



**PLANNING BOARD  
TOWN OF EAST KINGSTON  
NEW HAMPSHIRE**

2003-2004:  
*James Roby Day, Jr., Chairman*  
*Richard A. Smith, Sr., Vice Chairman*

**MINUTES**  
(Regular Meeting and Public Hearing of February 26, 2004)

**AGENDA:**

- 7:00PM – **Board Business**
- 7:10PM – **Public Hearing** – East Kingston United Methodist Church parking lot and dwelling site plan (PB#04-OA)
- 7:45 PM – **Public Hearing** – Home Occupation, 165 North Road
- 8:30 PM – **Discussion Only** – Joseph Cacciatore, realtor, acting for Stewart Aronson, 52 Willow Road, and a prospective buyer IRT the feasibility of a home occupation permit application
- 9:00PM – **Adjournment**

**CALL TO ORDER:** Chairman Day called the regular meeting of the East Kingston Planning Board to order at 7:00PM.

**ROLL CALL:** Helen Lonek called the roll.

Members present – Mrs. **CE** Belcher; Chairman JR Day, Mr. M Dworman, Ex-officio; Dr. RA Marston, DVM; Vice Chairman RA Smith, Sr.  
Alternate members present – Mr. JD Burton and Mr. EV Madej  
Advisor's present: Ms. Maura Carriel, Rockingham Planning Commission (RPC) Senior Planner  
Fire Capt. Andrew Conti, East Kingston Fire Department  
Mr. Kory J. Skalecki, East Kingston Building Inspector

**Voting member** – Mr. Day noted that since it was an even month, Mr. Madej shall act as a voting member in the event a member must step down, barring other considerations.

**BOARD BUSINESS:**

**Minutes –**

**MOTION:** Mr. R. Smith **MOVED** that the minutes of the February 19, 2004 meeting be approved as presented and corrected. Dr. Marston seconded and the motion carried unanimously.

**Notes & Asides –**

Mr. Day announced that Ms. Carriel would be leaving after the Methodist Church public hearing, but will be back next meeting.

Mr. Day noted that the Wingold Grange program is scheduled for February 27, not January 27 as stated in the Minutes. He stated that he didn't know what the forum would look like, but that it was an opportunity to discuss some very important issues. The Grange meets at 7:30PM and the meeting starts at 8:00PM.

Ms. Carriel will get the revised Housing Chapter of the Master Plan for the regular March 18 Planning Board meeting.

May 11 is the New Hampshire Office of Energy, Zoning & Planning conference. Mr. Day suggested that Mr. Burton attend, who responded that he would if he could. He also mentioned that in years past there was something for recording secretaries.

In regards to the Reading File, Mr. Day asked Dr. Marston about the list of ingredients provided by Mr. Paul Masone's tenant. Dr. Marston stated that he did not see anything that would pose a problem.

March 11 is the NROC presentation regarding natural resources and how we use them. The Conservation Commission as well as the Planning Board are involved. This meeting is a planning one for an open forum regarding natural resources, which will take place in June. East Kingston has been picked as a forum for looking at these issues.

Mr. Day advised that before the Board gets started on the first issue of the East Kingston United Methodist Church parking lot, the Board must address some points.

First, he reminded that the Board has had an opportunity to read Town Counsel's review of the parking lot. He also pointed out that this review is considered "Privileged and Confidential", thus the information cannot be divulged to the public. The Board must take these comments and incorporate them into the reasoning so that a decision may or may not reflect Counsel's advice. This letter or its contents can go no further than the Planning Board. It will not be a part of the public record or in the file.

Second, this application is very close to home. Mr. Madej is a direct abutter, so he has to step down. He then asked if anyone had a conflict of interest in this matter. Ms. Belcher stated that she would be recusing herself from this because she does have a conflict of interest in the decision.

PUBLIC HEARING--EAST KINGSTON UNITED METHODIST CHURCH PARKING LOT AND DWELLING SITE PLAN (PB#04-OA)

Mr. Day opened the hearing.

