

PLANNING BOARD
EAST KINGSTON, NEW HAMPSHIRE

Pound School
41 Depot Road, East Kingston
7:00PM



Josh Bath, Chair
Tim Allen, Vice Chair

AGENDA
JUNE 16, 2022

- 1. CALL TO ORDER – Chair**
- 2. PUBLIC HEARINGS (7:00pm)**
 - A. Farmer Back Lot Subdivision Application**

Public hearing for applicants Susanna and Davis Farmer to create a back lot subdivision on their 6.34-acre property (MBL# 6-01-42) located at 97 Giles Road, East Kingston NH. The proposal would create one new residential building lot of 3.10 acres and reduce the original lot from 6.34 acres to 3.24 acres. In 2021, the applicant received variances from the East Kingston Zoning Board of Adjustment under Zoning Article IX.B. for lot size, minimum frontage, and driveway location requirements. This is a continuation of the public hearing of May 19th at the applicant's request.
 - B. Anason Two-Lot Subdivision Application**

Public hearing for applicants Christopher and Linda Anason to create a two-lot subdivision on their 4.29-acre parcel (MBL# 09-06-01) located at 50 Depot Road. The proposal would create one new residential lot of 2.06 acres and reduce the original lot to 2.23 acres. This is a continuation of the May 19th public hearing in which the board found the application complete enough to invoke jurisdiction.
 - C. Donahue Home Occupation**

Public hearing for applicant Shawn Donahue to establish a construction/insulation business per Zoning Ordinance Article XVI Home Occupations on 1.6 acres located in a commercial zone at 26 Haverhill Road, MBL# 9-2-4.
- 3. BOARD MEMBER RECRUITMENT INITIATIVE – Provide information to members of the public who may be interested in serving on the board.**
- 4. BOARD BUSINESS**
 - A. Approval of May 19th meeting minutes
 - B. Continued discussion on 213 Haverhill Road Light Industrial Park Site Walk
 - C. Continued discussion on certification of bounds and fee schedule
 - D. Rules of Procedure – Draft for review
 - E. Planning Consultant Contract Renewal
- 5. PLANNING CONSULTANT - UPDATE ON 2022-23 STATEGIC PLANNING**
- 6. OTHER BUSINESS**
- 7. ADJOURNMENT**

ARTICLE XVI - HOME OCCUPATIONS - BOARD MEMBER CHECKLIST

APPLICANT: Shawn Donahue - Donahue and Son Insulation DATE: _____

A Home Occupation is a professional occupation, service business or the production or selling of a product that is carried out from the primary dwelling which is clearly accessory and subordinate to the residential use of the property. A Home Occupation may not be conducted in an Accessory Dwelling Unit.

Check items below that apply to this application:	
	An <i>Invisible Home Occupation</i> is one with no visible activity conducted outside the home. (Businesses whose owners can demonstrate that they do not create any traffic, visual, or other impacts on the neighborhood may be deemed by the Selectmen as being an “invisible business with a reduced permit fee. An invisible status does not relieve these businesses from compliance with the provisions of this and all other sections of the zoning ordinance.)
	A <i>Visible Home Occupation</i> is a home-based business with a sign and/or customers visiting the business for the purchase of services or products.
	A <i>grandfathered nonconforming use</i> is a use not permitted in the zoning district where it operates and that existed prior to adoption of the Home Occupation ordinance on January 6, 1989. The baseline of the nature and scale of the Grandfathered Non-Conforming Use shall be determined by the record established by the Grandfathered Non-Conforming Use Survey over the most recent 5 years.

MET	NOT MET	WHERE PERMITTED:
		Home occupations are allowed in a residential dwelling unit (by permit only).

MET	NOT MET	STANDARDS: All Visible 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.
		The Home Occupation must be located within a dwelling unit, or in a building or structure accessory to a dwelling unit.
		The exterior of the building must not create or display any evidence of the home occupation, except a permitted sign and parking for customers and delivery vehicles. Variation from the residential character is prohibited.
		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. The Home Occupation shall not require regular need for delivery of materials to and from the premises by commercial vehicles over twelve-thousand (12,000) pounds GVWR (e.g., tractor trailers and heavy commercial vehicles).
		The Home Occupation must be conducted by a resident or owner of the property.
		The home occupation must not offend by emitting smoke, dust, odor, noise, gas, fumes, lights, or refuse matter.
		Home occupation must not cause excessive vibrations, store or handle combustible or explosive materials, or negatively impact the physical condition, safety, access or traffic volume of existing roads.
		The Home Occupation must not utilize more than 25% of the gross floor area including dwelling, basement and accessory structures.
		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.
		Disposal of all solid waste generated by the business must be at the business owner’s expense, and shall not be provided by the Town of East Kingston.

MET	NOT MET	EXCEPTIONS (If applicable):
		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).

		Administrative support for businesses or services that are conducted on or off-site of the residential premises are exempt from the formal application and approval process but must complete an Invisible Home Occupation application for the purposes of municipal record keeping, pay the annual Invisible Home Occupation Permit Fee, and meet with the Planning Board to present the application and receive a favorable recommendation from the Planning Board.
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PERMITTED USES: The following uses (including but not limited to) may be permitted and must be secondary to the residential use of the dwelling unit. **(CIRCLE APPLICABLE USE)**

medical, health and dental offices	fitness training, exercise, health counseling	other professional offices/instructional services (cooking, crafts, arts)
tailor, seamstress; artisan, writer or musician; beauticians and barbers; art, craft, hobby, and antique shops	day care for up to twelve preschool plus five school-age children*Restrictions apply	bookkeepers, accountants, secretarial services, real estate and insurance offices
vehicle light repair/maintenance services (not more than 3 vehicles at any given time and not more than 2 vehicles parked outside)	animal care and training (number of animals to be determined by the Planning Board)	occupations not listed above that are of a similar nature, scale and impact

USES NOT PERMITTED: The following uses are not permitted as a Home Occupation: **(CIRCLE ANY THAT APPLY)** adult-oriented business; fireworks storage, manufacture and sales; industrial and commercial manufacturing or activity; vehicle restoration and auto body shops; storage, handling or sales or regulated substances.

MET	NOT MET	SIGNS FOR VISIBLE HOME OCCUPATIONS: Signs for Home Occupations may be erected and maintained only when in compliance with Article VII - General Provisions and the following provisions.
		No sign shall be internally illuminated, or have flashing or moving parts;
		No sign may have more than two sides.
		No sign shall be allowed for invisible businesses.

PERMIT REQUIRED: An annual permit to operate each home occupation must be obtained from the Board of Selectmen during the second quarter of the calendar year beginning in 1989. Agricultural/Farm home occupations and Family Day Care operations (up to six preschoolers plus up to three school-age children (Section E.5)) shall be exempt from these permitting procedures.



APPLICATION APPROVED



APPLICATION DENIED

CONDITIONS OF APPROVAL:



Town of East Kingston, New Hampshire HOME OCCUPATION PERMIT APPLICATION

I herein make application to the Selectmen of the Town of East Kingston for a permit to operate a business at the location listed below, as provided for in the Zoning Ordinances Article XVI, "Home Occupations."

DATE: 5-2-22	PROPERTY LOCATION & ACREAGE: 26 Haverhill Rd	MBL#: 09-02-04
APPLICANT'S NAME: Shawn Donahue	STREET/MAILING ADDRESS: 26 Haverhill Rd	PHONE: 978-420-8787
EMAIL ADDRESS: Shawn123@aol.com		
OWNER OF PROPERTY:	OWNER'S ADDRESS: (if different from applicant's)	PHONE:
BUSINESS NAME: Donahue and Son Insulation	BUSINESS STREET/MAILING ADDRESS: 26 Haverhill Rd	BUS. PHONE: 978-420-8787
NATURE OF BUSINESS: Construction/Insulation	HOURS OF OPERATION: m-f 8-5	# EMPLOYEES: 2

Fees:

Application Fee \$200.00

MAY 02 2022

BOARD OF SELECTMEN

EAST KINGSTON, NH 03827

**Only fully completed applications with fees paid and all required attachments will be forwarded to the Planning Board.*

Attachments:

HomeOccupation Worksheet _____

Photographs of Premises (front and rear of property) _____

I declare that I am the owner or resident of the property for which this application is made. I declare that I understand that any permit issued under Article XVI may not be transferred to another, and that upon cessation of the business activities for which any permit is issued, that I shall immediately surrender such permit, and further I have read the provisions of Article XVI, and agree to comply with them, and to be subject to all its provisions.

I certify the above statements are true and accurate:

[Signature]
Signature of Applicant

5-2-22
Date

**TOWN OF EAST KINGSTON, NEW HAMPSHIRE
HOME OCCUPATION WORKSHEET**

ARTICLE XVI A.

A Home Occupation is a professional or service occupation or business carried out from the home, which is clearly accessory and subordinate to the residential use of the property. A Home Occupation is the provision of a service and/or the production or selling of a product on the premises.

NAME: Shawn Donahue HOME PHONE: 978 420 8787

ADDRESS: 26 Haverhill Rd East Kingston

BUSINESS NAME: Donahue & Son BUSINESS PHONE: 978 420 8787

BUSINESS STREET/MAILING ADDRESS: Same

NUMBER OF EMPLOYEES: RESIDENT: 2 NON-RESIDENT: _____ TOTAL: _____

GROSS FLOOR AREA (INCLUDING BASEMENT AND ACCESSORY STRUCTURES) OF THE DWELLING:

WILL THE BUSINESS BE LOCATED IN THE MAIN HOUSE OR AN AUXILIARY BUILDING?

Auxiliary (soon to be built)

GIVE A DETAILED DESCRIPTION OF THE OPERATION OF THE BUSINESS INCLUDING THE TYPES OF DELIVERIES EXPECTED, MATERIALS AND EQUIPMENT USED, NUMBER OF VEHICLES USED, HOURS OF OPERATION, AND AMOUNT OF PARKING AREA.

one small office and future deliveries of fiberglass insulation once a week from a 26 foot box truck

WILL A SIGN BE USED? IF SO, PROVIDE ITS DESCRIPTION: YARD SIGN

3 feet by 2 feet made of 4x4

HOME OCCUPATION CHECKLIST

- 1. Home occupation located in house or structure accessory to the dwelling unit.
- 2. Exterior of the building must not display any evidence of the business except a permitted sign.
- 3. Not more than 1 commercial vehicle kept overnight unless shielded from sight.
- 4. Adequate OFF STREET parking provided.
- 5. Business conducted by a resident of the premises.
- 6. Business MUST NOT emit SMOKE, DUST, ODOR, NOISE, GAS, FUMES, LIGHTS or REFUSE MATTER.
- 7. Business MUST NOT create hazardous traffic conditions.
- 8. Use of the dwelling must not be more than 25% of gross floor area (unless on a state road - 50%).
- 9. Not more than 2 non-resident employees (unless on a state road - 4 allowed).
- 10. A photograph of the front and rear of the residence must be submitted along with the application.
- 11. The building housing the home occupation must meet all applicable building and fire codes.
- 12. Provide a copy of property assessment card.

I certify the above statements are true and accurate:

[Signature]
Signature of Applicant

Date

TOWN OF EAST KINGSTON
TOWN OFFICES
24 DEPOT ROAD
EAST KINGSTON, NH 03827

TOWN OF EAST KINGSTON
TOWN OFFICES
24 DEPOT ROAD
EAST KINGSTON, NH 03827

TOWN OF EAST KINGSTON
TOWN OFFICES
24 DEPOT ROAD
EAST KINGSTON, NH 03827

BODWELL, TIM, LLC
96 NORTH ROAD
EAST KINGSTON, NH 03827

BODWELL, TIM, LLC
96 NORTH ROAD
EAST KINGSTON, NH 03827

BODWELL, TIM, LLC
96 NORTH ROAD
EAST KINGSTON, NH 03827

PENTA, BENJAMIN
SHILAND, CYRENA
39 DEPOT ROAD
EAST KINGSTON, NH 03827

PENTA, BENJAMIN
SHILAND, CYRENA
39 DEPOT ROAD
EAST KINGSTON, NH 03827

PENTA, BENJAMIN
SHILAND, CYRENA
39 DEPOT ROAD
EAST KINGSTON, NH 03827

KELLER, EUGENE A
17 HAVERHILL ROAD
EAST KINGSTON, NH 03827

KELLER, EUGENE A
17 HAVERHILL ROAD
EAST KINGSTON, NH 03827

KELLER, EUGENE A
17 HAVERHILL ROAD
EAST KINGSTON, NH 03827

CARBONNEAU, ELIN M
25 HAVERHILL RD
EAST KINGSTON, NH 03827

CARBONNEAU, ELIN M
25 HAVERHILL RD
EAST KINGSTON, NH 03827

CARBONNEAU, ELIN M
25 HAVERHILL RD
EAST KINGSTON, NH 03827

TRIPLE C REALTY LLC
33 HAVERHILL ROAD
EAST KINGSTON, NH 03827

TRIPLE C REALTY LLC
33 HAVERHILL ROAD
EAST KINGSTON, NH 03827

TRIPLE C REALTY LLC
33 HAVERHILL ROAD
EAST KINGSTON, NH 03827

SHAWN DONAHUE &
PATRICIA GOODWIN
26 HAVERHILL ROAD
EAST KINGSTON, NH 03827

SHAWN DONAHUE &
PATRICIA GOODWIN
26 HAVERHILL ROAD
EAST KINGSTON, NH 03827

SHAWN DONAHUE &
PATRICIA GOODWIN
26 HAVERHILL ROAD
EAST KINGSTON, NH 03827

B&M Railroad
c/o Guildford Transportation Ind
1700 Iron Horse Park
No Billerica, MA 01862-1641

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c/o Guildford Transportation Ind
1700 Iron Horse Park
No Billerica, MA 01862-1641

B&M Railroad
c/o Guildford Transportation Ind
1700 Iron Horse Park
No Billerica, MA 01862-1641

OWNER INFORMATION			SALES HISTORY					PICTURE			
GOODWIN, PATRICIA E 26 HAVERHILL ROAD EAST KINGSTON, NH 03827			Date	Book	Page	Type	Price	Grantor			
			03/17/2006	4630	1355	U 1 38		GOODWIN, WILLIAM			
			10/02/2002	3852	1110	Q 1	160,000	CASE, STEVEN R			
			10/18/2000	3514	1744	U 1 38		LA GLAIS, STACEY			
			04/21/1999	3388	2387	Q 1	89,900	STOUT, BRIAN CAROL			
						08/03/1989	2803	0417	Q 1	100,000	ESTELLE, S WINNIFRED
LISTING HISTORY			NOTES								
01/01/22	INSP	MARKED FOR INSPECTION	BRN; HOLIDAY COTTAGE; 3/03 NEW SIDING/ROOF=EGCA; WNDWS SLI ERS U WN; ROOF 60% ASPHALT 40% TIN/RUBBER; TM 1978 WA #3 COM DML DIS R/D 11/0 F L B A O TTIN KITCH, 1/2 BATH, OT SEABLE; 3/11 U DEK; 11/13/11 BLDG E TE PER HC; PU WALL COVER FLR IN KIT NEEDS R PAI ; OME T&G IN E WALLS; 06/17 HO REFUSED M+L=X; EST KIT FLR FIXED; REMOVED FUNC,								
07/26/19	JBVC										
06/11/17	JB X										
11/30/17	INSP	MARKED FOR INSPECTION									
11/23/11	JBCL										
08/19/11	CRVX										
08/12/11	INSP	MARKED FOR INSPECTION									
03/30/11	CRPM										

EXTRA FEATURES VALUATION							MUNICIPAL SOFTWARE BY AVITAR			
Feature Type	Units	Lngh x Width	Size Adj	Rate	Cond	Market Value	Notes			
SHED-METAL	80	8 x 10	260	6.00	10	125				
GARAGE-STY	440	22 x 20	96	30.00	60	7,603				
COOPS-POLTRY	64	8 x 8	310	10.00	100	1,984				
POOL-ABOVE GROUND	300	20 x 15	113	6.00	60	1,220				
LEAN-TO	112	14 x 8	203	4.00	100	909	ATT GAR			
						\$ 11,800				
							EAST KINGSTON ASSESSING OFFICE			
							PARCEL TOTAL TAXABLE VALUE			
		Year	Building	Features	Land					
		2020	\$ 26,700	\$ 11,800	\$ 155,200		Parcel Total: \$ 193,700			
		2021	\$ 26,700	\$ 11,800	\$ 155,200		Parcel Total: \$ 193,700			
		2022	\$ 26,700	\$ 11,800	\$ 155,200		Parcel Total: \$ 193,700			

LAND VALUATION											LAST REVALUATION: 2019					
Zone: Z3COM		Minimum Acreage: 2.00		Minimum Frontage: 200									Site: AVERAGE Driveway: PAVED Road: PAVED			
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes		
IFRES	1.600 ac	63,400	E	100	100	00	100	100 -- LEVEL	95	155,200	0	N	155,200	WET		
		1.600 ac								155,200			155,200			



(m)

Patricia E Goodwin
Shawn Donahue
26 Haverhill Road
East Kingston, NH 03827

Cathy A. Seary

LCHIP	ROA612217	25.00
TRANSFER TAX	ROL14175	40.00
RECORDING		14.00
SURCHARGE		2.00

RECEIVED

MAY 02 2022

BOARD OF SELECTMEN
EAST KINGSTON, NH 03827
Quitclaim Deed

KNOW ALL PERSONS BY THESE PRESENTS, that I, Patricia E. Goodwin, a widow, of 26 Haverhill Road, East Kingston, New Hampshire, for consideration paid, grant to Patricia E. Goodwin, a widow and Shawn Donahue, a married man, of 26 Haverhill Road, East Kingston, NH as joint tenants with rights of survivorship, with **Quitclaim Covenants**, the following premises, more particularly bounded and described as follows:

A certain tract or parcel of land with the mobile home thereon, situated in East Kingston, County of Rockingham, State of New Hampshire, on the Northerly side of Route 108, being Lot No. 3 as shown on a plan entitled "Subdivision of land of Ralph H. Rockwood Jrl, East Kingston, New Hampshire," said plan having been recorded in the Rockingham County Registry of Deeds and designated therein as Plan No. B-2310, bounded and described as follows:

Beginning at a point on the Northerly or the Northwesterly side of Route 108, as the Southwesterly corner of the within described premises and at the Southeasterly corner of Lot No. 2 as shown on said plan, and thence running Northwesterly along the Northeasterly boundary of said Lot No. 2 a distance of 338 feet to a point at land now or formerly of the Boston & Maine Railroad; thence turning and running Northeasterly along land now or formerly of said Boston & Maine Railroad 205.74 feet, more or less, along the remains of an old stone wall at land formerly owned by Daniel M. Evans; thence turning and running Southeasterly along the remains of said stone wall and along land now or formerly of said Daniel M. Evans; a distance of 237 feet, more or less, to a bend in the wall; thence continuing nearly Southerly along the remains of said stone wall and along land now or formerly of said Daniel M. Evans a distance of 100 feet to the Northerly or Northwesterly point of said Route 108; thence turning and running Southwesterly along the Northwesterly side of said Route 108, a distance of 200 feet to the point of beginning.

Also conveying a 1977 Holiday Cottage manufactured home with three bedrooms and 1.5 baths.

Meaning and intending to convey the same property conveyed to Patricia E. Goodwin by deed of Patricia E. Goodwin and William H. Goodwin dated March 6, 2006, recorded at the Rockingham County Registry of Deeds at Book 4630, Page 1355.

IN WITNESS WHEREOF, Grantor has duly executed this Deed on the date first above written.

Keri Marshall

Patricia E. Goodwin
Patricia E. Goodwin, Grantor

STATE OF New Hampshire, County of Rockingham, ss.

The foregoing instrument was acknowledged before me on the 13 day of NOVEMBER, 2022, by Patricia E. Goodwin.

Keri Marshall
Notary Public/Justice of the Peace
My commission expires on

No title search was requested or performed.

Keri Marshall
Notary Public/Justice of the Peace - New Hampshire
My Commission Expires July 16, 2023

