



PLANNING BOARD  
TOWN OF EAST KINGSTON  
New Hampshire

2018-2019  
Joe Cacciatore, *Chairman*  
Dr. Robert Marston, *Vice Chairman*

**MINUTES**  
Regular Meeting January 17, 2019  
7:00 pm

**AGENDA:**

- ◆ Call to Order

**Board Business.**

- Application for Benjamin Darby, 37 Maplevale Road (MBL 08-02-031) for an Invisible Home Occupation
- Review of Grandfathered Nonconforming Use Questionnaire
- Update on status of 213 Haverhill Road status

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

**Members Present:** Chairman Joe Cacciatore, Vice Chairman Dr. Robert Marston, Josh Bath, Bill Caswell, and ex-officio Richard Poeleart.

**Advisors Present:** RPC Senior Planner Julie LaBranche, East Kingston Building Inspector John Moreau, East Kingston Assistant Building Inspector Tom Welch.

**Also Present:** Applicant Benjamin Darby and resident Brad Tardugno.

**Minutes:** Mr. Cacciatore asked for a **MOTION** to approve the December Minutes.

Mr. Bath **MOVED** to approve the December Minutes as presented; second by Mr. Caswell with a unanimous vote.

**Board Business**

**Application for Benjamin Darby, 37 Maplevale Road (MBL 08-02-031) for an Invisible Home Occupation**

Mr. Darby had spoken to the board in December regarding this home occupation, and he would now also like to add automobiles to his request. He would like to be a financier of boats / autos for sale and would like to use his home address as the address for his license, but the actual location where the boats / autos would be stored / repaired / sold from would be in Vermont. He would have no boats / autos at his East Kingston address, only a home office and therefore he is applying for an invisible home occupation.

Mr. Darby explained he would need a letter to the State documenting he complied with all local zoning and regulatory requirements so he could receive his license as a boat / auto dealer / repair dealer.

Mr. Cacciatore asked about covenants in Maplevale; Mr. Darby noted there was no active group.

The board came to a consensus that what Mr. Darby was requesting met the standards for an invisible home occupation.

Mr. Cacciatore asked for a **MOTION** to recommend the Home Occupation Application for Mr. Darby.

Mr. Bath **MOVED** to recommend to the Selectmen the application for invisible home occupation for Mr. Darby dba Lee River P.S., Inc., 37 Maplevale Road (MBL 08-02-031) as an approved Boat Repair Dealer and an approved Auto Repair Dealer and request the Selectmen provide Mr. Darby with a letter to the state attesting that he complied with all local zoning and regulatory requirements; second by Mr. Poeleart with a unanimous vote.

Mrs. White will send the letter of recommendation to the Selectmen. The board explained Mr. Darby would be assessed a \$25 yearly fee for his invisible home occupation status, and that the Selectmen's Office would be sending a letter informing him when that fee would be due.

Mr. Darby thanked the board for their time.

**Discussion with Brad Tardugno, 17 Haverhill Road re: moving the location of his business sign.**

Mr. Tardugno explained he was here to request permission to move his business sign from its present location to the grassy area on the same side of his property. He realizes he cannot move the sign until the ground has thawed, but wants to have permission first to make sure he is not violating any town regulations.

After discussion, the board agreed the requested location Mr. Tardugno wanted to move his sign to would be satisfactory as it would not impede sight distance coming out of the driveway onto the road. He could also install a new sign as long as it conformed to the same type and size.

They also noted it was impossible for him to move his sign at this time, and that he would need to wait until the ground was thawed enough to dig new post holes.

Mr. Tardugno thanked the board for their time.

**Status on 213 Haverhill Road Clean-up**

In December, the Board asked Mr. Quintal to check on the two fill areas at the rear of the property, the area where the pad is going to be built, and the two wetland areas to see what the progress has been so far.

Mr. Quintal regrets he could not attend the meeting tonight, but sent a status report to the board. He visited the site on January 16 and spoke to the Site Contractor by phone. Demolition debris from the left, north side of Building #1 has been sifted to remove any contaminate or hazardous material and fill material has been brought in to level off that site. Mr. Quintal provided photos of the location. The debris on the east side of the lot will be sifted in the spring; soils material has been brought in to fill the hole in that area.

Due to a heavy workload, the Dredge and Fill application and plans have not been completed yet.

Also, Mr. Poeleart had asked the Fire Chief to check on the status of the underground tanks with the DES. Their records show all the tanks are under 1100 gallons and therefore are unregulated. They are double wall tanks with vents, etc. They are compliant as long as there are no issues (ie, leaks, damage, etc.). There have been no reports of leaks or damage. The Fire Department does not get involved unless there is a leak or damage to the tank.

**Deliberative**

Mr. Poeleart asked if someone from the Planning Board could be present at the Deliberative Session to explain the Home Occupation Ordinance changes if needed.

**Keno**

Mr. Cacciatore asked Mr. Poeleart to explain how Keno would be instituted in town as he had been asked questions and had no answers on that subject.

Mr. Poeleart explained the first qualification is that any establishment that can have Keno would need to be a place where they had a “pour license”, meaning they can serve alcohol, not just sell it. There were also many regulations they would need to adhere to and there is a bond and a fee associated with it. The establishment and the workers would need to have no violations. The establishment would also get a minimal return as most of it would go back to the state and a small portion would be used to fund kindergarten.

The Selectmen discussed the matter and decided the town should be the ones to make the decision if it would be allowed in town or not.

#### Lot Line Adjustment

Mrs. White noted she had been asked to provide procedures and an application for a lot line adjustment; this will be for the February meeting. Mr. Poeleart noted it would be for the school.

#### Home Occupation Application

Mrs. White also noted there may be a home occupation application coming in for 5 North Road in February.

#### Adjournment

Dr. Marston made a **MOTION** to adjourn. Mr. Bath seconded, with a unanimous vote.

Mr. Cacciatore closed the meeting at 8:10 pm.

The next Planning Board meeting will be on February 21st .

Respectfully submitted,

*Barbara White*

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved 2/21/19