For the applicant: Dennis G. Quintal, PE. Mr. Quintal presented a site plan for

1. The parking lot;
2. The addition;
3. The single family dwelling (parsonage)

Mr. Quintal also submitted 11X17 copies of the plan. He noted that there were extra copies as well as full size sheets available.

Mr. Day stated that the Board's first task is to look at the application to make sure it is complete so the Board can take jurisdiction over the project. He indicated that people with an interest in the subject would probably be considered to be abutters, i.e., actual abutters as well as any congregation members.

Mr. Quintal prepared the engineering site plan and stated that he has been meeting with the Building Committee of the church regarding 34 Depot Road, MBL 9-6-3 as part of the Maplevale subdivision to have a piece of the Maplevale property joined and merged with the existing church lot. This is how it came to be a 2.26-acre lot. Gove Engineering did the surveying.

Mr. Quintal said that the main problem was the parking situation. Parking has been along the street. Overflow was on abutter's property and the library. This really posed a problem. In meeting with the congregation members, Mr. Quintal stated that options were discussed to address the immediate concerns. It was discussed that parking for 30-40 cars with a walkway from the parking area to the church was necessary. That was the immediate need. They decided that preparing a preliminary master plan would be in the best interest of the church and review it all at once to come up with a final plan. This would include an addition for a function hall with classrooms.

Also, a single family dwelling was proposed for a parsonage for the Minister to live in instead of renting. That was the reason it was added to the Master Plan.

There was discussion regarding waste water flow and Mr. Quintal assured that the slope of the property would have the runoff going into the wetlands area. The septic is designed to be a flat septic beneath the parking lot, which he stated is common practice. He said that Maplevale has a community water supply and part of the plan in the future is the church would do away with its well and tap into the Maplevale water system. This would help with flow requirements because the protection area could be used.

Mr. Quintal indicated that this was a preliminary design and that it has not been finalized. The plan shows parking for 102. This is to be able to accommodate parking for events so that street parking would be eliminated. He stated that the plan is to add a 12-foot handicap driveway whereby the handicapped could be dropped off at the front door, but this would primarily be used as the walkway from the parking lot to the church entrance. He said that the drainage analysis has been submitted to the Town as well as to Mr. LK Smith. Mr. Quintal stated that he had located the abutter's wells. He also indicated that the lights will be controlled by both a switch and a sensor. If there are no events at the church, the lights can be turned off by a switch. He has received Ms. Carriel's comments. Mr. Day noted that Mr. Burton will be the voting member for this application and that five will make a full Board.

Mr. Day stated that the drainage analysis has not been seen and asked Ms. Carriel to review her memo with her recommendations. Ms. Carriel noted that her recommendation is that the application is not complete. She said that the usual review is to go through the Town's requirements to make sure all information is included. She went through her nine points of required information that are missing.

1. Area dimensions (acres and sq. ft.) for the lot need to be added. Mr. Quintal stated that this can be done and that the lot is 2.26 acres.
2. The plan is missing the seal of a licensed land surveyor, wetland scientist and soil scientist. Stamps will need to be affixed to the final plan prior to the Board's approval. Mr. Quintal stated that they would be on the final mylar
3. The plan shows county soil information. The application material does not include the required soil information as outlined in Subdivision Regulations Sec. VII. The required Level 1 information and supporting documentation should be provided to determine whether SSS maps are, or are not, necessary. Mr. Quintal stated that he would provide site specific soil information.
4. If not already submitted, a drainage report should be provided. Mr. Quintal stated that Mr. LK Smith has the drainage report and that he did not have any problem with this application. He further stated that all water that runs off will run towards the storm water detention area, go through a pipe and enter the wetlands area. Mr. Day observed that the Planning Board does not have the drainage report and would need several copies for purpose of review.
5. If a dumpster is to be used, its location and required screening should be detailed. (Site Plan Reg. VIII. F, 6). Mr. Quintal said that right now they have inside containers and do not use a dumpster.
6. The dimensions of the proposed parking signs should be provided. [Site Plan Reg. VIII. F, 5e]. Mr. Quintal said that he will add that.
7. The size and location of water and sewer utilities need to be shown. (Site Plan Reg. V.F). A note on Sheet S1 indicated that the site will be served by an off-site water supply, which is the community water supply system serving the Maplevale subdivision. However, the location of water lines are not shown, nor is detail provided on the proposed septic system. State specific approval will be required prior to the Board's final approval. Note 9 on Sheet E1 stated that test pit data is provided on a detail sheet, but the information does not appear on any of the detail sheets. Mr. Quintal said that he can add that to the plan. He stated that he needed to know if this was going to be approved before a septic plan can be designed.

