



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2009-2010
David F. Sullivan, Chairman
Edward Warren, Vice Chairman

MINUTES

Regular Meeting 17 September 2009
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval** of August 20 minutes
- ◆ **Public Hearing** for Country Hills EK PB #09-OG (MBL 16-02-04) for the purpose of amending condominium documents and the site plan to enable the town of East Kingston to provide trash pick-up and recycling in direct response to a vote of the Town at the 2009 Town Meeting.
- ◆ **Public Hearing** for Paul Masone, 213 Haverhill Road (MBL 11-02-17) EK PB #09-OH regarding a prospective tenant for the light industrial park (EK PB #04-OB), Mike Melvin, MSN Excavation.

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 7:00PM.

ROLL CALL: Mrs. White called the roll.

Members - Mr. D Sullivan; Dr. RA Marston; and Mr. D Pendell, ex-officio.

Alternate members - there were no alternate members present.

Advisors – Chief S. Richard, East Kingston Fire Department. Ms. J LaBranche, Planner, Rockingham Planning Commission (RPC) would arrive at 8:00 pm..

Also present were representatives from Country Hills: Condo President David Cole, Treasurer Peter Gilligan, and Gary & Debbie Densen; prospective tenant for the light industrial park, Mr. Mike Melvin, MSN Excavation; and East Kingston resident, Gary Hinz.

Chairman David Sullivan recognized that there was not a quorum of the Board, and noted that no decisions could be made without a quorum. Mr. Sullivan apologized to the applicants that these hearings needed to be continued; there had been some members who had medical situations that had prevented them from attending that evening's meeting. It was decided that the Board could question the participants if they needed more information, but the meeting would need to be continued.

Board members were polled to ascertain an alternate meeting date so that the participants would not need to wait an entire month until the next regular meeting. October 1 at 7:00 PM was the date decided upon; Mrs. White will check with the Selectmen's office to make sure that that date is available. If there is a problem with that date, she will contact the participants and inform them of the new date.

The minutes of August 20 will be approved at the next meeting.

It was determined that the public hearings needed to be opened even if no decisions could be made so that the public hearings could then be continued.

Public Hearing for Country Hills EKPD #09-0G (MBL 16-02-04) for the purpose of amending condominium documents to enable the town of East Kingston to provide trash pickup and recycling in direct response to a vote of the town at the 2009 town meeting.

Mr. Sullivan opened this public hearing at 7:03 pm.

Mr. Sullivan invited the representatives from Country Hills (David Cole, Peter Gilligan, and Gary and Debbie Densen) to come to the front.

Mrs. White updated the Board members on the status of the Country Hills paperwork.

- The proposed language changes for the By-Laws, Declaration of Condominium and Site Plan have been approved by the Town Attorney.
- Country Hill has provided evidence of formation of a Condominium Association.
- They have provided a copy of their minutes with the 67% vote. (This paperwork has a correction by way of a Scrivener's Correction from the Attorney re: Marshall Farms Crossing).
- They have paid their \$200 fee for the Public Hearing and Abutter's Notices.
- Charges will be forthcoming from the Town Attorney and will be billed to the Condominium Association in a future invoice when those charges are received by the Selectmen's Office.
- After discussion with the Selectmen's office, it was decided it would be easier for all parties involved if the Secretary brought the documents to the Registry for recording and billed the condominium associations at the same time as the Town Attorney charges. Mrs. White had spoken to the associations and they had agreed.
- The Selectmen's Office ascertained it would be beneficial to also record the decisions (at the Town's cost) for an extra level of assurance. The associations would be provided a copy of the recorded decisions for their records at no charge.

There was no discussion by the Board on the status of the Country Hills paperwork.

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

MOTION: Mr. Pendell **MOVED** the Planning Board continue the public hearing for Country Hills EK PB #09-0G (MBL 16-02-04) for the purpose of amending condominium documents and the site plan to enable the town of East Kingston to provide trash pick-up and recycling in direct response to a vote of the Town at the 2009 Town Meeting until October 1 at 7:00 pm. Mr. Sullivan seconded.

