

TOWN OF EAST KINGSTON, NH  
PLANNING BOARD MEETING MINUTES  
January 29, 1998

FILE

WORK SESSION with Appointments

- 7:15 James Bioteau – Subdivision – 179 North Road - Discussion
- 7:30 Cheryl Tucker – Subdivision – 158 North Road - Discussion
- 7:45 Gary & Kathy Tuck – Subdivision – Willow Road/Forest Drive - Discussion

Members attending: Richard A. Smith Sr. - Chairman, Edward C. Johnson - Vice Chairman, James Roby Day, Jr.- Ex-officio, Catherine J. George, Dr. Marston and Alternate Beverly Fillio.

Absent: Alternate Robert Nigrello.

Others attending: Sarah Campbell – RPC Circuit Rider, James & Karen Bioteau, Atty. Jackson Casey, Cheryl Tucker, James Kelley, and Gary & Kathy Tuck.

Chairman Smith opened this January 29th Planning Board Work Session at 7:10 p.m. with the roll call.

James Bioteau – 179 North Road – Subdivision – Discussion: Chairman Smith opened the discussion for James Bioteau at 7:12 p.m. Mr. Bioteau was granted subdivision approval with conditions at his November 21, 1997 public hearing. Since that approval, Mr. Bioteau has made changes to the plan. This discussion was for the purpose of confirming that all conditions have been met and that the test pit located on MBL# 16-04-10 meet the wetland setbacks.

The Board acknowledged the 4,000 K areas for both lots identified as MBL# 16-04-07 and MBL# 16-04-10. The Board also reviewed the conditions for this subdivision as:

1. 4,000 K area be shown on mylar;
2. New lot number shown on mylar;
3. NH licensed land surveyor signature on mylar;
4. Set three concrete bounds (only two set as lot line was moved)
5. Show existing bounds on mylar; and
6. The proposed subdivision must receive state driveway approval.

The Board then acknowledged a map and the following memorandum from Lawrence Smith, Conservation Commission Chairman:

*File this plat with Jim Bioteau's new subdivision plan. It shows the location of the brook relative to the 4,000 K test pit area on the adjacent lot. I checked it on the ground and it's OK. Dick Smith was informed on 1/17/98.*

The Board determined that the plan presented satisfactorily met the conditions set as stated above, and Chairman Smith signed the mylar and its copies.

January 15, 1998 Planning Board Minutes: The Board reviewed the January 15, 1998 minutes and noted a spelling error.

MOTION: Mr. Day motioned to approve the January 15, 1998 Planning Board minutes as corrected. Mrs. George second. The motion passed 5-0.

Incoming Correspondence: Chairman Smith acknowledged the following correspondence:

1. RPC's 14<sup>th</sup> Annual Legislative Forum to be held at 7:00 p.m. on 2/11/98 at the Hilton Auditorium Rockingham County Complex;
2. Regional Environmental Program;
3. Quinlan Publishing Company's Zoning Bulletin. \$81.00 for a yearly, biweekly subscription;
4. Annual Spring Conference questionnaire;
5. OSP Plan NH – an application and brochure explaining the expert assistance in planning designing. Most fees are funded by grant leaving modest costs to the municipality.

**Cheryl Tucker – 158 North Road – Subdivision – Discussion:** Chairman Smith opened the discussion with Cheryl Tucker in relation to a 2-lot subdivision proposal for property located at 158 North Road.

Mrs. Tucker informed the Board that test pits were being done on January 30, 1998. She presented a survey map in which she explained her proposal to subdivide 4.6 acres into two parcels. She noted that there is 700 feet of road frontage on the property.

She stated that she is seeking the Board's recommendations and direction in proceeding with the plan. She stated that her soil scientist has already flagged the property and that Hydric B soil goes down the middle of the parcel. Although meeting the wetland setbacks is close, she believes, as does her surveyor, that all requirements can be met. Once the plan is drawn, such confirmation will be made.

Mrs. Campbell informed the applicant that the test pit regulations have been amended. She presented a copy of those amendments to Mrs. Tucker to be used for the test pit digging to be done on the 30<sup>th</sup>.

Mrs. Tucker was given a subdivision application and was notified of the 21-day submission period.

**Gary & Kathy Tuck – Willow Road/Forest Drive – Subdivision – Discussion:** Chairman Smith opened the discussion for Gary & Kathy Tuck who propose to subdivide 8.8 acres (owner of record: Charlotte Wall), into two parcels. Mrs. Wall will keep 2 acres to accommodate her home and will sell the remaining 6.8 acres to the Tuck's.

Mr. & Mrs. Tuck further stated that the barn located on the Forest Drive side of the parcel will be sold along with the 6.8 piece. The Tuck's will then build a house next to the existing barn.

The Board informed the Tuck's that HISS mapping will be required on both parcels and the subdivision must receive state subdivision approval as a lot of less than 5 acres is being created. The plan must also show the existing house, barn and septic.

The Board further stated that both lots must meet all current subdivision and zoning regulations. The Tuck's were given a subdivision application and were notified of the 21-day submission period.

**Capital Improvements Plan:** Mr. Day stated that the Board of Selectmen looked at the capital projects for 1998 and concluded that the \$40,000 towards the replacement of Engine #3 for the fire department could prove "pricey" when trying to sell it to the voters.

Chairman Smith stated Engine #2 was acquired through a lease/purchase agreement. A capital reserve fund (CRF) was used for its downpayment. With the agreement being prorated, the town paid more money for the truck over the period of the agreement.

He continued to say that with a CRF, money placed in those accounts collect interest. This plan will save the town money.

Mr. Day responded that he agrees with Chairman Smith, however, the big ticket items in the 1998 warrant articles may hinder the voter's approving of the \$40,000 CRF for the fire department.

Mrs. Fillio stated that the town has always funded the items needed by the fire department. The town realizes the value of having a good fire department. She continued to say that she feels the town will approve the fire department warrant articles but not the purchase of the Kennerly property. The \$275,000 proposal will not "fly", as it is too big of a ticket item.

Mr. Day stated that the Board of Selectmen do support the fire department, but because of the big-ticket items on the ballot, it would be unfair to presume the town will approve them all.

Mrs. Fillio reiterated her position that the Kennerly property purchase will not be passed by the voters.

Mr. Day stated the he had no problem establishing a CRF for the replacement of engine #3, or maybe even proposing a smaller amount of money to be placed in it. But, not the full \$40,000.

Chairman Smith responded that if the Selectmen were not going to use the recommendations of the Planning Board in the CIP, then writing it was just a waste of time. Why was the CIP done in the first place?

Mr. Day stated that the CIP can be revised year after year, the Selectmen are not suggesting the town can't purchase a fire truck.

Mrs. George suggested the Selectmen leave the warrant article at \$40,000 and let the voters determine if they want to fund it or amend it. Money put into a CRF is advantageous to both the town and the fire department.

Mrs. Campbell recommended the 6-year schedule of the CIP, with revenues anticipated to fund the projects, be put in the Annual Town Report to show the voters what the Planning Board recommends.

After brief discussion the Board agreed to place the CIP Table #10 with an introductory page inside the town report and not in an "insert" format.

**Mylar Signatures:** Mr. Day raised the question of why the Chairman of the Planning Board was the only signature necessary for mylar approval. He inquired if having five signatures on the plan would be better. He stated that Chairman Smith may have felt "backed into a corner" with the Bioteau subdivision and Mr. Bioteau's unrelenting urgency to get his plan recorded.

Board members stated that to move the approval and recording process along, getting one signature was faster and easier than trying to obtain five signatures. Although five signatures may be obtained at a meeting, sometimes waiting a month until the next meeting to get a plan signed, may cause unnecessary hardship to the applicant.

The Board agreed to continue using the Chairman signature process to record plans.

**Land Use Maps:** Chairman Smith requested the RPC forward the newest Land Use Map to the Town Offices for town use.

**Recording Secretary Responsibilities:** At the request of the Selectmen's Office, the duties of the recording secretary must be documented. The Board reviewed the list submitted by the Administrative Assistant and noted additions.

**Site Plan Review:** Mrs. Campbell presented to the Board a rough draft of the aesthetics of Site Plan Review. She recommended the Board review the draft and submit changes and suggestions at the February 18<sup>th</sup> meeting.

**MOTION:** Dr. Marston motioned to adjourn. Mr. Johnson second. The motion passed 5-0 and this January 29<sup>th</sup> planning board work session ended at 9:05 p.m.

Catherine Belcher  
Secretary

Minutes completed and on file February 2, 1998.