Mr. Day suggested that Mr. Quintal speak to Mr. Peter Lewis of Maplevale about tapping into their water supply. Mr. Quintal said they would be getting a letter from Lewis Builders stating that the church can tap into their water. Mr. Day added that at some point these are going to be turned into easements.

Mrs. Belcher stated that the circle road would be a town road, but that all others are private. All of Cricket Hill is private.

8. Site Plan Reg. VIII. E, 1 requires the submittal of elevations for all proposed buildings. At a minimum, elevation drawings of the proposed function hall addition should be provided. The Board should decide whether it wishes to see drawings of the proposed single-family home. Mr. Quintal provided plans which included the building's classroom with elevation.
9. Pedestrian access is not addressed on the plan, and should be incorporated into the design (Site Plan Reg. VI. D, 4). Sidewalk connections should be made from the street and the parking lot to the building entrances. An attempt should also be made to safely accommodate pedestrians across the expanse of the parking lot. Mr. Quintal stated that they want to install sidewalks from the street. It would probably be a while before that would be done and that there probably should have been one on 107. Ms. Carriel asked if the parking lot would be gravel or pavement. Mr. Quintal stated that it would be good to have a paved walkway as soon as possible and that this will be done in phases as the need presents. When funds are available another phase would be to do the addition and when more funds were available, then the single-family home. It won't be paved right away and there can be a delineated area for pedestrians.

Mr. Day noted that Lewis Builders intends to have a sidewalk down to the end of the walkway on the side of the church. He stated it would make sense to speak to Mr. Lewis regarding the configuration of the walkways. Mr. RA Smith said there was supposed to be a sidewalk from Cricket Hill to 107.

Ms. Carriel's review also contained other issues:

10. The Board should resolve any questions with regard to zoning and whether the church is a permitted or legal non-conformation use. Ms. Carriel said that if the Board decides that this should go to the Zoning Board, maybe it should consider a joint meeting with the Zoning Board which could help coordinate the process.
11. This item included broad comments regarding the paved lot as well as the proposed lighting plan and her feeling that the paved surface of the parking lot is extensive and may even be excessive. She feels that there is a lot of parking here and wanted to know how much is actually necessary. Maybe they should try to reduce the amount of pavement to be plowed. There are some other things that can be done and the Town does give flexibility.
12. The proposed landscaping plan is limited considering the amount of pavement being added in what is a residential area. The Town's Site Plan Regs. require adequate landscaping and buffers to "provide privacy and noise reduction to residential areas abutting non-residential sites" (Site Plan Reg. VI. B), and Site Plan Reg. VII. F.8.b. also requires the placement of one tree per 35 feet of lineal roadway. Ms. Carriel stated that this is a large expanse of paving. It is important to look at some way to landscape so that it shields the view of abutters so that it is a good looking project.
13. More detail should be provided on the lighting plan. Site Plan Reg. VIII.F.4 restricts the maximum illumination level anywhere on the property to 0.5 footcandles. The light plan shows the boundary of the 0.5 footcandle lighting level, but does not indicate the lighting levels directly under the light. The proposed pole height of 25' is the standard height for a streetlight, and is not in keeping with the character of the area, nor with the lighting approved for the Maplevale subdivision. The applicant should also discuss whether light fixtures can be set to turn off at a certain time.
14. The Fire Department and Conservation Commission should also review the plans and provide comment.