Mr. Cole noted that at the last meeting, the first hearing had taken 26 minutes, the second had taken 13 minutes, and the third had taken four minutes.

Mr. Cole, Mr. Gilligan, and Mr. & Mrs. Densen thanked the board for their time and will be back on October 1.

Public Hearing for Paul Masone, 213 Haverhill Road (MBL 11-02-17) EK PB #09-OH regarding a prospective tenant for the light industrial park (EK PB #04-OB); Mike Melvin, MSN Excavation.

Mr. Sullivan opened this public hearing at 7:09pm, and invited Mr. Melvin to come to the front.

Mr. Sullivan asked if the Board had any questions for Mr. Melvin. They had Mr. Melvin's application in front of them for reference.

Mr. Pendell asked about hazardous materials. As he is familiar with excavation equipment, he thought there would be some gas, oil, and hydraulic fluids involved. *Mr. Melvin noted he was not sure how to answer that as the amounts were not large. He had a 55 gallon drum in which to drain his oil, which he then provided to someone with a waste oil furnace. Mr. Melvin also noted he does not have a gasoline storage tank on the back of his truck; he fills upon the way to a job. And that at the most he might have two 5-gallon cans of hydraulic fluid at any one time.*

Mr. Pendell suggested that since Mr. Melvin was in the excavation business where you never quite knew when you would finish a job, he might want to considering changing his proposed hours of operation to the hours allowed for the light industrial park (the maximum hours he could be open), which is from 7:00 am to 9:00pm, Monday - Sunday, to which Mr. Melvin agreed. Mr. Melvin also thought he should make the change to number 15. Mrs. White handed him his original application to make the changes.

Mr. Melvin noted that he had a pick-up truck and an excavator, which he planned on parking inside, and his company was just himself and his wife.

Mr. Pendell noted an annual fire inspection would be necessary and asked when Mr. Melvin was expecting to move in. *Mr. Melvin noted it would be another 4-5 weeks; Mr. Masone needed to complete the building (pouring a floor, etc) before he could move in.*

Chief Richard agreed that there would need to be an annual inspection, but the details could be firmed up at the next public hearing.

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

MOTION: Mr. Pendell **MOVED** the Planning Board continue the public hearing for the proposed tenancy for Mike Melvin, MSM Excavation. for the Light Industrial Park until October 1 at 7:00 pm. Dr. Marston seconded. The motion passed unanimously.

Mr. Melvin thanked the Board for their time and would return on October 1.

Mrs. White asked if Mr. Melvin had had any problems finding the building; and he answered that he did have trouble. He had stopped at the Town Offices in error and had been redirected to the Pound School by members of the cemetery committee.

Mr. Sullivan closed this public hearing.

Board Business

Sign for the Pound School. Mrs. White asked Mr. Pendell if there were any plans for a sign to be placed on the Pound School, which would make it easier for applicants to find the building. Mr. Pendell answered that when they get their new sign, the Friends of the Library wanted to donate their interim sign to the Town so that they could install it front of the Pound School. The Friends of the Library had had their meeting, but had not relayed the information pertaining to this sign to the Selectmen yet. When that was done and the Town accepted this sign, the plan was that it would be installed in front of the Pound School with the name and a place to update with letters for upcoming meetings/functions being held at the Pound School.

Plan NH. Mrs. White had sent the information for the forum to Julie LaBranche who would be making it poster size for the board to review. Mrs. White had also taken the title **Business Forum** on the top of the poster and changed it to read **Town Forum**, since she was worried that if people read the word **business** they would not think that it might have anything to do with them or in require any of their feedback.

The charrette time and date had been confirmed with Mr. Castagna and the only thing he would require is a microphone. Although Mr. Castagna did not require a table, Mrs. White was planning on setting up a table

with some copies of last year's town report for people to read or take with them. She will also check with the Conservation Commission to see if they had any information or brochures that they would like to make available to the public.

