

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
January 18, 2001

AGENDA

- 7:15 Jonathan Shafmaster – 60 Main Street/7 Freeman Street– Lot Line Adjustment – Continued Public Hearing
7:30 Zoning, Subdivision & Site Plan Review Amendments – Public Hearing
7:45 David & Patricia Morse – 40 Willow Road Subdivision – Continued Public Hearing
8:15 James Bioteau – Lot Line Adjustment– Public Hearing
8:30 Richard Cook - Discussion

Members attending: Richard A. Smith, Sr.– Chairman, John L. Fillio – Ex-officio, Dr. Robert Marston, and Alternate David Morse.

Absent: Beverly Fillio and Alternates Edward Johnson and Peter A. Riley.

Others attending: Maura Carriel – RPC Planner, Lawrence K. Smith – East Kingston Conservation Commission Chairman, Dennis Quintal – PE, Kent Shepherd– Deputy Building Inspector, Glenn Clark – Building Inspector, James Bioteau, Atty. Jackson Casey, Jeff Towers, Patricia Morse, Dana & Deborah Merchant, Richard Cook, Greg Swanton, Stephen Kushner, Jeff Caley and other members of the public who did not address their concerns.

Chairman Smith opened this January 18, 2001 planning board meeting at 7:06 p.m. with the role call. He then designated Alternate David Morse to vote in the absence of Beverly Fillio – on all matters except his own (see 7:45 p.m. appointment).

Planning Board Minutes: The Board reviewed minutes dated December 21, 2000 and noted corrections.

MOTION: Mr. Fillio motioned to approve the Planning Board minutes dated December 21, 2000 as corrected. Mr. Morse seconded. With no further discussion, the motion carried 3-0 (Dr. Marston abstained).

Abutter Notification Fees: It was noted that due to the recent postage rate increase, current abutter fees charged for public hearings do not cover town costs for mailing certified-return-receipt notices. Prior to the rate increase mailings cost \$2.98 each and the town charged \$3.50. The new increase has raised each mailing to \$3.74. It was recommended that the fee be raised to \$4.50 each mailing. Discussion then ensued on whether a new public hearing would be needed for this amendment or whether or not it could be added to this evening's list of amendments. It was agreed that because it was not previously posted, this amendment would require a new hearing.

MOTION: Mr. Morse motioned to hold a public hearing on February 15, 2001 to amend the abutter notification fees to \$4.50 each. Mr. Fillio seconded. The motion carried 4-0.

Board Membership: Chairman Smith stated that there was a vacancy on the board for a regular member position (Mr. Johnson resigned from his regular member status to alternate member status) and that alternate member Mr. Morse has expressed an interest in it. He then read into the minutes a letter submitted by Mr. Morse:

Dear Chairman Smith,

I am writing to you regarding the vacant "regular" member position on the Planning Board. I would like to express to you my strong interest in occupying that position. My attendance record reflects my dedication to the alternate position I currently hold. Please consider me when filling this regular member position.

Sincerely, David G. Morse.

Mr. Fillio stated that at the last meeting Roby Day was recommended to serve on the board. He asked if he has been appointed as of yet.

It was noted that because Mr. Day currently holds a position on the Zoning Board of Adjustment and alternate member Peter Riley also holds a position on the Zoning Board of Adjustment, Mr. Day cannot serve on the Planning Board.

RSA 673:7 states: *In the cases of towns, appointed or elected members of the planning board may also serve on any other municipal board or commission, provided that such multiple membership does not result in 2 planning board members serving on the same board or commission.*

Chairman Smith went on to say he spoke with Mr. Day regarding this and that Mr. Day said that he was not interested in resigning from the Zoning Board of Adjustment. He said that Mr. Day is absent from this meeting because he was ill.

MOTION: Mr. Fillio motioned to recommend the Board of Selectmen appoint Mr. Morse to the regular member position on the Planning Board. Dr. Marston seconded. The motion carried 3-0 (Mr. Morse abstained).

