

TOWN OF EAST KINGSTON PLANNING BOARD

WORK SESSION MEETING MINUTES

November 2, 2023

Pound School
41 Depot Road
East Kingston, New Hampshire

Josh Bath, Chair
Tim Allen, Vice Chair
7:00PM

AGENDA

Zoning Amendments Discussion

Board Members Present: Tim Allen – Vice Chair, Josh Bath - Chair, Bob Nigrello – Ex-Officio, and Janet Smith. Absent: Ellie Cornoni.

Others Present: Victoria Healey – RPC Planner, Dennis Quintal – Conservation Commission Chair, Kip Kaiser – Building Inspector, and George Whiteman.

Chairman Bath opened the meeting at 7:01pm followed by the roll call.

ZONING AMENDMENT DISCUSSION

Accessory Dwelling Units: Board members discussed and reviewed possible amendments to the accessory dwelling unit (ADU) provisions which included provisions for detached units as presented by RPC Planner Healey. The purpose behind these proposed amendments is to increase affordable housing opportunities without the need for more infrastructure or further land development, provide flexible housing options for residents, integrate affordable housing with minimal negative impact, and provide elderly citizens the opportunity to retain their homes and age in place. It was noted that although HB423 (number of ADUs allowed) was tabled at the state level, it is anticipated that additional workforce/affordable housing initiatives from the state legislature will be forthcoming. Board members discussed the provisions for detached units which included keeping in place the application/approval process by way of special exception due to the subjectiveness of what constitutes rural character and best practice for this determination to be made by a board versus one person (building inspector), increasing the maximum size of a unit (currently 900 square feet) to 1200 square feet, getting input from the townspeople through the public hearing and deliberative session process, permitting only one ADU per property, that properties with ADUs be owner occupied and have no more than two bedrooms, require the access doors to not face street or front of building, adequate parking be required, and assigning Planner Healey to provide design standards consistent with the rural/agricultural characteristics of the town. It was also noted that a number of RPC communities allow detached ADUs (Epping, Exeter, Fremont, Hampton, Hampton Falls, Kensington, Kingston, New Castle, Plaistow, Portsmouth, Sandown and Stratham).

The timeline for finalizing zoning amendments included reviewing and finalizing draft language at the November 16th board meeting and holding a public hearing on December 21st.

Home Occupation Ordinance: Board members discussed and reviewed possible amendments to the home occupation ordinance with respect to visible and invisible provisions, to permitted uses as it relates to protecting water quality (automotive repair, beauty shops), the difference between what constitutes a hobby versus a business, requiring state and federal permits be included in the application and renewal process, updating the purpose and definition statements of the ordinance in an effort to clarify the ordinance, requiring both visible and invisible home occupations undergo the same application process but keeping annual permitting process the same, modifying the childcare provisions to more align with the minimal impact requirements expected of the other permitted uses, adding other health-related types of businesses to the permitted use list, modifying the delivery provisions by removing weight restrictions, adding language regarding 14k GVWR provisions to mirror those in Article III-B of the zoning ordinance, and adding a requirement that state and federal permits be listed on the home occupation application/checklist to

ensure other business monitoring processes are in place, and to further require the submission of updated permits be required as part of the annual town permit renewal process. It was noted that permitted (approved with permit) businesses already on the books would be grandfathered from any of the proposed amendments to the ordinance should the amendments pass in March. Board members agreed that the proposed changes to the Home Occupation Ordinance be presented in multiple amendments so that the voters can vote on the changes individually instead of as one amendment.

Noting the anticipated large agenda on December 21st, board members agreed to hold the meeting at 6:30pm instead of the regular start time of 7pm and they also discussed setting time limits for each agenda item/case.

Building Codes: Building Inspector Kaiser indicated he has a number of proposed amendments to the town's building code that would bring the current language up to date and in compliance with the 2021 state building code. He will submit those changes to the board for the November 16th meeting.

Elderly Housing Ordinance: Due to the late hour, board members will review the information on modifying or repealing the Elderly Housing Ordinance for discussion and/or action at the November 16th meeting.

APPROVAL OF MEETING MINUTES

Board members reviewed the October 12, 2023 work session minutes

MOTION: Chairman Bath motioned to approve the October 12, 2023 work session minutes; seconded by Mrs. Smith. The motion passed 4-0-0.

Board members review the October 16, 2023 meeting minutes.

MOTION: Chairman Bath motioned to approve the October 16, 2023 meeting minutes; seconded by Vice Chair Allen. The motion passed 4-0-0.

ADJOURNMENT

MOTION: Chairman Bath motioned to adjourn; seconded by Mr. Nigrello. The motion passed 4-0-0.

The meeting ended at 9:36pm.

Respectfully submitted,

Catherine Belcher, Land Board Secretary

Minutes approved on November 16, 2023.