Ms. LaBranche had said she would try to make some copies of the maps for the Light Industrial and Town Center District. Meanwhile, Mrs. White had found a poster board display from when the Planning Board was promoting the concept of the Town Center District for Town Meeting several years ago. There was a good map showing the main routes through Town, the Town Center District and the Commercial area along Haverhill Road. Mrs. White thought if she could take off some of the information on the side of the map, the map itself was good information. Her idea was to make a copy of the light industrial area on a separate sheet and place it on that poster board with the other map.

Mr. Pendell asked if a portion of the town map on each side could be added to show where East Kingston extended to the town lines on both sides. Chief Richard noted that there was another small commercial area at 107 and 108, Bean's Corner. Mrs. White will also show that commercial area on a map.

Mr. Pendell referred to the large map located just inside the door to the Selectmen's office, and asked if that map could be copied and the areas noted could be highlighted on that map to display at the forum.

Chief Richard suggested contacting the GIS Department at the Bureau of Emergency Communication/Emergency Services in Laconia. He knew they made maps for the state there; they may be able to print a map for us. Mrs. White will call on Friday and check with them.

Mr. Pendell stated that there was a microphone at the school if Mr. Castagna needed one; Mrs. White stated she had already arranged for a microphone. Mr. Pendell asked if the decision had been made on what to serve for refreshments? Mrs. White had thought they should be very simple - such as getting a Box-o'-Joe and some doughnut holes from Dunkin' Donuts. Mr. Pendell noted they had time, at least one more meeting, in which to finalize those plans.

PREP/CTAP. Mrs. White reported it was found that the original location of Red Gate appeared it would not work for the purpose intended, and that the Conservation Commission was in the process of ascertaining an alternate location. Mr. Pendell recollected that at the last meeting he thought an alternate location had already been identified in case it was needed. Mrs. White stated that was correct; they were thinking of the railroad property off of Burnt Swamp Road. Since then, they decided that property would not work either, so she is not sure what they are going to decide on. Mr. Pendell reported that the Selectmen had asked Mr. Quintal to come to their next meeting and explain what would be on the signs and the locations. Mr. Sullivan asked what was the problem with the Red Gate; Mrs. White thought they had found it to be too wet to be effective but was not sure.

Mr. Pendell stated he was confused and asked if the Conservation Commission was taking charge of this project, since he did not remember that the Planning Board had said that Red Gate would not work. Mrs. White explained that the grant was actually given to the Conservation Commission, but that the Planning Board was helping them with the project. Mr. Pendell stated he now understood.

CIP. Mrs. White noted that in the confusion and preparation of the changes to the elderly community's paperwork, she was late in getting out the letters to gather information for the CIP. This gathered information would be given to the Selectmen to use for planning their budget. Mr. Pendell asked if Mrs. White was getting information from the school; Mrs. White noted she had sent a letter to Mr. Eaves.

Mr. Pendell also asked if Mrs. White was also contacting the SAU, to which she answered no, because she did not know who to contact for this information. Mr. Pendell noted that SAU 16 CFO Nathan Lunney had said that Roby Day was the only person that had ever contacted the SAU for information. Mrs. White replied that when Mr. Day had left, he had not given her direction as to how to do the CIP and who to contact. She had gone by the

list that she had for last year, but had no idea who to contact from the SAU for the information. Mr. Pendell stated he would send contact information to Mrs. White.

Letter from Mr. Hinz. Mrs. White referred to board to the letter from Mr. Hinz and suggested that since she had only distributed it that evening, they might want to reserve discussion on it for the next regular meeting. This would also give the other Board members a chance to review it.

Mrs. White asked Mr. Hinz if he could e-mail his letter to her so she could forward it to Mr. Castagna. Mr. Hinz agreed to e-mail the letter to Mrs. White.

Mr. Pendell had reviewed Mr. Hinz's letter and was happy to see that someone was thinking about it and took an interest. He noted that Mr. Hinz had brought up several good questions/ideas and asked if he could use some of his verbiage in an e-mail that he might send out to spark peoples interests. Mr. Hinz said that would be fine.

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

Mr. Sullivan closed the meeting at 7:40 pm.

HANDOUTS TO THE BOARD

- Aug. 31 Selectmen's minutes
- Letter from Gary Hinz

Respectfully submitted,

Barbara White

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved October 1, 2009