Jonathan Shafmaster – 60 Main Street & 7 Freeman Street Lot Line Adjustment– Continued Public Hearing : Chairman Smith opened the public hearing at 7:17 pm on Jonathan Shafmaster's lot line adjustment plan for properties located at 60 Main Street and 7 Freeman Street (MBL# 9-8-6: 7 Freeman St. owned by Jonathan Shafmaster & MBL# 14-1-18:60 Main St. owned by Joy and Stephan Kushner). It was noted that this meeting is a continuance from the December 21st meeting because quorum requirements were not met. Representing Mr. Shafmaster was Jeff Towers.

Mr. Towers stated that as he explained at last month's meeting, Mr. Shafmaster proposes to convey 28 acres from one lot to another. He presented a letter signed by Mr. Shafmaster that gives Mr. Towers permission to act on his behalf regarding this lot line adjustment matter. He then distributed a revised plan reflecting the board's suggested changes (correct square footage calculation, and added Freeman Street to the plan and to the vicinity map). He further stated that this lot line adjustment is an exact reversal of a lot line adjustment conducted five years ago between Mr. Shafmaster and his daughter, Amy. Amy used to own the house at 60 Main Street and she conveyed 28 acres of her property to her father's property at 7 Freeman Street. Amy has since sold the house to Stephen & Joy Kushner who want to acquire the 28 acres back to the property. This lot line adjustment will result in the Main Street property consisting of 33 acres and the 7 Freeman Street property consisting of 169 acres – exactly what they were before the first lot line adjustment in 1995.

Members then reviewed the plan. Ms. Carriel asked if the board requires topography on a lot line adjustment. Does a waiver need to be presented?

The board reviewed the 1995 plan.

Mr. Morse stated that he did not see any problems with this proposal. He asked if anyone else did. Chairman Smith replied that he did not either.

Mr. Stephen Kushner stated that wants to reassure the board that he and his wife intend to keep the land in current use– keep it undeveloped.

MOTION: Mr. Morse motioned to invoke jurisdiction on the lot line adjustment for lots 9-8-6 & 14-1-18 as presented. Dr. Marston seconded. With no further discussion, the motion carried 4-0.

MOTION: Mr. Morse motioned to grant approval of the lot line adjustment plan for Jonathan Shafmaster (MBL#9-8-6 & 14-1-18) as presented. Dr. Marston seconded. With no further discussion, the motion carried 3-0.

For the purposes of recording into the minutes, Chairman Smith applied his signature to the mylar and four sets of plans regarding the lot line adjustment for Jonathan Shafmaster.

Zoning, Subdivision & Site Plan Review Amendments – Public Hearing: Chairman Smith opened the public hearing for amendments to the Zoning Ordinance, Subdivision Regulations and the Site Plan Review Regulations at 7:32 p.m. It was noted that in addition to the amendments to be presented, the Subdivision checklist also would need to be amended to replace the reference to High Intensity Soil Survey (HISS) to read Site Specific Soil Survey (SSSS).

Ms. Carriel presented each proposed zoning amendment as follows:

ARTICLE VIII – WETLAND CONSERVATION DISTRICT: Two amendments proposed are 1) updating the reference of a publication date by replacing 1995 with *Version 2 (1998)*, and 2) correcting inconsistencies throughout the Zoning Ordinance regarding the required distance between septic systems and wetlands, and adopt the State of New Hampshire’s standards for setbacks of 75 feet from very poorly drained soil and 50 feet from poorly drained soil.

ARTICLE X – HOME OCCUPATION: This amendment provides a description of the application process, and adds a requirement that the applicant also submit a photograph of the residence/property for which the home occupation proposal is sought. Add a new paragraph, 10.10 and renumber subsequent paragraphs.

10.10 *Application: The Home Occupation Permit Worksheet and Home Occupation Permit Application must be filled out in detail, including a complete description of the area to be used, the type of business, and aspects of the operation. The number of employees and signs (if any) must be clearly identified on the application. Any special materials or truck activity necessary to accomplish the business must also be detailed. Along with the completed application form, the applicant shall submit a photograph of both the front and back of the residence/property showing the total premises at the time of application. The required public hearing and the business operation shall not commence until the completed application is submitted and determination of business complete.*