Ms. Carriel then stated that her recommendation is that this plan be deemed incomplete and this matter should be continued to the next meeting.

Mr. Day noted that the Board went to some lengths with the Maplevale people to keep the lighting to a minimum given the proximity of units to the immediate north. He suggested that the lighting fit in with the Maplevale development. There is a potential of having a town center.

Mr. Day asked if anyone on the Board had any questions of Mr. Quintal.

Mr. Burton asked if it was the church's intention to rent out the function hall to outside groups. He added that that has to be taken into account.

Jan Smith, 120 Sanborn Road stated that that is not their intention at this time.

Mr. Ray Donald, 174 North Avenue stated that there will be weddings and funerals. No school is intended and the function hall will not be rented out and will only be used for church functions.

Mr. Dworman asked how they had calculated the number of parking spots needed. Mr. Quintal answered that sometimes there are events where there is overflow to the library, the street and onto a butter's property. The 40-50 number is the immediate need, but not the long range plan. Mr. Dworman asked if they had done a study to see how many parking spots would be needed in the next few year.

Mr. Quintal stated that they could start with 40 spots and expand it in stages. He noted that when the school has an event the school has extra parking for this and that it is difficult to come up with calculations to determine the exact number of spots that would be needed. The main concern was getting parking off the street.

Howard George, 96 Depot Road said that they counted between 30 and 75 cars to come up with the figure.

Mr. Day reiterated that the Board has to decide if it will take jurisdiction over this plan. It appears that there are still a lot of items missing. He said that he would contend that maybe they would benefit from reviewing the plan as it is presently presented and come back to the Board with a completed plan.

Mr. Burton reminded that Ms. Carriel had brought up the subject of a joint meeting with the Zoning Board. He stated that it doesn't do the Board any good to take jurisdiction over this if the Zoning Board rejects it.

Mr. Day stated that it is important to note that Town Counsel has advised that this may have to go to the Zoning Board regarding the 1) expansion of a non-conforming use. Counsel is looking at what is being proposed and there are three separate issues. Article IX paragraph D "A building lot shall have no more than one single family residence, commercial establishment or manufactured housing thereon. Counsel's interpretation is that this would necessitate going to the Zoning Board for a variance.

Counsel's second concern is with Article XX, paragraph E "Enlarged or expanded either in use or structure." This might possibly also necessitate going to the Zoning Board. It was also noted that this was amended in 1991.

Mr. Ray Donald asked where in the ordinance does it state that you cannot have a church in the middle of a residential area. He stated that there is only one residence.

Mr. Day reminded everyone that he is describing how the Board has been advised by Counsel. Those are the two ordinance concerns of Counsel. He asked the Board if the plan is complete enough to take jurisdiction.

Mr. Dworman asked if the Board could conditionally take jurisdiction to which Mr. Day answered "No".

Mr. Dworman stated that since there are several things that need to be expanded upon, Mr. Quintal should come back next meeting with a revised plan

Mr. Burton said he felt that there is a lot of work to do. That this is a complex project. He didn't think the Board could accept jurisdiction. Dr. Marston stated that he agreed with Mr. Burton. Mr. RA Smith said that the Board should let him come back one more time. It was decided that the Board would not accept jurisdiction at this time.

Mr. Day stated if the Board agrees with Counsel's advice, they cannot approve the plan without Mr. Quintal going to the Zoning Board.

Mr. Quintal said that this was not really a residential lot and Mr. Burton stated that it is a grandfathered non-conforming use in a residential zone. If you want to expand a building that is grandfathered, you have to go to the Zoning Board.

Mr. Day noted that this is a three-part application all lumped into one. He asked Mr. Quintal what was the top priority. He suggested that it might go faster if they were divided into three separate issues.

Mr. Day opened the floor to abutters.

Mr. Madej asked how will this affect the Baker house next door to the church. Mr. Quintal stated that the grade drops off away from their property. Right now the property is an open field, but the plan provides for more trees and arranging them so that they block the view of the lot. Mr. Madej asked about their well water and Mr. Quintal said that this should not affect them.

