

TOWN OF EAST KINGSTON PLANNING BOARD

MEETING MINUTES

March 21, 2024

Pound School
41 Depot Road
East Kingston, New Hampshire

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

AGENDA

Election of Officers/Annual Documents Review

Beth Chapman – 98 Depot Road (Case #2024-04) – Home Occupation

Jason LeMay – 213 Haverhill Road Unit #8A (Case #2024-02) – Change in Tenancy

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

Advisors Present: Jenn Rowden – RPC Planner, Mikayla Jerominek – RPC Planner in Training, and Ed Warren – Fire Chief.

Others Present: Beth Chapman, Jason LeMay, Diana Whitmore, Dolores Newman, Larry O'Neill, and other members of the public who did not participate in any discussions or identify themselves.

Chairman Bath opened the meeting at 7:00pm followed by the roll call. RPC Planners Rowden and Jerominek were introduced and welcomed as new town advisors.

ELECTION OF OFFICERS AND DOCUMENTS ANNUAL REVIEW FOLLOWING MARCH TOWN VOTE

Election of Officers: Pursuant to the Planning Board's Rules of Procedure and RSA 673:9, the board shall hold an election on an annual basis following the March town vote to elect a Chair and Vice Chair to serve for a term of one year.

Land Board Secretary Belcher facilitated the election of officers accepting nominations from board members for the position of Chair.

Mr. Nigrello nominated Josh Bath as Chairman. (Mr. Bath accepted the nomination.) With no other nominations from the floor, members voted for the single candidate by show of hand. The results were 5 in favor. Land Board Secretary Belcher declared Mr. Bath the Chairman of the Planning Board for a one-year term ending upon election of successor after the March 2025 Town vote.

Chairman Bath then assumed charge of the meeting and opened the floor for nominations for Vice Chair. Mr. Nigrello nominated Tim Allen as Vice Chair. (Mr. Allen accepted the nomination.) With no other nominations from the floor, members voted for the single candidate by show of hand. The results were 5 in favor of Mr. Allen. Chairman Bath declared Mr. Allen the Vice Chairman of the Planning Board for a one-year term ending upon election of successor after the March 2025 Town vote.

Review of Zoning Amendment Results: Chairman Bath noted that all five zoning amendments were passed by the voters as follows:

- | | | |
|-----------------------------------------------|--------------------|--------|
| • Article VII. F - Accessory Dwelling Units | YES: 312 / NO: 103 | PASSED |
| • Article XVI - Home Occupations | YES: 300 / NO: 123 | PASSED |
| • Article X - Floodplain Development | YES: 277 / NO: 108 | PASSED |
| • Article XVII Building Inspector and Permits | YES: 312 / NO: 98 | PASSED |
| • Building Code | YES: 315 / NO: 89 | PASSED |

Mr. Nigrello reminded the board that further review of the home occupation ordinance is necessary specifically as it relates to the definition of an invisible business. Further discussion is slated for August 2024 as part of the board's annual consideration of zoning amendments.

Review of Board Rules and Procedures: Pursuant to the board's annual calendar, board members reviewed the Rules of Procedure. It was noted that all recent updates had been incorporated into the document in November 2022, and that no action to modify the document was warranted at this time. Chairman Bath opined he is not keen on the additional meetings provision.

Review of Land Board Application Fees: Also, as part of the board's annual calendar, the board reviewed the land board fees for applications associated with land use development. Discussion ensued on the need to continue to monitor the expenses for processing applications even though the current fee structure seems to cover associated certified mailings and administrative costs. The increase in certified mailings, inflation, and absence of newspaper publications were noted. Planner Rowden stated East Kingston's fees are on the low side of the spectrum and that the board could institute a scale of fees if needed. She offered to provide samples of other towns' fee structures for future consideration.

PUBLIC HEARINGS

BETH CHAPMAN – 98 DEPOT ROAD – HOME OCCUPATION (CASE# 2024-04)

Chairman Bath opened the public hearing for Beth Chapman's home occupation proposal at 7:12pm. He noted the applicant proposes to operate CleverK9, a dog daycare and dog training business utilizing an accessory barn and outside area for up to 20 dogs per day and that the 4.7-acre property is located at 98 Depot Road which is in a residential/agricultural district and situated on a state road (Route 107).

