

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
January 16, 1997

FILE

AGENDA

- 8:00 Subdivision Regulation V.I.I.J HISS -Public Hearing
8:15 Gerald & Larry Bean - Preliminary Discussion - Subdivision
8:30 Interim Growth Control Ordinance - Public Hearing

Members Present: Richard A. Smith, Sr. - Chairman, J. Roby Day, Jr. - Ex-officio, Catherine George, Ed Johnson, Dr. Robert Marston (7:46), and Alternates Madeline Marshall and Robert Nigrello (7:42).

Absent: Alternate Beverly Fillio.

Others Attending: Glenn P. Clark - Building Inspector, Lawrence K. Smith - Conservation Commission Chairman, Sarah Campbell - RPC Circuit Rider, Nathaniel Rowell, Gerald Bean, Kevin Bean, Larry Bean, Dan Johnson - LLS, Becky Hanna - RCN Correspondent, and Mr. & Mrs. Curtis Jacques.

Chairman Smith opened this January 16, 1997 public Planning Board meeting at 7:31 p.m. with the role call. He then designated Alternate Madeline Marshall to vote in the absence of Dr. Marston.

RPC Seacoast Municipal Planning Organization Workshop (Seacoast MPO): Mr. Day informed the board of workshops and seminars he had attended recently, one being the Seacoast MPO workshop. He noted that the deadline for submitting a proposal for a state funded road/transportation issue projects to the Rockingham Planning Commission is February 14, 1997. The RPC cycle for MPO projects is two years, thus the 2/97 deadline would be to implement projects for 1999.

It was noted that the Monahan's Corner project recently completed was a state funded project via the Seacoast MPO. The board then entertained the following possible proposed projects for the 1997 funding:

1. Willow Road - Depot Road intersection - Dangerous site distance problem
 - A. Possible solution #1 - decrease incline to Willow Road entrance
 - B. Possible solution #2 - Median to divide and direct entering and exiting traffic to Willow Road
2. Depot Road - Corner by Church - Dangerous curve in road
 - A. Possible solution - grade embankment

The board agreed to table this discussion and investigate the procedures for such funding with the RPC.

January 2, 1997 Planning Board Minutes: The board review the January 2, 1997 minutes that were transcribed by Mrs. George and typed by the PB secretary. A correction was made to replace "Future Land Use" with "Community Services and Facilities" Chapter.

MOTION: Mr. Day motioned to approve the January 2, 1997 Planning Board minutes as corrected. Mrs. Marshall second. The motion passed unanimously (5-0).

Dr. Marston entered the meeting at 7:46 p.m. Mrs. Marshall would now abstain from the voting process.

Mrs. Campbell distributed an East Kingston Master Plan Status Sheet dated 1/16/97 to each member, (see attached). The board reviewed the Master Plan update status.

Subdivision Regulations V.I.I.J HISS Amendment - Public Hearing: Chairman Smith opened the public hearing for the Subdivision Regulations V.I.I.J HISS amendment at 8:00 p.m. The board reviewed the proposed amendment which would add the following language to Section V.I.I.J:

"Additional soils mapping will be required if the proposed leach field is less than 100 feet from the boundary line to demonstrate that the wetlands setback requirements are met."

MOTION: Mrs. George motioned to approve the Subdivision Regulations VI.I.J amendment by adding the following language in accordance with RSA 675:6:

“Additional soils mapping will be required if the proposed leach field is less than 100 feet from the boundary line to demonstrate that the wetlands setback requirements are met.”

Mr. Day second. The motion passed unanimously (5-0).

For the purpose of recording into the minutes, the board signed the attest document of the above amendment to be placed on file with the Town Clerk.

Incoming Correspondence: Chairman Smith acknowledged an Open Space Workshop announcement for workshops being conducted throughout the state. He noted two workshops being held locally:

March 18, 1997 -7-9 p.m. -Lane Library - Hampton

June 12, 1997 -7-9 p.m. - City Hall -Dover

Gerald & Larry Bean -Preliminary Discussion -Proposed Subdivision: Chairman Smith opened the preliminary discussion for Gerald and Larry Bean at 8:17 p.m.

Mr. Dan Johnson, LLS, representing the Bean's, outlined their (Bean's) intentions to subdivide property owned by Gerald MBL# 10-3-11 and Larry MBL# 10-3-10. He also presented a map from a 1979 subdivision plan to demonstrate the intended proposals.

Larry's proposal is to subdivide 5.37 acres into two parcels located at 4 Powwow River Road.

Gerald's proposal is to subdivide 19.8 acres into two parcels, lot #1 with existing house and barn at 2.75 acres, and lot #2 with remaining acreage.