ARTICLE XII – ELDERLY HOUSING: This amendment modifies and clarifies the methodology for calculating the maximum number of bedrooms allowed on a site, and establishes a maximum building footprint size for elderly housing units and structures. Delete paragraphs 12.2.3 & 12.2.4 and replace with the following:

12.2.3 *The maximum allowable number of bedrooms allowed on a site is four bedrooms per acre of contiguous upland, and shall be calculated as follows:*

- 1) *Subtract very poorly drained soils from the total parcel acreage.*
- 2) *From the remaining total, subtract out any poorly drained soils that exceed 60% of the total. [Poorly drained soils may not exceed 60% of the remaining total.]*
- 3) *Multiply the resultant acreage by four bedrooms to get the maximum number of bedrooms allowed on the site.*

12.2.4 *Dwelling units shall be specifically designed to provide housing for elderly residents. Units shall have a maximum of two bedrooms, may not exceed thirty-five feet (35') in height, and may be either one or two stories. Buildings shall be separated by a minimum space of thirty-five feet. Individual units shall not exceed 1,500 square feet in footprint. No structure shall exceed 10,000 square feet in footprint.*

Ms. Carriel then presented the following Subdivision Regulation amendments:

SECTION IV.D – GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND: adding a statement exempting elderly housing developments from being required to provide more than one access street if more than 20 units, and subsequently renumbering items D-Q.

D. In no case shall a single access street, from and existing State or Town road, serve more than 20 units. (Amended 5/89) Elderly housing developments are exempt from this requirement.

SECTION XIII – PROCEDURE FOR OBTAINING APPROVAL FOR SUBDIVISION: adding a requirement for the submittal of one set of 11x17” plans along with a completed subdivision application for the purpose of duplicating and distributing to board members.

D. Submission Requirements

1. *Three copies of the engineered plan, one 11x17” copy of all plans, and three copies of road profiles for new streets to a scale of not more than 100 feet to the inch.*

And setting a minimal application fee for each proposal to cover administrative costs as currently \$40 per newly created lot is charged, however, lot line adjustments that do not create a new lot pay only abutter fees, yet the application is processed just the same – at the cost of the town. The new text will read:

Fees: \$40 per application or \$40 per newly created lot (whichever is greater)

Ms. Carriel then presented proposed amendments to the Site Plan Review Regulations as follows:

SECTION IV – SUBMISSION REQUIREMENTS: adding a requirement of one set of 11x17” plans along with completed applications (as proposed for subdivision):

b. One set of 11x17” plans

And amending the application fees for elderly housing developments by adding a charge of \$20 per bedroom (3 references) as follows:

- 4. Application fee (payable to Town of East Kingston), \$40.00 for each lot/parcel or dwelling unit (whichever is greater) or \$20 for each bedroom of an elderly housing development, plus a \$100 nonresidential application fee. (Amended 5/17/89) \$45 Newspaper Legal Notice fee. (Amended 6/15/95)

Site Plan Review Procedures (p. 14)

References:

- 5. Fees: \$40 for each lot or dwelling unit (whichever is greater), or \$20 per bedroom for each elderly housing unit
\$100 fee for non-residential uses
\$3.50 per abutter
\$45 Newspaper Legal Notice fee

Application for Site Plan Review (p. 19)

13. Fees:	<i>Each Lot/Parcel or dwelling unit (whichever is greater), or (Amended 6/15/95)</i>	<i>\$ 40.00</i>
	<i>\$20 per bedroom for each elderly housing unit</i>	<i>\$ 20.00</i>
	<i>Non-residential Application Fee</i>	<i>\$100.00</i>
	<i>Abutter Notification (each) (Amended 6/15/95)</i>	<i>\$ 3.50</i>
	<i>Newspaper Legal Notice fee (Amended 6/15/95)</i>	<i>\$ 45.00</i>

It was noted that the abutter notification fees throughout the regulations of \$3.50 would be changed to \$4.50 at the next meeting.

MOTION: Mr. Morse motioned to accept the zoning amendments for ballot and adopt the subdivision and site plan review regulation amendments as presented. Mr. Fillio seconded.