APPLICATION PRESENTATION

Ms. Chapman stated she considered removing the old post and beam barn on her property but ended up opting to use part of it for a dog daycare and training center to meet the public's need for pet care as many dogs are left home alone while the owners are at work which then contributes to the necessity for dog training. The training portion of her business is yet to be decided as she fears she may not have enough allotted floor space to allow it. Her plan is to construct an addition to the barn and add a fenced 45x45 foot open area off the barn to allow dogs to go in and out.

Hours of operation would be Monday through Friday from 7am to 8pm, although the 8pm is dedicated to the training portion of the business. The dog daycare would run from 7am to no later than 5:45pm. Chairman Bath recommend she apply for extended business hours for the purpose of approval but would be free to set reduced hours within that timeframe.

Ms. Chapman confirmed the business would be considered visible as she would have a sign and have customers coming and going. Discussion then ensued on the calculations for determining the square footage of the business resulting in any outside space used for the business to not count as part of the business' square footage. This would mean the 45x45 foot outside area would be exempt from this calculation. This being the case then she would be proposing the training services and utilizing the 30x40 square foot section of the old barn for this.

BOARD REVIEW

Chairman Bath then went through the home occupation checklist noting the following: The business is considered a visible home occupation – a home-based business with a sign and or customer visiting the business for the purchase of services or products. Home occupations are allowed in a residential dwelling unit (by permit only). **STANDARDS:** Both visible and invisible Home Occupations shall comply fully with the following standards to protect public health and safety and shall have no impact to the character of residential neighborhoods and the town (unless otherwise indicated).

- *The Home Occupation must be located within a dwelling unit, or in a building or structure accessory to a dwelling unit. The business will operate out of the barn located on the property.*
- *The exterior of the building must not create or display any evidence of the home occupation. A visible home occupation may be allowed a permitted sign and parking for customers and delivery vehicles. Variation from the residential character is prohibited.* The business will have a sign located at the front gate of the business and have customer activity.
- *The Home Occupation shall not require regular need for delivery of materials to and from the premises by large commercial vehicles (e.g., tractor trailers and heavy commercial vehicles).* None proposed.

Visible Only - Adequate off-street parking must be provided for customers and deliveries. All businesses must provide adequate turnaround, drop-off, and pick-up areas in order to prevent cars from waiting in the street right-of-way and to prevent cars from backing up into the public right-of-way. Ms. Chapman proposes to use portions of the driveway and a portion of land located adjacent to the barn for parking. She stated she can fit five to six cars on the upper portion (by the barn) and three to four cars in her driveway. Board members opined that further detail on the parking and traffic flow is needed to determine if this space is adequate as each dog would represent a vehicle drop off and pick up. That equates to 40 trips to the property per day and depending on the pick-up and drop off times, which could pose safety and road hazard conditions. Vehicles will need adequate space to drive into the property, turn around on the property, and exit the property face-out. Considering the majority of pick up and drop offs are associated with work hours, there could be traffic back-up issues in the morning and evening hours. The board would like to see a specific traffic flow plan with measurements for the parking and turnaround areas as well as a plan to stagger pick up and drop off times.

Ms. Chapman stated she would snow blow the lower driveway to prevent snowbanks that would encroach on the parking spaces and have the upper portion snow plowed. She would even install stone dust to the upper portion to firm up the ground. She would also provide a staggered pick up and drop off time schedule.

- *The Home Occupation must be conducted by a resident or owner of the property.* The business will be operated by Ms. Chapman, a resident of the property.
- *The Home Occupation must not utilize more than 25% of the gross floor area including dwelling, basement and accessory structures. If a property is located on a State Road (NH Routes 107, 107A, 108), no more than four non-residents (of the premises) may be employed, and the home occupation use of the dwelling shall not utilize more than 50% of the gross floor area (including dwelling, basement and accessory structures).* The full scope of the business would need to be determined as Ms. Chapman is proposing two business options – one with the daycare only, and one with the daycare and training services; each business requiring different floor spaces for operation. The training services would be for four to six dogs at a time as anything more than that is not as effective.
- *Not more than two non-residents (of the premises) may be employed by the Home Occupation. For the purposes of this section, the Planning Board shall determine whether sales or other personnel who conduct the majority of their business away from the property, shall be included in the count of those employed at the premises.* Besides herself, Ms. Chapman will employ one other person.
- Visible Only – *The parking of one commercial vehicle less than 14,000 GVWR is permitted.* No commercial vehicle is proposed.
- The business falls under the permitted uses (animal care and training with the number of animals to be determined by the board).

Chairman Bath inquired if a state license or permit is required to operate the dog daycare and training center to which Ms. Chapman indicated she did not know but would be willing to find out.

Chairman Bath reviewed the sign provisions noting they cannot be illuminating or have flashing or moving parts, cannot have more than two sides, and cannot be used for invisible home occupations. Ms. Chapman stated she would place a 4x4ft wooden sign at the front gate.

Planner Rowden provided an overview of her concerns:

1. The parking details would need to be shown on the plan including the placement of stone dust.
2. Clarification on how the fenced in area for the 20 dogs falls within the general definition of residential use of the property.
3. The applicant will need to settle on the scope of the business as the board cannot make that determination for her; the board can only react to what is being proposed.
4. Reconsider the waste disposal using a manure pile on the property as the appropriate way to dispose of it would be the same as disposing solid waste. The town does not allow businesses to utilize the town's residential trash pick-up; the business would need to secure its own service.

Ms. Chapman indicated she would use a trash service instead of the manure pile to dispose of the dog waste and would place barrels both inside and outside of the barn. She was instructed to put this in writing as part of her business plan and to include the locations of the barrels and dumpster, should she use one, on the plan.

Planner Rowden then spoke to the number of dogs being proposed (20) and that it seemed excessive for a residential neighborhood. The state determines the threshold for a kennel is six. She stated the applicant would need to provide written details of the process to be undertaken to address the noise as dogs bark. Ms. Chapman stated that dogs bark when they are left alone. This will not be the case with her daycare.

Vice Chair Allen stated that although he loves dogs, they need to be mindful of the neighbors who cannot be subjected to noise and smell. He inquired where the dogs would be located when they are outside relative to the distance from the neighboring property.

Ms. Chapman stated her closest neighbors are the George's who reside on the other side of the barn; however, the daycare part will be set further back from the George's house.

Vice Chair Allen noted that they are not only concerned about the proximity of house, but the property as a whole as they (George's) are entitled to enjoy all of their property, not just inside their home.

Ms. Chapman explained her process for addressing barking dogs (place inside, use corner rooms for quiet time). She stated all new dog fencing will be installed where the horse paddock was located measuring 45x45 feet behind the vinyl fence – so it will be double fenced. She will use artificial turf so the dogs cannot dig under the fence. The daycare would operate Monday-Friday from 7am to 5:45pm and no weekends. The training sessions would run from 6-8pm. She would stagger the drop off and pick up times.

PUBLIC COMMENT

Chairman Bath opened the hearing to public comment.

Dolores Newman of 8 George Street stated she loves dogs; however, her concern is that five of the home on her street have dogs, the Whitmore's next door have two dogs and a dog daycare of 15 dogs, and now her other neighbor (Chapman) is proposing another 20 dogs. She purchased her home on a quiet dead end in 1997 for the peace and quiet. When the dogs are barking, there is no peace and quiet.

Ms. Chapman stated she would address the barking. She will have play toys, pools, gyms, and will bring the dogs inside. Though dogs can be unruly, she has extensive experience on how to tend to them.

With no other comments from the public, Chairman Bath closed the public comment portion of the hearing and stated he will likely motion to continue the hearing to next month so that more information can be provided to the board.

BOARD REVIEW

Vice Chairman Allen stated the board is responsible for ensuring the business does not disturb the neighbors. The home occupation ordinance verbiage implies no portion of the business should be outside. If this were a 100-acre property and the proposal was to place the dog daycare in the center of the property, the board would see this differently. The current proposal is for the business to be located along a property line in a close-knit neighborhood. Fifty feet to the neighbor's back door is not okay. More thought is needed to address the noise issue.

Mrs. Smith noted there is another dog daycare in town where 15 dogs are permitted.

Planner Rowden stated the previous application does not establish precedence as the planning board is not a judicial board; that was a different application on a different property.

Mr. Nigrello stated the importance of providing a schedule of arrival and departure times to show how this activity would be staggered.

MOTION: Chairman Bath motioned to continue the public hearing for Beth Chapman, Case #2024-04 to April 18, 2024 at 7pm; seconded by Vice Chair Allen. The motion passed 5-0-0.

Ms. Chapman thanked the board for their time. Chairman Bath closed the public hearing at 7:50pm.

JASON LEMAY – 213 HAVERHILL ROAD UNIT #8A (CASE #2024-02) – CHANGE OF TENANCY REQUEST

Chairman Bath opened discussion with Jason LeMay at 7:51pm, noting this was a continuance of the discussion from February 15th meeting whereby the applicant proposed to operate a hot tub delivery service (Newton Hot Tubs) to hot tub retailers. This property is located in the light industrial/residential district.

He stated that at the last meeting Mr. LeMay was charged with developing a business plan whereby all of the old/junk hot tubs and new hot tubs would be stored inside the building or inside an enclosed trailer as no items, including business equipment, were to be stored outside.

Mr. LeMay then proposed storing the junk/old tubs on his open trailer, tying them down with a tarp, and then disposing of them when he reaches eight (weight capacity) in total as he only has 2100 square feet of floor space in his building. He would immediately place the old/junk tubs on the trailer when brought back to the site so they would not even touch the ground.

Chairman Bath stated he drove by the site today and observed 19 junk hot tubs stockpiled outside of the building. Vice Chair Allen confirmed the number as he also conducted a site visit and further stated this did not count the 12 new hot tubs that were also stacked outside of the building.

Chairman Bath then noted an illegal burn was conducted on the property this past Saturday where it was observed hot tubs/hot tub parts were burned in the fire. Mr. LeMay stated he had no knowledge of this as his arrangement with Paul Masone is that only clean pallets and cardboard can be placed in the burn pile. He stated no hot tub parts were placed in the burn pile by him. He said he spoke to Mr. Masone today and he said nothing about the burn.

Chairman Bath stated they are having the same problem as last month in that Mr. LeMay was instructed on what needed to be done (removal of outside storage and stockpiles); however, when the site was visited today, there were even more hot tubs stockpiled outside of the building.

Mr. LeMay stated he has been working on this, but he only has his son working with him four hours a day throughout the winter. He does not have the staff to complete this nor can he make this happen overnight; he needs more time.

Chairman Bath countered that Mr. LeMay has had a full month to address this and could have taken two loads of junk tubs to the dump in that time. It is not the concern of the board that Mr. LeMay needs to spend more money to comply with these requirements.

Mr. LeMay stated he never said money was an issue; he just needed the time to get it done. Chairman Bath countered that it was in fact Mr. LeMay's testimony last month that it was too expensive to dispose of the tubs one at a time; which is how the stockpile number of nine was derived.

Mr. LeMay stated he was referring to the costs associated with dumping them one at a time when the tubs are being removed from a customer's home – go right to the dump and not stockpile them at the business site. It would cost \$190 to get rid of a single tub. He needs more time to get this done. He was away for a week and he is currently short-handed in staff. He said he doesn't pick up a crew until another month and he didn't realize the board wanted this to be done ASAP. Getting things cleaned up and organized is not a financial problem for him; he can easily have this done the next time he is back before the board. He thought this was the long-term plan, not an immediate plan.

Chairman Bath stated it was the plan from last month and continues to be the plan this month. The board indicated at last month's meeting that Mr. LeMay would be given one month to get the area cleaned up and provide a plan moving forward.

Vice Chairman confirmed this stating Mr. LeMay had a month to generate a plan on how to deal with this as well as clean up the site. He stated Mr. LeMay came to the board last month after operating the business without any town approval or permit for a period of two years, because he (LeMay) stated he didn't think it was important and didn't get around to it. The board let that go, but then instructed him to come up with a plan to get rid of the 14 tubs that were stockpiled on the site as the board has stated numerous times that its biggest concern was the mess on the property and that it needed to be cleaned up. The board has been working towards getting this done for years. So then Mr. LeMay leaves the meeting and comes back a month later with even more tubs stockpiled on the site when he was told storing them outside was unacceptable. He stated he now finds it hard to believe that when Mr. LeMay says he's going to put eight tubs on a trailer, neatly packaged and then haul them out, that he would follow through with it.

Mr. LeMay stated he didn't remember he was supposed to clean up the site and make it spotless; he thought he was only supposed to come up with a plan. He apologized for having missed this.

Vice Chair Allen then read aloud an email from the Land Board Secretary that provided an overview of the last meeting and confirming his (LeMay's) placement on the March 21st agenda.

Chairman Bath stated he was considering continuing the meeting again; however, after the letter plus last month's meeting, he will make a motion to deny the change in tenancy application.

MOTION: Chairman Bath motioned to deny the change in tenancy application of Jason LeMay, PB Case 2024-02); seconded by Vice Chair Allen.

Discussion: Mr. LeMay asked where it is stated that he cannot place his business items outside of the building as he spoke with Mr. Masone earlier in the day about this. He argued that there are a number of other businesses in the park who have materials outside of their buildings.

Chairman Bath stated the board has undertaken efforts over the years to get the site cleaned up. Mr. Masone is well aware of these efforts and that Mr. LeMay is responsible for the disposal of waste at his site and has had a full month to do this.

Mr. LeMay replied the board did not tell him the site had to be cleaned up in a month; he cannot read their minds.

Vice Chair Allen stated the board can make a determination about whether or not it appears that he is adhering to the requirements of tenancy.

Mr. LeMay demanded to know where the requirements were in writing stating he cannot have anything outside of the building.

Vice Chair Allen responded that the Planning Board oversees this site and that Mr. LeMay has been the tenant who has been operating a business there illegally for over two years.

Chairman Bath reiterated that all of the business functions within the light industrial park needs to happen inside the buildings.

Mr. LeMay argued that other businesses in the park are not adhering to that requirement to which Vice Chair stated he (LeMay) is not privy to any conversations the town is having with those other businesses.

Mr. Nigrello stated the board asked Mr. LeMay for a plan of how he was going to clean up the site and maintain it moving forward. He asked Mr. LeMay if he had a plan in writing as to how he was going to accomplish this to which Mr. LeMay responded he wasn't asked to bring anything in writing. He stated he talked to Mr. Masone today and was given permission to put the tubs on a trailer and backed them into one of Masone's buildings in order to keep them inside; however, he does not want to have to pay him for this. Depending on what's going on with his business, he can't commit to having all of his hot tubs inside. Sometimes he will get a truck of 14 tubs and if people are not ready for them, he has to store them. He does not have enough inside space for that many tubs. Once he gets caught up with all the disposals, he should be able to keep his typical number of onsite tubs inside (four or five a month). He stated he just signed a new lease and was told he could use inside and outside space for his business and now the board is stating he can only use the inside space. He said he was never informed of this inside storage requirement.

It was noted that had Mr. LeMay applied for his business permit two years ago, he would have been informed of this requirement; it is his own doing that he is in this predicament to which he responded inside storage-only has never been required in any of other towns he has been in.

Planner Rowden stated the town has a change in tenancy process to allow tenants to apply to operate their businesses at the light industrial park without having the property owner go through an arduous process; however, part of that approval is that there is no outside storage allowed in the park. The approval the park owner obtained by the board does not allow for outside storage of business materials as that is how the light industrial park is designed. The property owner is ultimately responsible for ensuring this requirement is met, but Mr. LeMay, as his tenant, was given authorization from the park owner to apply for tenancy. This means the tenant must also be in conformance with the no storage outside requirement as this is also the basis for the town's approval for the park owner to operate an industrial park. This issue is between Mr. LeMay and the property owner. However, if Mr. LeMay wishes to operate his business there, he needs to comply with the requirements set forth by the Planning Board.

She then recommended as a course of action that the board give the applicant one more month to come back with very specific, and in writing, business proposal documenting his progress in storing all the new tubs inside the building, documenting his progress on disposing of all the junk/old tubs or placing them in an enclosed trailer, and on his business plan of how these requirements will be conducted moving forward.

Mr. LeMay stated he would make this a priority as he did not know this was mandatory as part of the board's consideration of his application.

MOTION: Chairman Bath motioned to amend his previous motion to allow for the continuance of one month (April 18th) for Mr. LeMay to comply with the aforementioned directive to get rid of all the old tubs, store the new tubs inside, and provide in writing with specificity, his progress on this directive, as well as on how these requirements will be conducted moving forward as part of the business plan; seconded by Mrs. Smith.

VOTE TO AMEND: The motion to amend the motion passed 3-2-0 (Allen and Bath opposed).

VOTE ON THE AMENDED MOTION: The motion as amended passed 3-2-0 (Allen and Bath opposed).

Mr. LeMay was informed he will be placed on the April 18th agenda, that the general guidelines for the light industrial district are outlined in Article V of the zoning ordinance, and that businesses in town can only operate within the parameters of what is approved by the Planning Board. Discussion concluded at 8:18pm.

BOARD BUSINESS

APPROVAL OF MINUTES

Board members reviewed the February 15, 2024 meeting minutes.

MOTION: Chairman Bath motioned to approve the February 15, 2024 meeting minutes as published; seconded by Mrs. Smith. The motion passed 5-0-0.

STORMWATER MANAGEMENT DISCUSSION

Noting Conservation Chair Dennis Quintal was not present, this discussion was postponed to the April meeting. A member of the public stated he was present for this discussion and would have appreciated there being some sort of notice in advance that this topic was going to be postponed.

Planner Rowden offered to work with Mr. Quintal on putting together language for updating the Site Plan Review Regs and Subdivision Regs.

GROWTH MANAGEMENT ORDINANCE

The purpose of this review was to prepare for the required public hearing associated with the required annual review of this ordinance to determine if the board needs to retain or revise it. Housing stock data, school enrollment data, building permit data as well as population and housing stats have been updated for board review.

Chairman Bath stated he would like to see the purpose statement as it reads negatively.

Planner Rowden noted that based on the building permit stats, the town is not growing in a manner that would trigger the use of impact fees. Additionally, the board may want to take advantage of the language that comes out of the housing needs assessment work when updating the ordinance's language. She also noted that there may be state funding available to address this type of work.

Vice Chair Allen opined the board can consider updating the language of the ordinance next year; however, he feels the ordinance should remain in effect another year.

Discussion on tracking accessory dwelling units transpired where it was determined that since there are newly adopted zoning changes allowing detached ADUs up to 1500 sf of living space, the board should track those numbers counting each unit in its housing stock and residential dwelling count as ADUs would be large enough to house a family.

MOTION: Vice Chair Allen motioned to continue the Growth Management Ordinance another year, track the number of ADUs, and update the housing and other data stats as presented; seconded by Chairman Bath. The motion passed 5-0-0.

(EDITOR'S NOTE: Corrective action was taken on the Growth Management Ordinance later in the meeting.)

PLANNING BOARD ALTERNATE MEMBER CANDIDATE

Mr. Larry O'Neill met with the board to express his interest in serving as an alternate member on the board and provided information about himself and his experiences that would benefit him in this role. This information included 2 ½ year resident (resides in Maplevale), 37-year resident of Londonderry, former planning board member and town

council member serving during the development explosion along the I93 corridor, West Point graduate, retired from a career in the Army, former budget committee member, volunteer at UNH, and personal philosophy in giving back to the community.

Vice Chair Allen spoke to his love of the town, of the tenure of the current board members, and the importance of having a board that fairly and impartially applies the rules to everyone. Chairman Bath noted, as was the consensus of the board, that Mr. O'Neill's experience qualifies him as a great fit for the board and further encouraged him to write an official letter of interest so that the board can make a formal recommendation to the Board of Selectmen to appoint him as an alternate.

MASTER PLAN UPDATE

Planner Rowden spoke to having assisted the former planner with drafting the scope and estimate of the Master Plan work thus she is prepared to speak on assisting the board on its plan to update it. She stated there is flexibility in how the board wishes to move forward with any of the tasks (listed below):

Task 1: Community Engagement Survey (\$2,500) for drafting a public survey to obtain resident input for use in Vision Chapter and Land Use Chapter update, post survey, and provide report regarding survey results.

Task 2: Community Engagement: Public information Session/Workshop (\$1,800) for developing one outreach event to allow opportunity for the public to review and provide input on the draft land use chapter, including draft goals and actions. The format of this event will be coordinated with the Planning Board.

Task 3: Land Use Master Plan Chapter (\$4,000) for the creation of the Land Use Master Plan chapter draft including development of background data, incorporation of public outreach from task 1 and task 2 and development of Master Plan goals. Optional: creation of GIS map to feature within the chapter.

Task 4: Vision Master Plan Chapter (\$1,000) for the creation of the Vision Master Plan chapter draft incorporation of public outreach from task 1 and task 2 and development of Master Plan goals.

Task 5: Final Chapter Adoptions (\$700) to provide final draft of the Land Use and Vision chapter for public hearing for adoption.

Much of the Housing Chapter will be written using the data collected from the HOP Grant (90%). The board will only need to draft goals and actions for it which can be done over a couple of months.

She stated the next area focus is on broader community engagement which will serve to inform the board on all of the chapters as well as for other boards. If given the choice of which task to do due to budget constraints, she would choose Task #1 – the survey. The recommendation is once the town is caught up, they can update a chapter or two each year. She noted the Land Use Chapter (task#3) is a required chapter. The Vision Chapter is developed primarily from outreach work and requires a lot more wordsmithing. It is also possible to do some of the survey work through the housing work that is currently underway – although the survey questions would be broader.

