinance on the schedule in anticipation of any changes that might have been made at the January 6th hearing. Since there had been no changes made, that scheduled public hearing would be eliminated as it was not necessary.

Mr. Warren enquired if there were any other business the Board needed to take care of for the warrant. Mr. Morales noted that they had decided there was not time to work on the proposed expansion of the commercial zone and they would be working on that for next year. Mr. Warren stated there was only the citizen's petition, and at the deliberative session someone from the Board would motion to amend it to change it from expansion of the town center district to making it commercial district.

Mr. Morales had a question on the Plan NH Visioning for New Hampshire Communities information Mrs. White had distributed, wondering if they might apply to the program to help with their contemplated expansion of the commercial zone. In reading the information, he thought they could be a resource to help the Board develop the commercial zones. Two of the items Plan NH listed were *mixed use development in a rural village* or *another design the community is struggling to resolve*, and Mr. Morales asked Dr. Robinson if she thought they could apply under either of these items. Mr. Warren noted they might be a good resource for them, even if they did not qualify with what they wanted to do.

Dr. Robinson explained Plan NH included a combination of professionals, including planners, landscape architects and architects. She was not personally familiar with any of the projects they had worked on, but some other towns have also been interested in working with them. They work on such things as expansion of municipal complexes, but it might work well for the zoning issue they were contemplating.

Their approach is through a charrette, where they have a meeting with plans and drawings and present it to the community. They solicit opinions from the public on what they think of the idea and wanted to make sure there was community interest in the project. Mr. Morales noted that several years ago they had had ENROC meetings with good public turnout, and had come up with the idea of the Town Center District. Dr. Robinson thought it was a good idea to get public acceptance of their idea before they attempted to present it at next year's warrant. She encouraged the Board to apply, and noted that a \$2,500 contribution was requested. Mrs. White stated they would need to see what their budget looked like, and Mr. Morales wondered if they did not have enough in this year's budget, would Plan NH consider allowing them to pay half from this year's budget and half from next year's budget. He seemed to remember in the past they had had that type of arrangement with another entity on a project they worked on. Dr. Robinson thought they might want to get support from the Master Plan or citizen's petitions, for example.

Mrs. White asked if Mr. Morales and Mr. Pendell would be working on the project together, and they stated they would but would need some help from Dr. Robinson. Dr. Robinson stated they could answer the questions with a sentence or two and submit a zoning map of the town with a sketch of what they proposed to do. Perhaps they could spend a paragraph talking about the Town Center District. They could include some pictures.

Mr. Warren suggested a spring session to allow them the rest of the year to work on it and the Board agreed that would be a good idea. They agreed they needed to schedule it between Easter vacation and the end of school.

Mrs. White confirmed the next Planning Board meeting was on February 19th. Mr. Pendell acknowledged that he and Mr. Morales would need to get something to Dr. Robinson before that so she could review it and make any needed changes before that next Planning Board meeting. Mrs. White noted if they got the information to her, she could distribute to the members to review before the meeting.

Mr. Morales asked Mrs. White to supply them with a current map of the commercial district and of the Town Center District to submit with the report. He also wanted a map of how they were proposing to extend the commercial district along the discussed roads to the Town lines. Mrs. White agreed to supply those maps. Mr. Pendell wondered if they would get more help from Plan NH if they did not show their proposal and asked Plan NH to make some sort of suggestion to them instead of the other way around. Mr. Morales answered that the application asked for maps, plans, photos and anything else that might be useful for the process.

Dr. Robinson stated it would also be helpful to let them know just what it was that they wanted help with such things as help in writing a zoning ordinance for that and their concern about what types of businesses could come in and what kind of control they would have over that.

Mr. Morales opined if you gave the voters all the information they needed so they could make an informed decision, it would make the process easier since ultimately it would be their decision whether or not to make the changes that were being proposed. Mr. Warren noted that you could have the best idea in the world, but if it wasn't worded correctly, it would be voted down. He thought Plan NH could also help in that area with the wording. The Board agreed.

Mrs. White reminded Mr. Morales and Mr. Pendell that when they were first brought up their idea for this change, their thought was that each portion should be presented separately so they would not be totally denied if there was a portion people did not like. She asked if a proposed *phasing* of their plan might not work so there would not be so much of a drastic change all at once. They agreed that might be a good way to present it. Mr. Morales stated it could be presented to be instituted a portion at a time for subsequent years, with a contingency plan if it was not working out. This would give the opportunity to adjust things as they went along.

Mr. Morales noted that the last time they had made North Road a commercial zone to Stumpfield Road, the community voted it down the next year because there had not been community input and perhaps no understanding of what the goal was. They wanted to make sure the same thing did not happen this time.

Mr. Sullivan asked for a motion to adjourn.

MOTION: Mr. Warren **MOVED** the Planning Board adjourn. Mr. Pendell seconded. The motion passed unanimously.

Mr. Sullivan closed the meeting at 6:40 pm.

HANDOUTS TO THE BOARD

- Finalized version of the Workforce Housing Ordinance for the public hearing.
- December 18th Planning Board minutes.
- Newmarket Commercial Zone Information.
- A copy of the letter sent to the Recreation Committee.
- PLAN NH memo.
- Selectmen Meeting Minutes of December 8th.
- January 2009 Selectmen's calendar.

Respectfully submitted,

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved _____