

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
February 7, 2000

FILE

AGENDA

6:15 Zoning Amendment (Article IV.D.7) – Public Hearing

Members attending: Richard A. Smith Sr. - Chairman, John L. Fillio - Ex-officio, and Alternate Peter A. Riley.

Absent: Dr. Robert Marston, Edward C. Johnson – Vice-Chairman, Beverly Fillio, and Alternates David Morse and Robert Nigrello.

Chairman Smith opened this February 7, 2000 public Planning Board meeting held in the Conservation Commission office at 6:15 p.m. Noting the absence of Dr. Marston, Mrs. Fillio, and Mr. Johnson, he designated alternate members Mr. Riley to participate in any voting matters that come before the board.

Zoning Amendment– Article IV.D. 7 – Public Hearing: Chairman Smith opened the public hearing for the proposed zoning amendment of Article I VD.7 at 6:15 p.m. Members read allowed the proposed amendment whose purpose is to update the Town's wetland ordinance to be consistent with the new wetlands and soils language adopted by the State. It was noted that other amendments to the Site Plan Review and Subdivision Regulations had already been made regarding this new wetlands language and that this particular amendment was also required.

Replace Article IV.D.7 (pgs. 7 & 8) with the following:

Every lot not served by Town sewer shall be subject to the following (ref: New Hampshire Code of Administrative rules PART Env-Ws1014 Effluent Disposal Areas – General Requirements).

- A. Receiving Layer. The receiving layer for an effluent disposal system shall meet the following criteria before a site is considered suitable for modification, as needed, for system design and approval:
 - 1) There shall be no wetlands that have very poorly drained soils, determined in accordance with Env-Ws 1002.76, 1014.02, and 1014.03, under or within 75 feet laterally of the proposed system;
 - 2) If the proposed effluent disposal area is to be within 75 feet of a wetland boundary, then areas delineated as wetlands shall be further classified as having poorly drained or very poorly drained soils, in accordance with Env-Ws 1002.49, 1002.76, 1014.02, 1014.03;
 - 3) There shall be no poorly drained jurisdictional wetlands, determined in accordance with Env-Ws 1002.49 and 1014.03, under or within 50 feet of the proposed system;
 - 4) There shall be at least two feet of permeable soil above any impermeable subsoil;
 - 5) There shall be at least three feet of soil above bedrock; and
 - 6) The extent of receiving layer with respect to paragraph (4) and (5) shall be under and a minimum of 35 feet down gradient of the proposed effluent disposal area, but no less than the distance required for any side and down gradient fill extension.

- B. The two feet of permeable soil above any impermeable subsoil required by paragraph (A)(4) above may be created by placing fill onto the subsoil, subject to the following conditions:
 - 1) The fill shall meet the criteria of paragraph (D) below; and
 - 2) Any state or local permits necessary to place the fill shall be obtained.

- C. The three feet of soil above bedrock required by (A) (5) above may be created by placing fill onto the subsoil, subject to the following conditions:
- 1) There is an average of 18 inches of natural soil above the bedrock;
 - 2) The fill shall meet the criteria of paragraph (D), below;
 - 3) Any state or local permits necessary to place the fill shall be obtained; and
 - 4) Fill shall be placed prior to the department issuing subdivision approval;
- D. Fill used to create a receiving layer in accordance with this section shall:
- 1) Contain no tree stumps, sawdust, wood chips, tree bark, bricks, asphalt, concrete, metal, wallboard, construction debris, or other such non-soil materials;
 - 2) Contain no more than 25% by volume of cobbles larger than 6 inches in diameter or stones larger than 12 inches in diameter;
 - 3) Have a percolation rate of not greater than 15 minutes per inch after placement and compaction; and
 - 4) Be homogeneous, and if bedding planes or other discontinuities are present, detailed soil analysis from a person or laboratory qualified to perform the analysis shall be submitted with the application to establish that the fill meets the above criteria.

With no questions or comments from members,

MOTION: Mr. Fillio motioned place the proposed amendment to Article IV.7 as outlined above on the March 2000 ballot. Mr. Riley seconded. With no further discussion, the motion carried 3-0.

The board then discussed the Elderly Housing Ordinance language as it would appear on the March 2000 ballot. They reviewed the density calculations.

With no further business,

MOTION: Mr. Riley motioned to adjourn. Mr. Fillio seconded. The motion passed 3-0 and this February 7, 2000 Planning Board meeting ended at 6:30 p.m.

Respectfully submitted.

Catherine Belcher
Secretary

Minutes completed and on file February 11, 2000.

Approved: 4/20/00