



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES
(Public Hearing of 15 January 2009)
6:00pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval of Minutes** for January 6th
- ◆ **Public Hearing** for a Site Plan Review for Larry & Karen Bean, 4 Powwow River Road, East Kingston, (MBL 10-03-10) (EKPB #08-OC)
- ◆ **Public Hearing** for the Workforce Housing Ordinance
- ◆ **Public Hearing** for a change recommendation to the EK Subdivision Regulation - General Requirements for the subdivision of Land.

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 7:07 PM.

ROLL CALL: Mrs. White called the roll.

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

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

Advisors present – Dr. Jill Robinson, PhD., Planner, Rockingham Planning Commission (RPC)
Mr. R Donald, East Kingston Building Inspector

Board Business

Meeting minutes for January 6th were distributed at the January 15th meeting, so approval was postponed until the regular February meeting to allow Planning Board members the opportunity for review.

STACY PENNA, EAST KINGSTON ELEMENTARY SCHOOL BOARD.

Mr. Sullivan recognized Stacey Penna, East Kingston Elementary School Board, and turned the floor over to her. Ms. Penna explained she was reviewing the school warrant articles and the new SB2 process to get the information out to the population. Ms. Penna distributed some information to the Board members so they could follow along, and Mr. Donald also stated he would be happy to distribute some to the church membership.

Ms. Penna clarified that the proposed 2009-10 budget was 1.16% higher than the 2009-09 budget had been to cover contractual obligations, teachers' salaries, and healthcare coverage. They had tried to keep the budget very tight this year.

Ms. Penna explained there would be an informational meeting at the Library on January 22 at 7:00 pm to talk about SB2 and the school budget. For SB2, there will be a deliberative session at 6:30 pm at the Elementary School on February 4. At this session, the public can talk about the budget and make changes or add to the warrant articles. Voting will be all day on March 10th.

Ms. Penna reviewed the elementary school's warrant articles.

- **Article S-1 – Budget** - This includes the proposed budget and the default budget. The default budget is based on last years' budget and any contractual obligations.
- **Article S-2 - Special Education Fund** – At present, the school has \$40,000 in their special education fund and is asking the town to help keep this fund up as one child coming into the school system with special needs could wipe out the present fund. They are trying to be proactive by getting the fund up the state recommendation which is to \$100,000,. They are asking the Town for \$20,000 to put into the fund this year.
- **Article S-3 - School Maintenance Fund** – The school is asking for \$10,000 to add to the present maintenance fund of \$15,000, to be used in case the roof, boiler or something else large unexpectedly happens. Mr. Warren clarified this was in addition to the budgeted \$34,000 which is for routine maintenance of the school. Ms. Penna agreed that was the case.
- **Article S-4 – Pound School** – The school owns the Pound School and had deeded it to the Town to use as a library in 1972. Since there is now a new library, and the building is no longer being used as such, the school would like the building to be able to be used for any use the Town deems necessary, but would need the voters okay for that to happen. There is also a warrant from the Selectmen on this, and it would need to pass both to become effective.

Mr. Morales questioned the recommendation sentences after the articles, as he was under the impression that since they were now SB-2, they would not be allowed. Mrs. White explained that the recommendation was allowed, but any explanation paragraph as in the past would not be allowed. Ms. Penna stated she would double check with the office.

PUBLIC HEARING FOR A SITE PLAN REVIEW FOR LARRY & KAREN BEAN, 4 POWWOW RIVER ROAD, EAST KINGSTON, (MBL 10-03-10) (EKPB 08-OC).

Mr. Sullivan opened this public hearing and invited Mr. Bean to come to the front to speak to the Board.

Mr. Bean explained that his original intent was to bring in a tenant to the meeting, but due to the economy, Mr. Dodge has decided not to make the investment to move his business at this time. Mr. Bean would still like to continue with the plan to use his building for a commercial use and advertise for tenants. His plan is to get a building permit from the Building Inspector to revamp the structure. His thought was to divide it into 2, 3, or 4 units, depending on what a potential tenant might need. He has had a preliminary meeting with the Fire Chief and can meet all his criteria.

Mr. Donald stated that the first stage of the plan would be for Mr. Bean to get building permits from him to make changes to the building. Mr. Donald stated there was no restriction on the size of the cubicles Mr. Bean would want to construct, but he would need to conform to the building codes. The second stage would be to come back to the Planning Board with each new tenant for a site plan review so the Board can review the specifications of that new tenant and place restrictions as to hours of operations, lighting and such. Mr. Donald did not think that the Board would want to take jurisdiction, since there was no tenant at the present time. Mr. Morales agreed that the Board would not want to take jurisdiction until there was a tenant.

Mr. Morales stated that Mr. Bean had already spent money for this site plan review in anticipation of having a tenant, and since that prospective tenant had changed his mind, Mr. Bean should not need to bear the cost of another site plan review in whole when he does get a tenant. It was the Board's decision that when Mr. Bean was ready to come back for a site plan review with a tenant, the only cost he should bear is the notification of abutters.

Mr. Warren noted that since the property was zoned commercial, Mr. Bean could advertise for a commercial tenant now. When he had a new prospective tenant, he would need to come back to the Board for a site plan review with that tenant.

Mr. Sullivan opened the floor to abutters.

Mark Cook, 109 Haverhill Road was in attendance, but had no comments or objections to Mr. Bean's proposal.

Mr. Sullivan asked for a motion.

MOTION: Mr. Morales **MOVED** to keep the site plan review application for Larry and Karen Bean open until such time Mr. Bean comes back before the Board with a tenant. There would be no additional cost to Mr. Bean except for notifying abutters. Mr. Warren seconded, and the motion passed unanimously.