The board discussed what soils needed to be identified on the proposed plans as well as what areas. Gerald's plan (MBL# 10-3-11) will show a 3/4 acre dry area on backlot. Larry's (MBL# 10-3-10) will show 3/4 acre dry area and hydric soils (5 & 6) throughout.

Mr. Dan Johnson inquired if the board would consider a waiver from Subdivision Regulations Section XII.D.3:

Permanent concrete markers must be set at least at all corner points and at the intersection of each proposed lot before a building permit is issued.

He further stated that concrete set around iron pins has a tendency to heave in the winter months and that it is common practice in other towns to grant waivers concerning this.

Chairman Smith stated that a concrete marker is less likely to be lost/removed than an iron pin. Mr. Day agreed that a concrete marker is more substantial. Dr. Marston added that this requirement has been upheld on previous proposals.

For the record, Chairman Smith informed Mr. Dan Johnson that a waiver from Subdivision Regulations Section XII.D.3 (concrete markers) would not be approved by the board and that only new points of the proposed subdivisions would require them.

The secretary directed Mr. Larry and Gerald Bean to submit completed subdivision applications to the Selectmen's office. Once the applications were confirmed complete (i.e.: fees, abutters list), they would be notified of the times and dates of their public hearings.

Interim Growth Control Ordinance - Public Hearing: Chairman Smith opened the public hearing for the Interim Growth Control Ordinance at 8:45 p.m.

Mrs. Campbell noted all changes to the IGCO (see attached) since the December 2, 1997 meeting. She further explained that this Interim Growth Control Ordinance is intended to buy the planning board time to finish writing the Master Plan and Capitol Improvement Plan. She stated that the Capitol Improvement Plan is to be completed this summer.

Mrs. Lucienne Jacques inquired if the town currently has an ordinance to address blinding lights on signs along the road [in town].

The board referred to Article IV.F.2&3 concerning permitted sign usage.

MOTION: Mr. Day motioned to accept the Interim Growth Control Ordinance as presented in accordance with RSA 674:23. Mrs. George second. The motion passed unanimously (5-0).

Telecommunications Facilities: Mr. Day stated that he had attended a workshop outlining the impacts of Telecommunications Act of 1996 on New Hampshire Municipalities. This Telecommunications Act adopted by Congress, poses severe limitations for small towns to regulate such facilities in their own town.

Mr. Day then reviewed a Draft Model Telecommunications Facility Ordinance, (see attached). The board discussed the height of telecommunications towers and their possible proposed locations in town. FCC will regulate radiation, the town has no say as long as the FCC standards are met.

The board further discussed implementing such an ordinance with the following modifications:

1. The planning board would be the governing authority to such proposals.
2. Aesthetic and Lighting - change to accommodate town's wishes
3. Setbacks and Separation - change 125% setback from "tower" to "lot lines"
4. Allow planning board to grant waivers
5. Proof of usage - require quarterly checks as well as insurance proof.

Mrs. Campbell will incorporate changes as noted above to a new Telecommunications Facility Ordinance for public hearing in time to be placed on the March 1997 Town Ballot.

MOTION: Mrs. George motioned to hold a public hearing in accordance with the authority as granted in RSA 674:16 and 674:21 for a proposed Telecommunications Facilities Ordinance, on February 3, 1997 at 7:30 p.m. at the Town Office Building 3rd floor meeting room. Mr. Day second. The motion passed unanimously (5-0).

Mrs. Campbell will post the necessary legal notices for the TFO public hearing.

Community Services and Facilities Chapter of the Master Plan: Mrs. Campbell noted amendments to the CS & F chapter. Corrections made by the board were:

1. Town Hall seating capacity #s to 100 standing, 75 seated.
2. Delete "man-hours" - page 2.
3. Change "extrication" to "extraction" - page 6.
4. Forest Drive/Blue Heron/Pheasant Run - location changes - page 7
5. "all" spelling - page 7
6. Remove "with good used ambulance" - page 7
7. Replace "at the subdivision stage" to "when addressing subdivision applications" - page 8
8. Typo - functions as a command post - page 8
9. Add "24 hour drop-off, attendant on duty every Sat. morning to assist..." - page 10
10. Remove "which is operated by volunteered labor" - page 10
11. Separate Andrews Lane school and Brown's Academy (renumber) - page 14
12. Correct Hillside acreage to 5.44, Parsonage to 11.35, only 4-5 acres usable at northerly end - page 15

Mrs. Campbell will make corrections to the CS&F chapter and will submit updated copies to the board on or before the January 30, 1997 posted public hearing.

MOTION: Dr. Marston motioned to adjourn. Mrs. George second. The motion passed unanimously and this January 16, 1997 public planning board meeting ended at 10:30 p.m.

Secretary

Minutes completed and on file January 20, 1997.