DISCUSSION: Mr. Quintal questioned the reference to the 1,500 square foot in the elderly housing section 12.2.4– does this also apply to multifamily units? If so, he suggested the paragraph be clarified. An excerpt from the December 2000 planning board minutes was read that indicated “individual units shall not exceed 1,500 square feet in footprint and no structure shall exceed 10,000 square feet in footprint.

Mr. Fillio recommended that a definitions chapter be written to define the term “unit”, i.e. unit in this section is defined as an individual living area; not a building.

Mr. Quintal stated that Jeff Caley has recently purchased the Gilbert Bioteau property and that he needs to understand the size regulations. Is a garage part of the 1,500 square feet allowed?

The board replied that it was not– only the actual living space. It was further clarified that no building shall exceed 10,000 square feet in footprint, no individual unit within the building shall exceed 1,500 square feet and no single family building shall exceed 1,500 square feet in footprint.

MOTION: Mr. Fillio motioned to amend the previous motion to clarify Article 12.2.4 by adding that no building shall exceed 10,000 square feet in footprint, no individual unit shall exceed 1,500 square feet of living space, and no single-

family unit shall exceed 1,500 square feet in footprint. Dr. Marston seconded. With no further discussion on this amendment to the motion, the motion carried 4-0.

Discussion then ensued on Subdivision Regulations Section IV, C&D regarding road length. Mr. Quintal stated that in an effort to encourage elderly housing developments, the board should consider amending the current 1,000-foot restriction, as many developments of this type require longer road configurations. He suggested that elderly housing developments be exempt from this restriction.

Members expressed their reluctance to amend this regulation, as it was their belief that 1,000 feet is a standard road length for most other towns as well, and that it was set at this length for safety reasons. Fire safety was discussed. Mr. Fillio stated that if this is a safety-type mechanism, then the board should not change it.

Mr. Quintal replied that the elderly housing ordinance states that the planning board can use its discretion regarding the road and the layout of the buildings; however, most elderly housing projects will have an issue with the road length. The board will want all buildings located along the street to keep open space, thus more road will be needed to accommodate all the units allowed.

Chairman Smith stated that the ordinance cannot be rewritten for each proposal.

Mr. Morse stated that if the 1,000 feet was set for fire suppression reasons (1,200 feet of fire hose), then it is outdated as the current fire suppression regulations require a water source to be located no farther than 1,200 feet from any house. He further stated that if roads are allowed to be over 1,000 feet, then two access points must be designed as well.

It was recommended that Ms. Carriel research the 1,000-foot requirement and report her findings back to the board.

Mr. Richard Cook stated that with good discretion and with the planning board granting a waiver, certain roads could exceed the 1,000 feet length where wetlands are concerned.

Conservation Commission Chairman Larry Smith responded that the regulations already allow the wetlands to be crossed in order to access buildable land.

Chairman Smith added that the board would want to see the plan before allowing to extend the road – he does not want to see the regulations changed.

Back to the original motion to accept the zoning amendments for ballot and adopt the subdivision and site plan review regulation amendments as amended: **Chairman Smith called the vote. The motion carried 4-0.**

MOTION: Dr. Marston motioned to place the zoning amendments noted above on the March 2001 Zoning Ballot. Mr. Morse seconded. With no further discussion, the motion carried 4-0.

David & Patricia Morse– 40 Willow Road Subdivision & Site Plan Review – Continued Public Hearing: Chairman Smith opened the public hearing at 8:25 p.m. for David and Patricia Morse's application to subdivide 20.29 acres into three lots located on Willow Road, MBL# 08-02-19. He noted that this meeting was a continuance from December 21st.

Mr. Morse recused himself from the board and stepped away from the Planning Board table. He then presented and distributed updated plans with sheet #1 showing newly proposed boundary lines, road location, existing buildings, and an existing fire pond; sheet #2 showing topography and test pits; and sheet #3 showing the road profile. He reminded the board that he submitted a waiver request from SSSS mapping as HISS mapping was done in 1997 and that Conservation Commission Larry Smith and Wetlands Bureau staffer Gino Infascelli had stated that the wetlands would not have changed since then. He stated that the parcels are located in the residential/agricultural zone. He also pointed out test pits 1 through 5.