Mr. Donald stated that this should be a positive not a negative in regards to traffic for the Brown's Academy and asked the Board to keep in mind that this is not a WalMart. It is a limited use building and there are no bottomless pockets of money. They will start with a graveled parking lot and later pave it. As the church membership grows, they could add onto the building. The minister here is also the minister of Fremont, where he has a residence. He splits his time. The master plan is in case the enrollment and membership increases, the church could eventually have its own minister. He asked if the Board would actually care how much the church paid for plowing. He stated that he understood the lighting situation and asked the Board to please keep in mind that this is a church and not a business. He said there is nothing that prohibits a church or school in a residential area.

Mr. Day suggested they keep the parking lot gravel so that it does not lose percolation space. He expressed his concern of all the paving pushing more water into the wetlands.

Mr. George said that the only reason they considered having it paved was because they thought that would be what the Board wanted.

Mr. Smith stated that in the past, anytime you wanted to do something to the church you just went to the Building Inspector and got a permit to do so. When they built a church on Willow Road, they were allowed to build a parsonage.

Mr. Donald stated that he did not understand why you can have a barn and a house and you can have a separate garage and a house and you can have four barns and a house, why you cannot have a church and a house.

Mr. Burton stated that this is not something the Board can resolve as a policy matter. He thinks that the Board can take into account that having a centrally located church with a function hall in that location has a big positive affect reflecting the town's Master Plan. The benefit to the community should be taken into account and having a minister on-site would be a tremendous benefit to the community in regards to counseling and having someone people can go to whether or not they are part of the congregation. There are strong arguments for good public policy to work with the church on this application, but this is a complicated project.

Mr. Day stated that the Planning Board has latitude within the ordinance where there are grey areas and not specifics. That is why the Board has Counsel.

Mr. Burton stated that it is important that the Board get Zoning Board involvement.

Mr. Day closed the floor to abutters.

Mr. Quintal stated that he knew what needed to be done and that he might have to meet with Ms. Carriel.

Mr. Day announced that this public hearing would be continued to March 18 at 8:30PM.

Mr. Day closed the public hearing.

PUBLIC HEARING—HOME OCCUPATION, 165NORTH ROAD

Mr. Day opened the public hearing.

Ellyn and Bruce Olson appeared before the Board. Mr. Day asked them to give a summary of what type of business is involved. He advised them that the Board does not make the final decision. The Board makes a recommendation to the Selectmen. He asked them where their property is located. Mrs. Olson stated that it is on the corner of Giles Road and North Road and showed pictures of the premises. The proposed home occupation area is attached to the house but has a separate entrance. It is used for storage at the present time. There is a parking area that will be gravel, not paved.

Mr. Day asked if they had brought smaller pictures for the Board. It is normally expected to have pictures at the time of the application.

Mrs. Belcher stated that they are supposed to supply pictures at the time of the application and that it is listed on the application. She said that it was important to document what the property looked like originally. Mr. Olson said they would get the pictures to the Board. Mrs. Olson stated her hours of operation are: closed Sunday and Monday, Tuesday to Friday 9-5 and Saturday 9-4. She stated she runs a Christian bookstore and is an artist. She paints on wood as well as large nativity scenes for front yards. At the present time she does not have room.

Mr. Burton asked if the paintings would be sold in the store. Mrs. Olson stated that it would be a bookstore and she would also paint and sell the pictures in the store. Mr. Burton asked on average how many customers did she expect per day. Mrs. Olson said that sometimes there would only be two and sometimes as many as 10-12 during the peak season of Christmas. She stated that there would probably never be more than 5 or 6 cars at a time. She usually gets only two people at any time.

Mr. Madej expressed the Board's concern of the parking on the lot. Mrs. Olson stated that they do not want this to look like a retail area.

Mr. Day asked if the Olson's had had a chance to read the ordinance that addresses home occupations to which Mrs. Olson responded yes. The intent is for it to be first and foremost a residential area. Mr. Day read #2: "Exterior of the building must not create or display any evidence of the home occupation, except a permitted sign. Variation from the residential character is prohibited." He also listed the ten uses that were permitted.