Mr. Sullivan closed the public hearing.

PUBLIC HEARING FOR THE WORKFORCE HOUSING ORDINANCE

This item was on the agenda to meet noticing deadlines in the event there were any changes at the January 6th meeting. There were no changes at that meeting, either by the public or members of the Board, so this hearing was not opened.

Board Business

Review of the Ordinances

Mr. Donald had spent some time with the Fire Chief and they had deemed that there were several areas of the ordinances that needed to be cleaned up. There are state rules for life safety codes, fire protection and building codes which need to be adhered to. Towns may always decide to be stricter, but cannot be more lenient.

Mr. Donald wanted to know if the Planning Board would allow he and the Fire Chief to review the ordinances with Dr. Robinson and clean them up and make sure the proper references are being used. There are only a few items in the ordinances that are stricter than the state rules. He understands there is not time to do this before this Town Meeting, but they would like to get it ready for next year.

Mr. Sullivan asked for a motion.

MOTION: Mr. Warren **MOVED** to give permission to Mr. Donald, Chief Richard and Dr. Robinson to review the ordinances and clean them up for later presentation to the Board and for submittal to the warrant for the following year. Mr. Morales seconded, and the motion passed unanimously.

Plan NH

Mr. Sullivan enquired of Mr. Morales and Mr. Pendell how the work on the application for Plan NH was going. Mr. Pendell stated that Mr. Morales was quicker than he was and had done all the work on the application.

Mr. Warren noted he thought it was excellent as it was short and to the point of what the Board needed help to do. The Board agreed. Mrs. White acknowledged she had also distributed to the Board members an informational e-mail message from Plan NH with a little more information on what types of ideas could be considered.

Mr. Morales asked Dr. Robinson if the application was good to go as he had prepared it, and she agreed it was. She had two suggestions to also include with the application. One was to include a copy of the Town Center Ordinance, and the other was to include copies of the houses that are pictured in the ordinance to give Plan NH a sense of the Town.

Mr. Morales stated there were two good maps in the front of the ordinance book. One showed the Town Center District and the other showed the Town Center District and the commercial zone, and he wanted to attach both maps to the application. Dr. Robinson agreed. Mrs. White will get this information together to submit with the application.

MOTION: Mr. Pendell **MOVED** to give authorization to Mr. Sullivan to sign and submit the completed Plan NH application with all its attachments by the application deadline of February 26th. Mr. Warren seconded, and the motion passed unanimously.

PUBLIC HEARING FOR A CHANGE RECOMMENDATION TO THE EK SUBDIVISION REGULATION, SECTION VII, PARAGRAPH S - GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND.

Mr. Sullivan opened this public hearing

Mrs. White reviewed that this public hearing on EK Subdivision Regulation, Section VII, Paragraph S - General Requirements for the Subdivision of Land had been previously been added and voted on, but since that time, the Selectmen's office had found out that the fee proposed was not legal. The Board had discussed this at the last meeting, and needed to vote to amend the previously approved addition.

Mrs. White read the new wording the Board had agreed to.

A home sprinkler system may be permitted as an alternative fire protection requirement, provided it is approved by the Fire Department and the Planning Board. (Amended 1/15/09)

Mr. Sullivan asked for a motion.

MOTION: Mr. Pendell **MOVED** the Planning Board rescind the previously approved paragraph for the EK Subdivision Regulations, Section VII, Paragraph S - General Requirements for the Subdivision of Land and approve the new paragraph as read above. Mr. Warren seconded. The motion passed unanimously.

Mr. Sullivan closed this public hearing.

Mrs. White passed around the sheet to sign.

Mr. Donald noted that this change recommendation might be one of the many that would be eliminated from the ordinances and deferred to the state regulations for clarity in the future.

Board Business

Mr. Donald noted he had received a letter from Jean Topping regarding the East Kingston Energy Committee and their planned series of five presentations at the East Kingston Public Library and mentioned this to the Board members. He had suggested Ms. Topping contact the Carriage Town News to publish the dates at little or no cost to their committee.

Mr. Sullivan gave the letter to Mrs. White, who will make copies for the Board members.

Dr. Robinson stated the RPC was helping some other towns that have local energy committees as they had received a grant from the NH Charitable Association. They are helping the committees learn how to use the free software from the EPA called *Portfolio Manager*. Towns can amass the bills from Town buildings and put it into the program to evaluate the energy performance of those buildings. Dr. Robinson agreed it is a good first step. *Portfolio Manager* can be downloaded free from the EPA website.

Mr. Morales stated he had taken the Carbon Challenge a while back which showed where he was, but there was nothing to compare against to see if he could be doing better.

Mr. Donald asked if this was on a State or Federal level. Dr. Robinson stated that *Portfolio Manager* was on the state website. Dr. Robinson also mentioned that the state was going to have an LEC conference sometime in the spring which members of the EK Energy Committee might be interested in attending.

Mrs. White asked when they submitted the Plan NH application, did they need to submit their request for delayed payment at that time. The general consensus was that they should wait to see if they are accepted first.

Mr. Sullivan asked for a motion to adjourn.

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

Mr. Sullivan closed the meeting at 7:45 pm.

HANDOUTS TO THE BOARD

- January 6th Planning Board minutes
- Selectmen Meeting Minutes of January 5th.
- NH Citizen Planner Training Collaborative brochure
- PLAN NH e-mail from Deb Gallant

Respectfully submitted,

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved February 19, 2009