Members then reviewed the memo from Ms. Carriel regarding discrepancies she noted on his earlier plan. The following items would need to be addressed:

1. State subdivision would be required on lot 8-2-19, as it would be reduced to less than five acres.
2. The road profile would need to be reviewed and approved by the Town Engineer, and performance bond estimate would be needed).

Chairman Smith opened the meeting to questions and comments from abutter. There were none. Mr. Morse asked the board if he could get a waiver from having to have the bounds set before the road is constructed, as it would be likely they would be knocked out of place during excavation. Members were receptive. Mr. Morse then asked if he could get a waiver on the one lone bound to be set that was not along the roadway as he felt it would be a waste of time and money to have the surveyor come out to set just one bound now and the others at a later date. Members agreed.

3. Bounds to be set *after* the road is constructed.
4. The plan needs further review from the Rockingham Planning Commission.
5. ADredge and Fill permit be received for the wetland crossing.

Mr. Morse then pointed out the three areas where run-off would drain. Members then reviewed the topographic map from a previous subdivision of this property conducted in 1997. Mr. Morse continued to say that a preliminary road estimate from Galloway is \$100,000. He stated that he could not sell any of the new lots without a road or a performance bond in place.

Ms. Carriel stated that a planner at the RPC suggested the roadway cost estimate be giving in a unitized cost estimate.

MOTION: Mr. Fillio motioned invoke jurisdiction on the subdivision plan for MBL# 8-2-19. Dr. Marston seconded. With no further discussion, the motion carried 3-0 (Mr. Morse abstained).

MOTION: Mr. Fillio motioned to grant approval of the subdivision plan for MBL# 8-2-19, located at 40 Willow as presented with the five aforementioned conditions. Dr. Marston seconded.

DISCUSSION: Mr. Morse reiterated that the bounds would not be set until after the road was in. Chairman Smith replied affirmatively and that he does not want this exception to become a standard.

Mr. Morse asked if the board would grant his waiver request from having SSSS mapping performed. He also stated that Conservation Commission Chairman Larry Smith said that the drainage report was acceptable.

MOTION: Dr. Marston motioned to grant the waiver request for SSSS mapping as HISS mapping was done on the property in 1997. Mr. Fillio seconded. With no further discussion, the motion carried 3-0 (Mr. Morse abstained).

Back to the original motion to grant conditional approval of the subdivision plan: Chairman Smith called the vote. The motion carried 3-0 (Mr. Morse abstained).

James Bioteau – Lot Line Adjustment – Public Hearing: Chairman Smith opened the public hearing at 8:57 p.m. for James & Karen Bioteau's lot line adjustment plan for parcels MBL# 16-4-4, 16-4-10 & 16-4-11, located on North and Giles Road. The applicants propose to consolidate the backland of lots 16-4-4 and 16-4-10 into lot 16-4-11. Representing Mr. Bioteau was his attorney Jackson Casey.

Mr. Bioteau distributed an updated version of the plan (updated from the one he submitted with his application). Atty. Casey pointed out the lot lines to be removed and the newly proposed ones. Mr. Bioteau stated that the bounds are in and have been checked by Building Inspector Glenn Clark.

Ms. Carriel then distributed a memo outlining her comments on the plan. They were as follows:

1. The lot lines need to be clearly indicated on the plan – the line identified with the bearings N13758E appears to be a newly proposed line, but it is not indicated. Other newly proposed lines are noted as "proposed new lot line".
2. The reference note #1 incorrectly identifies the owner of lot 16-4-7 as "Hart". It should be "Merchant".
3. The owner's name of lot 16-4-3 needs to be shown on the plan. Owner of record is James & Karen Bioteau.

Chairman Smith asked if the driveway easement for lot 16-4-11 would need to be rewritten as it has been altered (shortened) by this proposal.

Atty. Casey replied that it did not as it would be absorbed into the new lot and that this was a matter of law.

The well radius for the existing house on lot 16-4-3 was not shown on the plan and Ms. Carriel stated that its location would effect the placement for the septic on lot 16-4-11. Even though the well is already in – the board does not want the proposed well on the other lot to infringe on the older lot.

Mr. Bioteau stated that the septic plans he submitted for the new house would show the well radius.