1. Medical and dental offices;
2. Other professional offices, including lawyer, engineer, architect;
3. Tailor, seamstress;
4. Artist or musician;
5. Day care for up to twelve preschool plus five school-age children;
6. Bookkeepers, accountants, secretarial services;
7. Real estate and insurance offices;
8. Beauticians and barbers;
9. Art, craft, hobby, and antique shops;
10. Occupations not listed above that are of a similar nature, and only if the Board of Selectmen finds that the occupation meets the provisions of this section.

Mrs. Belcher felt it would be the same as #9, art, craft, hobby, which is a permitted use.

Mr. Day read the items on the Home Occupation Checklist

1. Home occupation located in house or structure accessory to the dwelling unit.
2. Exterior of the building must not display any evidence of the business except a permitted sign.
3. Not more than 1 commercial vehicle kept overnight unless shielded from sight.
4. Adequate OFF STREET parking provided.
5. Business conducted by a resident to the premises.
6. Business MUST NOT emit SMOKE, DUST, ODOR, NOISE, GAS, FUMES, LIGHTS or REFUSE MATTER.
7. Business MUST NOT create hazardous traffic conditions.
8. Use of the dwelling must not be more than 25% of gross floor area (unless on a state road – 50%).



9. Not more than 2 non-resident employees (unless on a state road – 4 allowed).
10. A photograph of the front and rear of the residence must be submitted along with the application.
11. The building housing the home occupation must meet all applicable building and fire codes.

Mr. Day stated that this list is what they are going to be held to. He said that they put down 5 or 6 parking spots. If there is a lot more traffic than expected, then the applicant would have to return to the Board to re-evaluate the application.

Mrs. Belcher asked if the Board should consider placing a limit at this time so there is no question later as to the fact that they are expanding over what the parking could handle. She also suggested having an annual fire inspection for customer safety. She also stated that there should be a sign posted to prohibit on-street parking.

Mr. Burton stated that if the traffic flow becomes substantively greater, the Board may have to review it.

Mr. Olson said that they could remove the garage if it appears they need more room for parking.

Mr. Day stated that it would be useful if the Board had an exact number of parking spaces. It was agreed that the definitive number would be five.

Mr. Dworman noted that the requirement states that no more than 25% of gross floor area can be used for a home occupation. He stated that the parking lot should be considered as part of the business and added to the gross area. Mr. Burton disagreed.

Mrs. Belcher stated that since it is on a state road the gross floor area can be 50%. If it grows to that point, the business would have to move to another location.

Mr. Burton asked if the Olson's would also use this parking lot for their personal cars and Mrs. Olson stated that they have a driveway on the other side of the building. The entrance and parking for the home is on the other side.

Mr. Day said that he knows of at least two or three home occupations in East Kingston which had a dedicated parking area.

Mr. Smith mentioned the Pottery Shed paved their parking lot without any permission and he didn't feel that this was a big issue.

Mr. Day opened the floor to abutters, of which there were none.

Mr. Day stated that the Board would give a recommendation to the Board of Selectmen with the conditions that there is no on-street parking, an annual fire inspection and five firm parking spots.

**MOTION:** Dr. Marston **MOVED** to recommend to the Board of Selectmen that they approve the home occupation of Ellyn Olson providing some sort of sign with "No on-street parking" is posted and that there would be an annual fire inspection. Mr. Smith seconded, and the motion carried unanimously.

The Board of Selectmen will have this for their next meeting, March 8. The Olson's were reminded about getting the pictures to the Board and Mrs. Belcher suggested that they call the Selectmen's office to make sure they are on the Agenda and that it would be a good idea if the Olson's attended this meeting as they would approve or disapprove at that time. She also suggested they come up with some sort of signage to present at that meeting.

Mr. Day closed the public hearing.