Deed Prepared by:
Marshall Law, PLLC
47 Depot Road
Est Kingston, NH 03827







← NORTH

RTE 108 Haverhill Rd

2004

← 100+ →

235

OR
55ft
WAY



BREEZEWAY

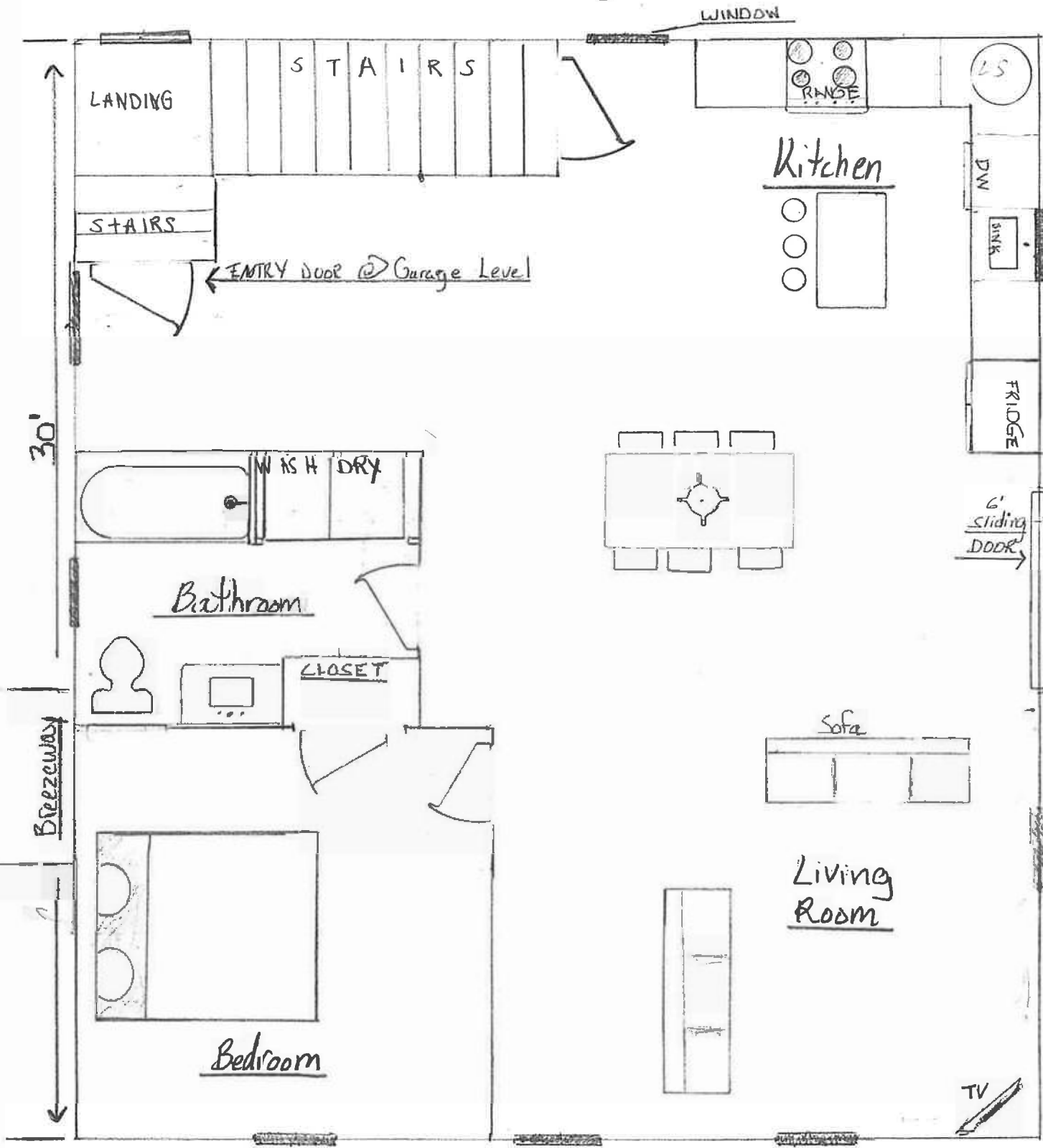
100+

↑

PROPERTY 205th LINE

PROPERTY 4-20

#26 Haverhill Road East Kingston N.H. 03827



30'

