



PLANNING BOARD  
TOWN OF EAST KINGSTON  
New Hampshire

2012-2013  
Ed Warren,, *Chairman*  
Dr. Robert Marston, *Vice Chairman*

**MINUTES**  
Regular Meeting 17 January 2013  
7:00 pm

**AGENDA:**

- ◆ **Call to Order**
- ◆ **Continued Public Hearing** for Site Plan Review for Paul Masone - 213 Haverhill Road, East Kingston, MBL 11-2-17 for construction of an additional building at the Light Industrial Park (EK PB#04OB).
- ◆ **Discussion** with Syed Jazbi & Syed Jafri in regard to used car sales at 17 Haverhill Road, East Kingston.
- ◆ **Discussion** with Kelly and Ross Gannett in regard to a candle and gift store at 14 Main Street.

**CALL TO ORDER:** This meeting of the East Kingston Planning Board was called to order at 7:00 pm.

**ROLL CALL:** Mrs. White called the roll.

**Members Present:** Dr. R. Marston, Mr. J. Cacciatore and Mr. J. Bath. Chairman E. Warren and Ex-officio M. Cook were absent due to other obligations.

**Advisors present:** Rockingham Planning Commission (RPC) Senior Planner Ms. J. LaBranche; East Kingston Building Inspector Mr. R. Donald.

**Others Present:** Mr. Dennis Quintal, Mr. Masone's representative; East Kingston resident Mark Corson, 7 Haverhill Road.

In the absence of the Chairman, Vice Chairman Dr. Marston chaired the meeting.

**Board Business**

**Continued Public Hearing for Site Plan Review for Paul Masone, 213 Haverhill Road, MBL 11-2-17 for construction of an additional building at the Light Industrial Park (EK PB#04OB).**

Mr. Dennis Quintal is Mr. Masone's representative and will be presenting the plan to the Board. Mr. Quintal noted the intent of the presented plan was to create a new 60 x 140 steel fabricated building on Mr. Masone's property at 213 Haverhill Road. There were several existing buildings on the site.

The location would be outside both the wetlands setbacks and the cell tower drop zone. Water supply would be tied into an existing well, and septic services would be tied into an existing over-designed septic system.

Mr. Quintal explained how the run-off from the parking area and roof of the new building would be mitigated with a trench, a sediment basin and an overflow bio-detention area. For small developments such as the Masone project, the same guidelines the State has for alteration of terrain can be followed.

Mr. Bath asked if there was any mechanism in place to ensure that the basin would be maintained as required for efficient use. Mr. Quintal stated there was a notation was on the plan and it would be the responsibility of the property owner to follow the plan. Ms. LaBranche noted the Stormwater Management portion of the plan should be also converted to a separate document and recorded separately with the plan and would run with the land.

Mr. Donald asked if it was going to be a single use building. Mr. Quintal replied that was the intent he had received from Mr. Masone; that he wanted to move his own operation (Granite State Cover) into this new building. Mr. Masone was knowledgeable of the fact that should he want to change the building into a multi-unit building, he would need to come before the Board first.

Ms. LaBranche inquired who would be responsible for inspections during construction and after completion of the stormwater mitigation projects (trench, sediment basin and overflow area). It was noted that the inspections would be conducted by the Conservation Commission and noted as a condition of approval.

Ms. LaBranche asked what methods would be used to mitigate runoff from the roof and the parking area while those projects were being constructed. Mr. Quintal noted silt fencing and hay bales would be used.

Dr. Marston asked for a motion to take jurisdiction of the plan.

**MOTION:** Mr. Cacciatore **MOVED** to take jurisdiction of the Site Plan for Paul Masone, 213 Haverhill Road, MBL 11-2-17 for construction of an additional building at the Light Industrial Park (EK PB#04OB); Mr. Bath seconded; the vote was unanimous.

Dr. Marston opened the floor to abutters; there being none, he closed the floor to abutters.

Conditions of this project are as follows:

1. The Stormwater Maintenance plan will be recorded as a separate document from the site plan and recorded at the same time as the plan is recorded.
2. Inspection of the stormwater mitigation projects during construction and to completion will be conducted by the Conservation Commission.