DISCUSSION ONLY—JOSEPH CACCIATORE, REALTOR, ACTING FOR STEWART ARONSON, 52 WILLOW ROAD, AND A PROSPECTIVE BUYER IRT THE FEASIBILITY OF A HOME OCCUPATION PERMIT APPLICATION



Joseph Cacciatore, realtor representing seller Stewart L. Aronson, Faye and Robert Santos appeared before the Board.

Mr. Day started out by informing them that this is only a discussion and any decisions regarding it are non-binding on either party. Mr. Day asked the Santos' if they have had a chance to read the ordinance on a home occupation permit.

Mrs. Santos stated that they were not there to request a home occupation permit. The reason they are before the Board is that they are buying property at 52 Willow Road and want to be able to bring home their landscape equipment at night (trucks and trailers). This is primarily a residence.

Mrs. Belcher asked where is the office for the business and Mrs. Santos answered a room in the home.

Mr. Burton asked if they have employees at the home and Mrs. Santos said that sometimes when the employees are dropping off the equipment they come in but not very often.

Mr. Day stated that what they are describing is a classic home occupation. There are any number of people in town who conduct their business from a back room.

Mr. Dworman stated that you cannot have more than one vehicle overnight unless it is shielded.

Mrs. Belcher asked what types of vehicles are they talking about. Mrs. Santos listed a bobcat, small front loader, landscape equipment, two one-ton trucks, 1 ¼ ton truck, two trailers: one 12 ft long and the other 18 feet long, two tractor mowers. They do not store salt on the premises. The main business is on the coast. They do sometimes keep bark mulch, gravel, loam, some small amounts of masonry and bricks to be used personally. They do not bring home pallets of brick.

Mr. Madej asked how big the property was. Mrs. Santos answered three acres and they also have a cow.

Mr. Day quoted the ordinance, "Not more than one commercial vehicle may be kept overnight at the premises unless shielded from sight by garage, fencing, etc." and stated that the Board could not suggest that it will recommend a home occupation without a garage or some way to hide the vehicles.

Mrs. Belcher stated that Willow Road is very rural and that the people of that area do not want it to be a commercial area.

Mrs. Santos stated that two of the trucks are their own personal vehicles. She stated that she did not understand why they would need a home occupation permit when all they do from their home is answer the phone and get mail.

Mr. Burton stated that that is their place of business

Mrs. Belcher stated that what would hurt this application are the number of vehicles. If a barn was built to store the vehicles, it would be bigger than the house and therefore over the 25% limit.

Mr. Day listed the permitted uses and stated that it had to fit into one of these:

1. Medical and dental offices;
2. Other professional offices, including lawyer, engineer, architect;
3. Tailor, seamstress;
4. Artist or musician;
5. Day care for up to twelve preschool plus five school-age children;
6. Bookkeepers, accountants, secretarial services;
7. Real estate and insurance offices;
8. Beauticians and barbers;
9. Art, craft, hobby, and antique shops;

10. Occupations not listed above that are of a similar nature, and only if the Board of Selectmen finds that the occupation meets the provisions of this section.

Mr. Dworman brought up the fact that there are several septic services and assumed that this business would fit into that category.

Mrs. Belcher said that those businesses were probably grandfathered.

Mr. Cacciatore asked if the Board is considering a trailer to be a vehicle.

Mr. Day stated that it is a commercial vehicle. The Board is talking about the volume and the fact that he doesn't want to put the Board in that kind of jeopardy.

Mr. Dworman reminded everyone that this is just a discussion. If the Santos' wanted to make an application, then the Board would consider all issues and questions regarding the home occupation.

Mr. Cacciatore stated that these vehicles are not stored 24/7.

Mr. Day stated that they came before the Board to ask for its opinion.

Mrs. Santos said that it means that they will have bought a piece of property that is useless to their business.

Mr. Burton said that this would also have to go before the Selectmen.

Mr. Day closed the discussion.

**ADJOURNMENT:**

**MOTION:** Dr. Marston **MOVED** the Board adjourn. Mr. Smith seconded, and the motion carried unanimously at 9:20PM.

Respefully submitted,

Recording Secretary

Minutes Approved 3/18/04