Breezeway

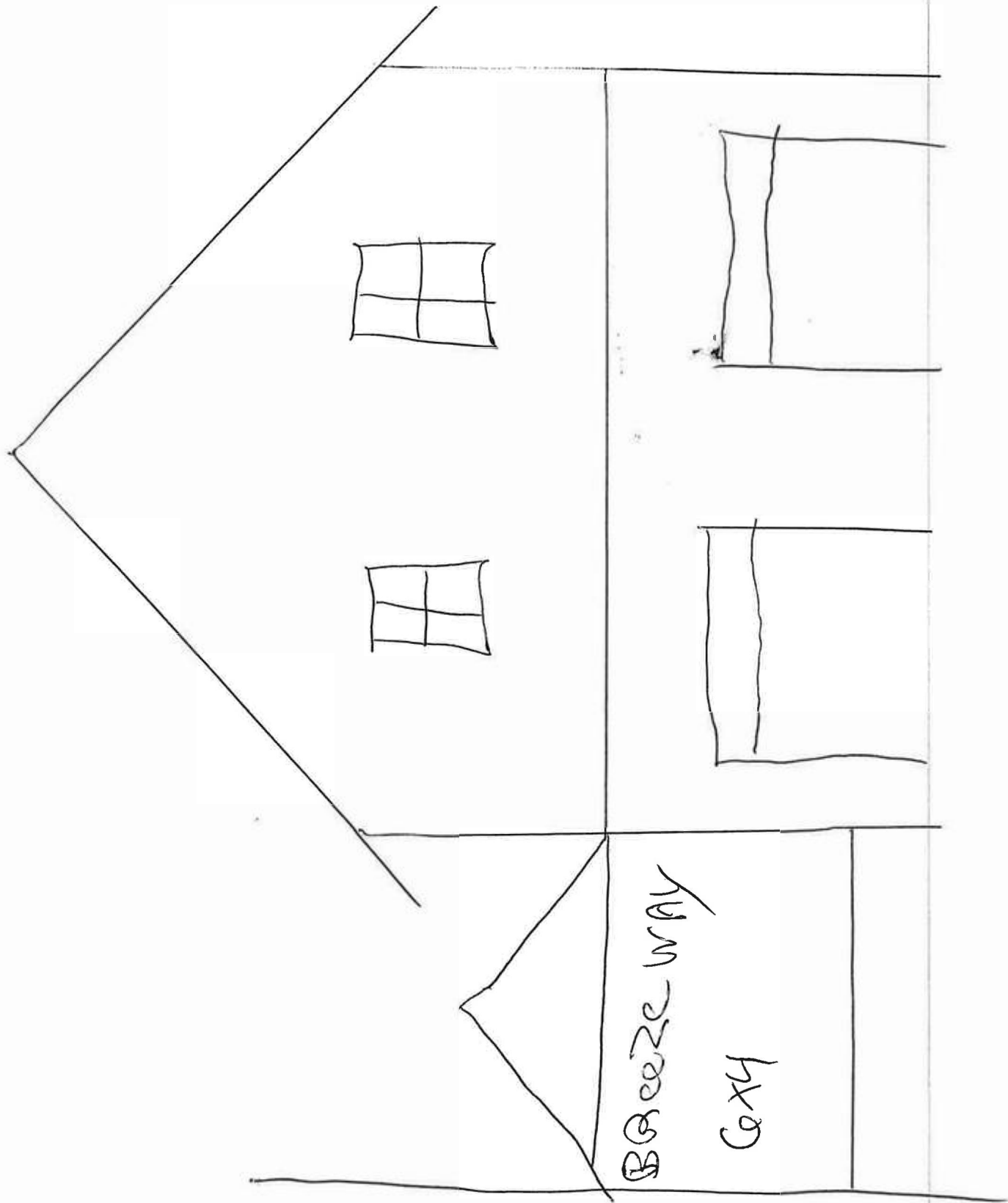
DRIVEWAY

28'

Scale 1/4" = 1'

STREET

26 HAVERHILL RD EAST KINGSTON



05-15-20

DRAFT – NOT YET APPROVED
TOWN OF EAST KINGSTON PLANNING BOARD

MEETING MINUTES

May 19, 2022

Pound School
41 Depot Road
East Kingston, New Hampshire

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

AGENDA

Farmer Backlot Subdivision Application – 97 Giles Road
Haley Home Occupation Application – 170 Haverhill Road
Cyr Home Occupation Application – 52 South Road
Anason Two-Lot Subdivision Application – 50 Depot Road

Board Members present: Josh Bath – Chair, Tim Allen – Vice Chair, Rob Caron – Ex-Officio, and Dr. Robert Marston (via Zoom). Absent: Janet Smith – Alternate.

Others Present: Julie LaBranche – Planning Consultant and Dennis Quintal – Town Engineer and Conservation Commission Chair.

Applicants and members of the public who participated in the meeting: Timothy Lavelle – Licensed Land Surveyor, Linda Anason, Applicant, Jason Haley – Applicant, Megan Cyr and Jesse Doumaninan – Applicants, Rachel Pizzurro, Benjamin Penta, and Cyrena Shiland – Abutters, and Gail Anderson.

Chairman Bath opened the May 19, 2022 Planning Board meeting at 7:00pm followed by the roll call.

FARMER BACKLOT SUBDIVISION APPLICATION – 97 GILES ROAD – CONTINUED PUBLIC HEARING

Chairman Bath opened the public hearing at 7:01pm for Susanna and Davis Farmer to create a backlot subdivision on their 6.34-acre property (MBL# 6-01-42) located at 97 Giles Road, East Kingston. He noted the board was in receipt of a letter dated May 9, 2022 from the Farmer’s attorney Justin Pasay requesting the public hearing be continued to the June 16th board meeting to allow them time to address some questions raised at the April 21st meeting. Chairman Bath then read aloud a letter submitted by abutter Rosanne Seiler and noted the letter will also be presented at the June 16th meeting to allow the applicants an opportunity to respond.

MOTION: Chairman Bath motioned to continue the public hearing on the 2-lot subdivision plan submitted by Susanna and Davis Farmer located at 97 Giles Road, MBL# 6-1-42 to the June 16, 2022 meeting at 7:00pm; seconded by Mr. Caron. With no further discussion, the motion passed 4-0-0.

Chairman Bath closed the public hearing at 7:04pm.

HOME OCCUPATION APPLICATION – DOG BOARDING LLC – 170 HAVERHILL ROAD – CONTINUED PUBLIC HEARING

Chairman Bath opened the public hearing at 7:04pm for applicant Jason Haley who wishes to establish a home business office per Zoning Ordinance Article XVI Home Occupations on his 3.5-acre property (MBL# 11-01-08) located at 170 Haverhill Road, East Kingston NH. The proposed Home Occupation would be invisible with no business sign or business client services conducted on the property.

Mr. Haley presented the business operations as a business office only with no traffic, signage, or dog boarding on site. The board then reviewed the home occupation ordinance criteria:

- The Home Occupation must be located within a dwelling unit, or in a building or structure accessory to a dwelling unit. – Business office to be located in the residence located at 170 Haverhill Road.