Dr. Marston asked if there was additional Board discussion; there being none, he asked for a MOTION on the plan.

**MOTION:** Mr. Cacciatore **MOVED** to accept the Site Plan for Paul Masone, 213 Haverhill Road, MBL 11-2-17 with the conditions reviewed; Mr. Bath seconded; the vote was unanimous.

Dr. Marston close the public hearing.

Ms. LaBranche asked if the Public hearing could be reopened as she had a suggested item for the Board to include as a condition.

Dr. Marston reopened the public hearing.

Ms. LaBranche reminded the Board that the only mechanism they would have to be informed of what was happening at the location and for life safety purposes for the Fire Department, etc., was to include as a condition of this new building that each new tenant would need to come before the Board. The Board agreed this was an important item to include in the conditions.

**MOTION:** Mr. Bath **MOVED** to include as a condition of approval for the Site Plan for Paul Masone, 213 Haverhill Road, MBL 11-2-17 that each new tenant of the new building or change of use would need to come before the Planning Board for approval; Mr. Cacciatore seconded; the vote was unanimous.

Conditions of this project are as follows:

1. The Stormwater Maintenance plan will be a separate document from the site plan and recorded at the same time as the plan is recorded.
2. Inspection of the stormwater mitigation projects during construction and to completion will be conducted by the Conservation Commission.
3. All new tenants or change of use for this building will be required to come before the Board.

Dr. Marston close the public hearing. Mr. Quintal thanked the Board for their time.

**Discussion with Syed Jazbi & Syed Jafri in regard to used car sales at 17 Haverhill Road, East Kingston.**

Dr. Marston opened the discussion and invited Messers Jazbi and Jafri to come to the front to speak to the Board. Mr. Jazbi explained that they wanted to sell used cars at the 17 Haverhill Road location, as the previous tenant did. Their business name would be Ultimate Motors, LLC.

Mr. Jazbi and Mr. Jafri would be the only employees, and were not planning any repair work so there would be no storing of hazardous materials/chemicals or any fuel other than what was in the cars. Mr. Jazbi explained that there were smoke detectors installed in the building; that they would have no waste/refuse to be disposed of; and that they would not be using any process which would allow objectionable odors to be detected beyond the property line.

Mrs. White noted that in conjunction with selling used cars, the state of NH required used car sales locations to also be inspection stations, as the previous tenant was. Planning Board approval would be the trigger for the Selectmen to sign the paperwork and return it to the state.

Messers Jazbi and Jafri were encouraged to ask for the most amount of hours they might need so they would not need to come before the Board for a change, and could open anytime in between the approved hours. They decided to change the hours on their application to Monday - Sunday from 8:00 am to 8:00 pm.

Mrs. White read a list of conditions for the previous business which would also be conditions for Ultimate Motors LLC. The hours were adjusted to 8am to 8pm Monday - Sunday.

1. Approved hours are 8am to 8pm, Monday – Sunday.
2. There shall be no major maintenance performed on the premises.
3. There shall be no flammable fluids or other hazardous chemicals stored on site.
4. In the event that flammable fluids or other hazardous chemicals are utilized, MSDS forms will be supplied to the Fire Department.
5. Tenant agrees to bi-annual inspections from the Fire Department.
6. The Planning Board shall approve any signage.
7. There shall be no additional outside lighting.
8. Tenant shall have up to 20 cars on the premises, inside and outside.
9. No vehicle of any kind shall be parked in front of the hydrant.
10. Mr. Keller will provide a copy of the lease for the file.

Dr. Marston opened the floor to abutters.

Mr. Mark Corson, 7 Haverhill Road was present and asked to speak. He stated that the previous tenant, Mr. Tsaltas, had been a good neighbor and he was happy with the way he had conducted his business. He had had no problems with the hours of operation or the traffic for the previous used car sales, and did not anticipate a problem with the changed hours. He did have a concern if the new tenants were going to change the way of conducting business such as having waving flags and flapping banners.

