



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2009-2010
David F. Sullivan, Chairman
Edward Warren, Vice Chairman

MINUTES
Regular Meeting 21 January 2010
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval** of December 17 minutes
- ◆ **Public Hearing** (PB 10-01) The Town of East Kingston, Union Cemetery, 1 South Rd, MBL 14-04-03 and Betsy Crispi et al, 17 South Rd, MBL 14-04-02 for a lot line adjustment

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 7:05PM.

ROLL CALL: Mrs. White called the roll.

Members - Mr. E Warren, Vice Chairman; Dr. RA Marston; and ex-officio Mr. D Pendell. Mr. D Sullivan and Mr. R Morales were not present.

Alternates: Mr. P. Gilligan and Mr. J. Cacciatore. Mr. R. Forrest was not in attendance.

Advisors Present: RPC Planner, Ms. Julie LaBranche.

Also Present: Vito Kazinskas, member of the East Kingston Cemetery Committee and Gary Hinz, East Kingston resident.

Board Business

As Mr. Sullivan was not in attendance, Mr. Warren acted as Chairman. Mr. Warren appointed the alternates as follows: Mr. Cacciatore would vote in place of Mr. Sullivan and Mr. Gilligan would vote in place of Mr. Morales.

The first item on the agenda was to approve the minutes of December 17. There were no corrections or changes noted. Mr. Warren asked for a motion for approval.

MOTION: Mr. Pendell **MOVED** to accept the minutes of December 17 as presented. Dr. Marston seconded. The motion passed unanimously.

PUBLIC HEARING - THE TOWN OF EAST KINGSTON, UNION CEMETERY, 1 SOUTH RD, MBL 14-04-03 AND BETSY CRISPI ET AL, 17 SOUTH RD, MBL 14-04-02 FOR A LOT LINE ADJUSTMENT (PB 10-01)

Mr. Warren opened this public hearing at 7:05 pm.

Mr. Vito Kazinskas was in attendance representing the Cemetery Committee and will answer any questions the Board may have in regard to the lot line adjustment.

Mr. Gilligan asked if any of the land was intended on being filled in. Mr. Kazinskas answered that there would be no need to as it was all fairly flat. He also explained the Cemetery Committee did not anticipate actually utilizing this property presently. The purchase imposed no economic impact to the Town as it had come from the previous sale of plots, and they had purchased the property as it was a very good buy for the money expended.

Mr. Pendell asked if they were planning on removing the iron fence anytime soon; Mr. Kazinskas replied that there was no fence. Upon reviewing the plan, Mr. Pendell noted he has mistaken the iron rod notation to mean there was a fence between the cemetery property and Mr. Woodworth's property line and retracted his question. Mr. Kazinskas noted that there was already a fence at the edge of Mr. Woodworth's property which established the boundary between the two properties.

Mr. Kazinskas further explained that the cemetery committee had not tried to acquire this piece of property at the same time as the last lot line adjustment, as Mr. Woodworth was opposed to having the cemetery property abutting his property. Since that time, he had had a change of heart and now had no objections. Therefore the cemetery committee had approached Mrs. Crespi and negotiated for this additional parcel of land to add to the cemetery.

Mr. Kazinskas noted that this new parcel was actually higher than the driveway, and could be expanded in the future to cemetery land with no major renovations needed. He had projected out the benefits of acquiring this additional land and had computed that the Town could net \$80,000 from the sale of lots in the future. With the lots now available at the Hillside Cemetery and Union, there are enough to last for the next 25-30 years.

Mr. Pendell asked if Mrs. Crespi lived in East Kingston. Mr. Kazinskas explained that Mrs. Crespi was one of the chief trustees of the Monahan property, which encompassed the farm at the corner and also property across the street from the cemetery.

Ms. LaBranche asked about setbacks. It was ascertained that there were not separate setbacks between cemeteries and other properties; regular property setbacks would apply. Mr. Kazinskas noted that you could not see the Woodworth house from the property line.

Mr. Warren opened the floor to public comment. There being none, he closed the floor.

Conditions that need to be met for the lot line adjustment are as follows:

1. Certificate of Monumentation reflecting granite/concrete bounds properly set and signed off by Building Inspector.
2. Final mylar, together the full-sized and 11x17 copy of the final plan, to be submitted to the Planning Board for chairman signature and recording.

Mr. Warren entertained a motion.

MOTION: Mr. Pendell **MOVED** the Planning Board approve the application for a lot line adjustment between the Town of East Kingston (Union Cemetery) MBL 14-04-03 and Betsy Crespi et al (MBL 14-04-02) and as stipulated in the application, with the above-mentioned conditions. Dr. Marston seconded, and the motion passed unanimously.

Mr. Warren closed the public hearing. Mr. Kasinskas thanked the Board for their time.

Continued Board Business

Discussion regarding the Buffers Project Draft Newsletter - Julie LaBranche.

Ms. LaBranche explained that a letter of endorsement from the Conservation Commission will explain why they think the buffers from streams and wetlands are important, and wanted to know if the Planning Board wanted to be co-endorser of that letter. The Conservation Commission will be approving their final letter at their February 4th meeting and Ms. LaBranche would forward it to Mrs. White to distribute via e-mail to the Board for their review in time for their Planning Board meeting on February 18th. This letter will be located on the back page of the newsletter. The hope was for the newsletter to be finalized to be sent out at the beginning of March.

The half of the Town North of the Route 107 is in the coastal watershed, and Great Bay is listed on the impaired waters list. Also the southern part of Town flows into the Merrimac River watershed. She also explained that most likely in the next year or so, towns will be required to attain certain water quality standards.