4. Submit septic plans showing the well radius requirements have been met for lots 16-4-3 & 16-4-11.

Conservation Commission Chairman Larry Smith then noted the so-called conservation easement indicated on the plan and stated that it was not a conservation easement at all – it is just a covenant in Mr. Bioteau's deed.

Further review of the plan showed the access for the proposed consolidated parcel (16-4-11) would be off of Route 108 as this was approved in 1995. It was noted this parcel was created under the provisions of backlots as it only had 41 feet of frontage on Giles Road. It was questioned whether or not more frontage was needed since the lot size for 16-4-11 was increasing so much. Chairman Smith felt more was needed; however it was later determined that none was – the lot was deemed a buildable in 1995.

It was then noted that at the last meeting Mr. Bioteau stated that he had no plans for any of the three lots in question; however, a building permit for lot 16-4-11 was produced. Mr. Bioteau offered no response.

It was also noted that the line along the easement was not meant as a boundary line; just an easement line – board members found this line misleading.

Ms. Carriel asked if topography was required for lot line adjustments – none are indicated on this plan. Mr. Bioteau stated that topography was done on the original subdivision back in 1989.

5. Submit topography map done on the property in 1989.
6. State subdivision approval is needed for lots 16-4-4 & 16-4-10 as their sizes would be reduced to less than 5 acres each.
7. Certification of Monumentation form be completed and submitted.
8. Add square footage calculations to acreage measurements.

Chairman Smith opened the meeting to questions from abutters. Abutters Dana & Deborah Merchant replied that they had none.

MOTION: Mr. Fillio motioned invoke jurisdiction on the lot line adjustment plan for MBL#'s 16-4-4, 16-4-10, & 16-4-11. Dr. Marston seconded. With no further discussion, the motion carried 4-0.

MOTION: Mr. Fillio motioned to grant approval of the lot line adjustment plan for MBL#'s 16-4-4, 16-4-10, & 16-4-11 as presented with the eight aforementioned conditions. Dr. Marston seconded. With no further discussion, the motion carried 4-0.

Richard Cook - Discussion: The board entered into non-binding discussion with Richard Cook and Dennis Quintal at 9:30 p.m. Mr. Quintal representing Mr. Cook presented an update on Mr. Cook's conceptual plan to develop an elderly housing community on land located in the light industrial zone on Havenhill Road.

It was noted that the general layout had not changed – the intent is to have one access off of Ashlie Road and one across the street from the post office, with a private road accessing the buildings. The conceptual plan showed that the road would be longer than the 1,000-foot allowed; it measured about 1,250 feet. The purpose of the extension was to access the buildable land across the wetland.

Mr. Quintal further explained that the proposed layout would consist of multiple four-plexes each containing ten two-bedroom units (total 40 units); however this figure could change. He stated that some of the upland area would remain undeveloped – he showed the leach field areas. There would be a few small wetland crossings and Mr. Cook wants to build a fire pond – he will talk to the fire chief about location and size.

He then questioned whether or not sidewalks would be required. He didn't think they were needed as the roadway would be wide enough to accommodate pedestrians, plus the road would remain private and it is off the main road.

Chairman Smith stated that sidewalks would make the development more desirable. Maybe not all sidewalked, just one side of the road and small ones between the homes.

Mr. Quintal responded that the road would not be a through road – it would be a remote dead end street and that sidewalks require more maintenance.

Discussion about a private road resulted in the following details: trash collection would not be done within the development – private dumpsters on the property would be required. The road would need to be owned by an association who oversaw its maintenance – both summer and winter.

Mr. Quintal then asked about the flow chart regarding wetland delineations on page 10 of the subdivision regulations. After delineation and the project is considered commercial, industrial, multifamily or single-family with public water and sewer, would he then be able to submit directly to the Planning Board? Does this mean that HISS mapping is not required?

The surface water on the property is the Powwow River. There are no open ponds now, but Mr. Cook would like to create some. Mr. Fillio stated that if the perc tests are shown and soil is there, he may not need a SSSS – the number of bedrooms cannot be calculated using very poorly drained soil.

Mr. Quintal replied that he would delineate between the very poorly drained and the poorly drained, but does he need to do a full SSSS?