DRAFT – NOT YET APPROVED

- The exterior of the building must not create or display any evidence of the home occupation, except a permitted sign and parking for customers and delivery vehicles. Variation from the residential character is prohibited. – There will be no evidence, no sign, no customer traffic and only deliveries via US Mail or the like.
- 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. The Home Occupation shall not require regular need for delivery of materials to and from the premises by commercial vehicles over twelve-thousand (12,000) pounds GVWR (e.g., tractor trailers and heavy commercial vehicles). – No customer traffic and no commercial vehicle deliveries.
- The Home Occupation must be conducted by a resident or owner of the property. – Business conducted by Mr. Haley.
- The home occupation must not offend by emitting smoke, dust, odor, noise, gas, fumes, lights, or refuse matter. – Business office only.
- Home occupation must not cause excessive vibrations, store or handle combustible or explosive materials, or negatively impact the physical condition, safety, access or traffic volume of existing roads. – Business office only.
- The Home Occupation must not utilize more than 25% of the gross floor area including dwelling, basement and accessory structures. – The property is on a state road thus allowed 50% of gross floor space. The total floor space of the home is 2,100 square feet and only an office will be dedicated to the business.
- Not more than two non-residents (of the premises or 4 if on state road) 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. – Mr. Haley is self-employed with no employees.
- Disposal of all solid waste generated by the business must be at the business owner's expense, and shall not be provided by the Town of East Kingston. – No solid waste generated.

There were no comments from abutters. Chairman Bath informed the applicant that the board was short one member and was provided the option to continue the hearing until a full board was presents. The applicant agreed to proceed.

MOTION: Chairman Bath motioned to recommend the Board of Selectmen approve the Home Occupation application of Jason Haley, 170 Haverhill Road, MBL# 11-01-08 for an invisible home occupation to operate a business office for Dog Boarding LLC; seconded by Vice Chairman Allen. With no further discussion the motioned passed 4-0-0.

Chairman Bath informed the applicant of the annual permitting process and that any changes to the scope of the business office would require Planning Board review and Selectmen approval. He then closed the public hearing at 7:11pm.

HOME OCCUPATION APPLICATION – 52 SOUTH ROAD – LAWN HOPPER LLC – PUBLIC HEARING

Chairman Bath opened the public hearing at 7:12pm for applicants Megan Cyr and Jesse Doumaninan to operate a lawn cutting/lawn maintenance business from 52 South Road. The business would include a business office located inside the home and a basic lawn care services offsite; no landscaping services as business equipment consists of one truck, one trailer, a weedwhacker and a lawnmower. The board then reviewed the home occupation ordinance criteria:

- The Home Occupation must be located within a dwelling unit, or in a building or structure accessory to a dwelling unit. – Business to be located at the residence located at 52 South Road.
- The exterior of the building must not create or display any evidence of the home occupation, except a permitted sign and parking for customers and delivery vehicles. Variation from the residential character is prohibited. –

DRAFT – NOT YET APPROVED

There is no signage on building or on the business truck; however, the business is visible by virtue of the commercially-used truck, trailer and lawn equipment.

- 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. The Home Occupation shall not require regular need for delivery of materials to and from the premises by commercial vehicles over twelve-thousand (12,000) pounds GVWR (e.g., tractor trailers and heavy commercial vehicles). – No customer traffic and no commercial vehicle deliveries.
- The Home Occupation must be conducted by a resident or owner of the property. – Business co-owned and conducted by Ms. Cyr and Mr. Doumaninan.
- The home occupation must not offend by emitting smoke, dust, odor, noise, gas, fumes, lights, or refuse matter. – Business office with mowing operations offsite.
- Home occupation must not cause excessive vibrations, store or handle combustible or explosive materials, or negatively impact the physical condition, safety, access or traffic volume of existing roads. – Business office with mowing operations offsite.
- The Home Occupation must not utilize more than 25% of the gross floor area including dwelling, basement and accessory structures. – The office will consume approximately 100 square feet of the home.
- 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. – Ms. Cry and Mr. Doumaninan are the only employees.
- Disposal of all solid waste generated by the business must be at the business owner's expense, and shall not be provided by the Town of East Kingston. – Grass clippings are disposed/composted offsite.
- Storage of fuels for mowing equipment is limited to gas cans/containers mounted to the truck and trailer – there are no fuel deliveries.

There were no comments from abutters. Chairman Bath informed the applicants that the board was short one member and was provided the option to continue the hearing until a full board was presents. The applicants agreed to proceed.

MOTION: Chairman Bath motioned to recommend the Board of Selectmen approve the Home Occupation application of Megan Cyr and Jesse Doumaninan of 52 South Road, MBL# 13-02-05 for a visible home occupation to operate a lawn mowing service (Lawn Hopper LLC) based on the scope of the business as presented; seconded by Vice Chairman Allen. With no further discussion the motioned passed 4-0-0.

Chairman Bath informed the applicant of the annual permitting process and that any changes to the scope of the business office would require Planning Board review and Selectmen approval. He then closed the public hearing at 7:20pm.

ANASON TWO-LOT SUBDIVION APPLICATION – 50 DEPOT ROAD – PUBLIC HEARING

Chairman Bath opened the public hearing at 7:20pm for Linda and Christopher Anason to create a two-lot subdivision on their 4.29-acre parcel (MBL# 09-06-01) located at 50 Depot Road. The proposal would create one new residential lot of 2.06 acres and reduce the original lot to 2.38 acres.

Licensed Land Surveyor Tim Lavelle presented the following:

- State subdivision approval was received (eSA2022051901) and will be added to the plan.
- Both lots meet the 200-foot road frontage requirement.

DRAFT – NOT YET APPROVED

- 4k areas have been approved.
- They are waiting on DOT driveway approval as the originally-submitted driveway plan was amended to address site distance requirements – the proposed driveway was moved farther east down the curve to open up the sight line.