Ms. LaBranche reviewed the bullets of the Recommendations to Improve Protection of East Kingston Natural Resources, which was added by PREP, who work extensively with communities not only to provide grants, but to develop regulatory mechanisms along with planning and technical documents to help with resource protection. Their goal is to help communities reach water quality standards.

- ◆ ***Natural Resources Inventory*** - Such an inventory could be partially funded by the RPC and/or PREP, and the total cost would be between \$6,000-\$8,000 which includes a complete map set.
- ◆ ***On-site pre-application meetings with developers and applicants*** to discuss ways to protect wildlife habitats prior to permit submittals. Mr. Warren noted that classes he had attended recommend on-site meetings with developers at the start of a project and several times throughout.
- ◆ ***Land Conservation Plan for New Hampshire's Coastal Watersheds*** - This plan identifies Conservation Focus Areas which are recommended for protection through permanent land conservation and protective zoning ordinance regulations. It is recommended East Kingston adopt a version of the model ordinance.
- ◆ ***Vernal Pools*** - Wetlands regulations should include protection for vernal pools.
- ◆ ***Designating Prime Wetlands*** - It recommends that communities identify prime wetlands to protect them from development. Ms. LaBranche noted that grants were available to this purpose.

Mr. Warren asked if she was recommending that the bulleted items be stressed for the entire Town and not just those areas that are on the coastal watershed. Ms. LaBranche noted it could be expanded to include the whole Town, as the entire Town contributes to one watershed or the other. The Northern part of East Kingston drains in to the Exeter River, which is their drinking water source, and the Southern part of East Kingston drains into the Powwow River, which is the drinking water source for the Town of Amesbury. They are all important. Also groundwater sources for the Town, as everyone has a well.

It is mentioned in the newsletter that the current wetlands ordinance does not require any undisturbed buffers to wetlands. There are setbacks, but there are no buffers. The Town may want to consider imposing buffers sometime in the future.

Ms. LaBranche will distribute a copy of the ***State of the Estuaries Report*** at their February meeting. It was also noted that the biggest impact to the waterways is the contribution of nitrogen to the Great Bay and the residual impacts it has on the ecosystems.

Ms. La Branche asked if the Board wanted to leave the recommendations in the newsletter. Since they were recommendations and not binding, the Board decided they should be kept in the newsletter.

Mr. Warren asked for a motion to that effect.

MOTION: Mr. Pendell **MOVED** the Planning Board include the Recommendations in the newsletter. Mr. Cacciatore seconded, and the motion passed unanimously.

Ms. LaBranche will be sending a newsletter to everyone on the Board.

Mr. Gilligan asked if it would/could ultimately result in the controlling of the application of fertilizers and herbicides. Mr. Pendell noted that there was nothing the Town had that could enforce that at the present time, and Ms. LaBranche noted that including the information in the newsletter was the best way of educating the Town as to the effects of those applications, short of any enforcement ordinance.

Mr. Gilligan noted there were other ways of negating effects such as grasses that require less water, and using other types of landscaping materials than grass. Ms. LaBranche pointed out that there was reference to a publication from the UNH Cooperative Extension Service called "*Landscaping at the Water's Edge*" which provides suggestions on how to design your waterfront landscape to protect the valuable natural features.

Mr. Gilligan asked about the Shoreland Protection Act. Ms. LaBranche noted that it only covered waters that were designated 4th order or higher - Great Brook and Powwow River; smaller streams and brooks are not covered even though they ultimately flow into the same waters. Some communities have taken measures to protect their secondary waters with smaller buffers than for the 4th order waters.

Ms. LaBranche noted they could add in the newsletter how many miles of waters within East Kingston are protected, and how many other miles are not protected at the present time. She noted that the number of miles *not protected* almost matches the number of miles that are protected.

Mr. Hinz asked what other towns were also doing a newsletter. Ms. LaBranche noted that Sandown and Greenland were. Mr. Hinz also inquired what other communities had buffer ordinances; Ms. LaBranche answered she thought 5-8 communities had instituted buffer ordinances. She would get a copy of one so the Board could see what they had done. There is also a model ordinance she can provide to the Board.

Plan NH. Mr. Warren noted the next topic of discussion was to be the Plan NH report. As the full Board was not in attendance to join the discussion, and the fact that recommendations had been provided to the Board that were not received it time to be reviewed, it was decided to table the discussion for the February meeting.

Mr. Pendell also noted that there were two errors within the first three pages he had reviewed and since they had discussed distributing this to the residents of East Kingston and placing it on the website, he wanted to make sure it was accurate before it went out. Mrs. White suggested everyone review the report and let her know collectively at the next meeting what information needed to be corrected. She would then contact Mr. Castagna and have him revise the report so the information was accurate before it was posted on the website and/or distributed to residents.

History Chapter/Master Plan. Mrs. White had updated this chapter to include the years from 1997 to 2009 and requested that the Board members review and correct any information necessary.

Workforce Housing Question. Mrs. White stated that a developer had inquired what he would need to do to change his existing development to workforce housing, although it had been partially completed. The Board noted it would necessitate a new site plan to be submitted and reviewed by the Board, and would require going through the application process all over again, complying with any new regulations and/or ordinances that had been instituted since the original application was approved.

Budget Meeting. Mr. Pendell reminded everyone that the School Deliberative Session was on February 1st and the Town Deliberative Session was on the 2nd. Both sessions will be held at the multi-purpose room of the elementary school.

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

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

HANDOUTS TO THE BOARD

- Revised History Chapter of the Master Plan
- Selectmen's Meeting Minutes - December 7, December 14 and January 4
- Correspondence from Peter Gilligan in response to the Plan NH report
- Four newspaper articles - 3 cell tower related; 1 citizen's petition related

Respectfully submitted,

Barbara White

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved February 18, 2010