Conservation Commission Chairman Larry Smith stated that if he does Level 1 he could then take it down to the submission box.

Chairman Smith asked if there were any plans for garages, storage buildings or a clubhouse. Mr. Quintal replied that they are not sure yet- they might have some sort of carport, but that hasn't been decided. Regarding a clubhouse, Mr. Quintal stated that there may be some sort of function room. Some of the buildings could also be single-family.

Mr. Cook stated that the architect firm he has employed would provide him with ideas and options for building design. At that point he will be able to see what type of amenities he'll be able to offer. This update is just a general idea of what he is considering. He wants to keep the wetland crossings at a minimum.

When asked why a second access has been drawn off of Ashlie Road, Mr. Cook replied that this is just a second access. When the road subdivision was originally designed, it was done so with the intent of accessing his property. He said they could go in solely from Route 108 or have a secondary drive. Again, Ashlie Road was originally designed to be used as a primary entrance to his (Cook's) property. He said that he just wanted to update the board on what he was considering.

Mr. Quintal added that if they didn't access Ashlie Road then the dead end (to be located on Cook's property) would be a lot longer and they would have to fill in too much wetland to build a horseshoe type road with both accesses on Haverhill Road.

When asked how soon he expected homes to be available on the site, Mr. Cook responded at least two years. The development needs to be economically feasible, aesthetically pleasing, but still marketable at a reasonable price. He stated that he wants to keep the application local and not go federal. As he has stated at past meetings, he believes this is the best alternative to light industrial. He is also focusing on a specific price range.

Mr. Cook then thanked the board for their time.

Jeff Caley: Mr. Quintal asked to board for a moment of their time to preview a proposed elderly housing development to be located on North Road. As stated earlier, Jeff Caley has recently purchased the Gilbert Boteau property and is looking to develop it. He stated that this proposal would also need a waiver from the 1,000 foot road restriction – he would need an additional 1,000 feet to be able to execute his plan to construct 48 single family homes.

Mr. Morse asked why roads could not be over 1,000 feet long if they were to remain private roads owned and maintained by associations.

It was noted that although roads might be intended to remain private, all it takes is a majority vote to accept a road as a town road. If the 48 homeowners to this development were to petition the town to accept it, the original plan to keep the road private would fail and cost the town a lot of money. It was then noted that the Town of Kingston does not allow private roads. All roads must be built to town specs. Some members felt that even private roads should be built to town specs.

This discussion ended.

Masone Plan: It was noted that the Masone site plan recently approved by the board was rejected at the Registry of Deeds because the plan did not have a licensed land surveyor's stamp and signature.

Mr. Quintal stated that this plan was an engineering plan regarding buildings, not a survey. He did not think it should need a LLS stamp. He then questioned whether or not the plan actually needed to be recorded. He noted that not all site plans are. Minor ones are hand sketched and are not recorded.

It was noted that large-scale site plans are recorded by the town (i.e. the school). Ms. Carriel stated that she inquired with other planners at the RPC and was advised that other towns record their site plans at the Registry. Once recorded it becomes a certified record that could be used later to protect the town or the landowner.

Mr. Quintal then read excerpts from the Registry's guidelines for recording mylars. He again stated that plans that do not reflect surveyed land should not be required to get a LLS stamp. Requiring the stamp is an added expense to the applicant.

Again, Ms. Carriel stated that the RPC does recommend site plans be recorded. RSA 674:39 was noted but it turned out not to apply to this situation.

Chairman Smith stated that the board will research the issue more. Thus putting the recording of the Masone plan on hold.

2001 NH Planning and Land Use Regulation: Ms. Carriel announced that the new planning books are in and that the RPC provides each town with two complimentary copies. For the record the following individuals took their copies: Mr. Fillio, Larry Smith, Mr. Morse, Dr. Marston, and Chairman Smith.

With no further business,

MOTION: Dr. Marston motioned to adjourn. Mr. Fillio seconded. With no further discussion, the motion passed 4-0 and this January 18, 2001 Planning Board meeting ended at 10:12 p.m.

Respectfully submitted,

Catherine Belcher, Secretary

Minutes completed and on file January 23, 2001.

Approved: 2/15/01