Town Engineer Dennis Quintal presented his review of the plan noting his review letter was drafted prior to the changes made to the plans.

- Incorrect abutter information and MBL#s have been corrected.
- After review of the revised plan depicting the new lot driveway running through the parent lot, he recommends an easement including dimensions be generated to ensure the new home-owners have the right to maintain their line of sight. Should be noted on the plan and written into the deed. Monumentation of this easement should also be required.
- Property lines have been updated on the new plan verifying lot area calculations.
- Test pit data has been since provided.
- Soil information meets the lot size requirements.
- State subdivision approval has been received; they await DOT driveway approval.
- The plans are complete enough for the board to invoke jurisdiction.

Board comments resulted in the following conditions/declarations:

- Bound certification must be provided.
- An escrow account in the amount of \$2,000 to be established to ensure all costs incurred as a result of town engineer and planning consultant reviews. The escrow document and monies to be submitted to the Selectmen's office. Any remaining amount will be returned to the applicant once all payments are disbursed.
- DOT approval is pending.
- Well and septic radius' have been met.
- Both lots contain adequate frontage and lot size requirements.

MOTION: Chairman Bath motioned to invoke jurisdiction on the subdivision plan of Linda Anason, 50 Depot Road, MBL# 09-06-01; seconded by Vice Chairman Allen. With no further discussion the motioned passed 4-0-0.

Abutter's Comments: Rachel Pizzurro of 33 Depot Road inquired on the sale of the new lot. Cyrena Shiland of 39 Depot Road inquired of the type of home to be constructed. It was noted the new lot had not yet been sold as it was not yet an official lot and that a single-family home is being proposed. Abutters also commented that they were pleased the site line was being addressed.

Chairman Bath informed the applicant that the board was short one member and was provided the option to continue the hearing until a full board was presents. The applicant agreed to proceed. The board then discussed granting conditional approval or continuing the public hearing to next month. Outstanding items were listed as:

1. Driveway easement to be added to the plan and to the deed.
2. State subdivision approval to be added to the plan.
3. DOT approval to be ascertained and added to the plan.
4. Bound certification form to be submitted.
5. \$2000 escrow account to be established and submitted to Selectmen's office.

Noting additional review might be necessary depending on the driveway approval, the board agreed best practice was to continue the public hearing.

DRAFT – NOT YET APPROVED

MOTION: Chairman Bath motioned to continue the public hearing on the subdivision plan of Linda Anason, 50 Depot Road, MBL# 09-06-01 to June 16, 2022 at 7pm; seconded by Vice Chairman Allen. With no further discussion the motioned passed 4-0-0.

Planner LaBranche to provide summary of outstanding items to Mr. Lavelle. Chairman Bath closed the public hearing at 7:53pm.

PLANNING BOARD MEMBERSHIP INTEREST

Mrs. Gail Anderson expressed an interest in serving on the Planning Board. She was advised the board would be holding open house sessions at the June, July and August meetings for interested candidates to learn more about the position. She would be provided information on this once the details were solidified.

MEETING MINUTES

The board reviewed the April 21, 2022 meeting minutes.

MOTION: Mr. Caron motioned to approve the April 21st meeting minutes as presented. Vice Chairman Allen seconded. The motioned passed 4-0-0.

LIGHT INDUSTRIAL PARK DISCUSSION

Discussion ensued on ongoing violations at the light industrial park located at 213 Haverhill Road and the steps to catalogue those violations, addressing them with the property owner, and then forwarding their findings to the Board of Selectmen for enforcement.

BOARD MEMBERSHIP STATUS CHANGE

Chairman Bath reported he has asked alternate member Janet Smith to join the board as a regular member. She has accepted and he will now make official request to the Board of Selectmen.

RPC REPRESENTATIVE

Discussion ensued on the value to recruiting an individual to serve on the Rockingham Planning Commission board as representative for the Town. This will be shared as part of the member recruitment open house initiative at the June, July and August board meetings.

Training opportunities were also noted.

PLANNING CONSULTANT CONTRACT

Planner LaBranche informed the board her contract with the town is up July 31st. She would be forwarding a new contract effective August 1, 2022 with same terms as current for board consideration. This item will be placed on the June 16th agenda.

ADDYSON LANE SUBDIVISION

Mr. Quintal reported there is more work to do with respect to the new road (Addyson Lane) and requested the board consider transferring \$3500 from the restoration escrow account to the engineer review escrow account. This would still reflect a balance of \$3500 in the restoration account.

MOTION: Chairman Bath motioned to approve the request of Dennis Quintal to transfer \$3500 from the restoration escrow account to the engineer review escrow account; seconded by Rob Caron. With no further discussion the motioned passed 4-0-0.

MASTER PLAN UPDATES

DRAFT – NOT YET APPROVED

The board discussed options to updating the Master Plan (subcommittee, town survey, grant monies, select chapters for updating, RFPs for contracted work). Planner LaBranche will formulate a strategy for moving forward for board consideration.

CERTIFICATION OF BOUNDS

Discussion ensued on inviting the Building Inspector and Town Engineer to the June 16th board meeting to discuss best practices on certifying bounds and creating a fee structure to cover these services.

With no other business before the board,

MOTION: Dr. Marston motioned to adjourn the meeting; seconded by Vice Chairman Allen. The motion passed 4-0-0.

The meeting adjourned at 8:17pm.

Respectfully submitted,

Catherine Belcher

Land Board Secretary

Minutes approved on _____.