Mr. Jafri reported they would have no banners or flags, only small signs on the cars themselves. They were adding no new lighting and would not have a lit sign, so there would be no light pollution. Mr. Corson did express a concern that Ultimate Motors would be open as early as 8 am on Sundays, but Messers Jazbi and Jafri ensured Mr. Corson even though they were approved to be open at 8 am on Sundays, they would not open until around noon. Mr. Corson had no other concerns.

The Board informed Messers Jazbi and Jafri they could have a sign up to 32 sf on the existing signpost and a small sign up to 8 sf on the building.

Dr. Marston asked for a MOTION.

**MOTION:** Mr. Bath **MOVED** to approve the use for used car sales at 17 Haverhill Road, East Kingston dba Ultimate Motors, LLC by Syed Jazbi and Syed Jafri with the conditions as read;

Mr. Cacciatore seconded; the vote was unanimous.

Mrs. White noted she would send Messers Jazbi and Jafri a copy of the conditions and the ordinance as it pertains to signs.

Dr. Marston closed the discussion. Messers Jazbi and Jafri thanked the Board for their time.

**Discussion with Kelly and Ross Gannett in regard to a candle and gift store at 14 Main Street.**

Dr. Marston opened the discussion and invited Mr. Gannett to come to the front to speak to the Board.

Mr. Gannett explained he and his wife wanted to open a candle and gift store at 14 Main Street as "*Wicks and Whimsies*" and they would be renting the building. They would offer hand-made soy candles and other items made in New Hampshire.

In answer to Mr. Bath's question if they would be making candles at the location, Mr. Gannett explained his wife made the candles at their home and they would be transporting the stock to the store. Mr. Bath also asked if they were intending on holding any classes at the Main Street location; Mr. Gannett stated they had no plans for classes at this time.

The application indicated they would have family volunteers working at the store in the beginning and possible 2 workers in the future. There is adequate existing parking in front of the store and no additional lighting was planned. Waste and refuse would be transported to their transfer station or they would hire a private disposal company.

Mr. Gannett was encouraged to ask for the most amount of hours they might need so they would not need to come before the Board for a change, and could open anytime in between the approved hours. He asked to change the hours on their application to Monday - Sunday from 8:00 am to 8:00 pm.

The board discussed this application and determined it fit with the approved use of retail sales.

Conditions for this location are:

1. Approved hours are 8am to 8pm, Monday – Sunday.
2. Tenant agrees to annual inspections from the Fire Department.
3. The Planning Board shall approve any signage.
4. There shall be no additional outside lighting.
5. Any change in use, such as conducting candle-making classes at the location, would require Board review.

Dr. Marston asked for a MOTION.

**MOTION:** Mr. Bath **MOVED** to approve the use for retail sales of candles and crafts/vintage items at 14 Main St., East Kingston dba "Wicks and Whimsies" by Kelly and Ross Gannett with the conditions as read; Mr. Cacciatore seconded; the vote was unanimous.

Mrs. White noted she would send Mr. & Mrs. Gannett a copy of the conditions and the ordinance as it pertains to signs.

Dr. Marston closed the discussion. Mr. Gannett thanked the Board

**Board Business**

**Green Infrastructure Project** Ms. LaBranche noted the RPC was taking part in the Green Infrastructure Project in NH's Coastal Watershed. Nominations for Advisory Board members are being solicited. The Advisory Board will help guide and advise the application of stormwater science and conduct outreach to the communities. A series of Trainings and Workshops will be held in the future. Ms. LaBranche will bring more information to the Board next week.

**Flood Plain Workshop** Ms. LaBranche noted there will be a Flood Plain Management Workshop on Feb. 27 at Great Bay Estuary Center in Greenland which is free.

**Subdivision Regulations** - Ms. LaBranche suggested the Board start updating the Subdivision Regulations next month. The Board agreed this is a good project to work on.

**ADJOURNMENT**

**MOTION:** Mr. Cacciatore **MOVED** the Planning Board adjourn; Mr. Bath seconded. The motion passed unanimously.

Dr. Marston closed the meeting at 8:40 pm. The next Planning Board meeting will be on February 21.

Respectfully submitted,

*Barbara White*

Barbara A. White  
Planning Board Secretary

Ed Warren  
Chairman

Minutes approved February 21, 2013