Mrs. Smith spoke to the challenges of community engagement which sparked conversation about outreach opportunities (senior housing associations, pickleball participants, info through students at school, upcoming elections) as well as the best timing for reaching out (second half of September through mid-November).

Work pace-wise, Planner Rowden recommended holding off on the survey until the fall but beginning the discussion on content throughout the summer.

It was confirmed that ZBA budget monies could be considered for transferred to the Planning Board budget to cover some of the Master Plan expenses. Noting there have been no ZBA cases this fiscal year, Vice Chair Allen (also Chair of the ZBA) offered to transfer \$1000 from the ZBA budget to the Planning Board's. The Land Board Secretary will assist

in facilitating this transfer. The board agreed to move forward with tasks #1 and #2. Planner Rowden will draft the contract.

CAPITAL IMPROVEMENTS PLAN (CIP)

Noting the lapse of the CIP (2017-2022), Planner Rowden stated the biggest issue is completing year #1. Once that is completed, the remaining years are updated by way of a simple process. Although the CIP has expired, East Kingston is not under threat for an increase in growth large enough to trigger impact fees, thus they have time to get the CIP process in place before the need to have the final product in hand.

Discussion ensued on ascertaining department input as well as the schools – town departments are typically cooperative; however, it has been difficult in the past to get school input. This may be due to the schools having their own CIPs; however, it is best for the Planning Board to compare the town's CIP with the schools' so that the expenses can be spread out. The board will need to update the CIP background as it should coordinate with the Master Plan. Planner Rowden will provide the board with the process for drafting the CIP as well as provide two samples (North Hampton and Rye). With respect to the timeframe, the board will work to get the process in place now so in September, they can have an idea of what it will look like (narrative first, department input/capital expenses second).

CHANGE OF TENANCY CHECKLISTS

By general consensus, the board approved the change of tenancy board member checklists (commercial and light industrial) noting they are working documents that can be updated on an as-needed basis.

KINGSTON ABUTTERS NOTICE – 57 DEPOT ROAD

Discussion ensued on a potential 64-unit age restricted community development at the old Kingston Fairways Golf Course, in that the notice was for design review phase only, thus it would be best to wait and see if the plan moves forward before the board drafts a response letter. Members noted similar concerns for this potential development as noted in their 50 Depot Road response letter for a larger development just down the road.

TRANSPORTATION ADVISORY COMMITTEE (TAC) REPRESENTATIVE

Fire Chief Warren stated he is currently listed as the TAC representative for the town but has not gone to a meeting in years due to the lack of progress and organization of the committee. He recently attended a meeting under new leadership and would like to be considered to remain the representative as that meeting was both informative and enthusiastic of the committee's work. He agreed to inform the board if he cannot attend meetings and to further resign from the position to allow for another to fill it should this be the case. It was also noted that the town can appoint an alternate.

MOTION: Chairman Bath motioned to recommend the Selectboard appoint Ed Warren as the TAC representative for the town; seconded by Mr. Nigrello. The motion passed 5-0-0.

GROWTH MANAGEMENT ORDINANCE

Land Board Secretary Belcher noted she misinformed the board on the action to be taken with respect to the Growth Management Ordinance. The board was to review the updates to the housing stock and stats and then move the document forward for public hearing in April.

CORRECTIVE MOTION: Chairman Bath motioned to accept the updated housing and stat information in the Growth Management Ordinance and move the document forward to a public hearing on April 18th at 7pm at which time the board will take action on retaining or revising the ordinance; seconded by Vice Chair Allen. The motion passed 5-0-0.

NEXT AGENDA

The April 18th meeting agenda shall include:

- GMO Public Hearing
- North Road Subdivision Public Hearing - Anticipated
- Chapman Home Occupation – Continued Public Hearing
- Newton Hot Tubs Change of Tenancy – Continued Discussion
- Stormwater Management Updates
- HOP Grant Update

ADJOURNMENT

MOTION: Chairman Bath motioned to adjourn; seconded by Mrs. Smith. The motion passed 5-0-0.

The meeting ended at 9:21pm.

Respectfully submitted,

Catherine Belcher, Land Board Secretary

Minutes approved April 18, 2024.