

TOWN OF EAST KINGSTON, NH  
PLANNING BOARD MEETING MINUTES  
March 5, 1998

FILE

WORK SESSION

Members attending: Richard A. Smith Sr. - Chairman, James Roby Day, Jr. - Ex-officio, Catherine J. George, Dr. Marston (7:45) and Alternate Robert Nigrello (7:30).

Absent: Edward Johnson and Alternate Beverly Fillio.

Others attending: Sarah Campbell – RPC Circuit Rider.

Chairman Smith opened this March 5, 1998 Planning Board Work Session at 7:00 p.m. with the roll call.

The Board reviewed the agenda for the March 19<sup>th</sup> Planning Board meeting and noted the following:

1. The Charlotte Wall proposed subdivision is to subdivide 8.8 acres into 2 parcels; one being 2 acres, the other 6.6.
2. Keith Moore's home occupation proposal is to operate a pool installation business from Ashlie Road.

Mr. Day informed the Board that Mr. Moore came before the Board of Selectmen on Monday, March 2, 1998 to discuss the scope of his proposed business. Mr. Day continued to say that Mr. Moore is proposing to purchase a house on Ashlie Road and build a large garage/barn on the premises to house bits and pieces of his pool installation business which is now located in Amesbury. He stated that Mr. Moore admitted his intentions are to conduct his pool business out of the garage at some point in the future.

Mrs. Campbell compared Mr. Moore's business as to that of a carpenter. None of the pool installation is done at the premises. A carpenter may store materials and build cabinets from his home, but the actual cabinet installation is done at the job site.

Mr. Day stated that only the scope of the two businesses are the same. The area is too gray and the Board must decide what exactly defines a home occupation. He continued to say that the Master Plan says the business must be incidental to the residential nature of the property.

Mrs. George stated that in viewing Mr. Moore's application, he is only proposing to conduct office duties from the home and that all equipment and chemicals will be stored in a rented storage area.

Mr. Day responded that Mr. Moore told the Board of Selectmen that his intentions are to have the supplies and vendors going to and from the home.

The Board discussed the provisions of the home occupation ordinance and concluded that they cannot write a home occupation ordinance that would cover every possible business proposal that comes before the board.

Chairman Smith stated that the only way to have a home occupation is *in the home*, not the barn or garage. Those types of home occupations eventually blossom into a full business. He went on to say that carpenters are not required to have a permit. They are told not to expand. If they do, they don't go and get a permit because we (the planning board) told them they didn't need one in the first place. It's not right to say that some businesses need permits and others do not. This is how things get out of hand. He concluded by saying that the surrounding towns do not have perfect home occupation ordinances either.

The Board continued discussion of the home occupation ordinance, which included the Board judging each application on its own, possibly tightening the ordinance with strict square footage and traffic impact requirements.

Incoming Correspondence: Chairman Smith acknowledged the following correspondence:

1. Water Treatment Trade Show sponsored by the EPA and others.
2. Flood Insurance Workshops sponsored by the OSP for dates in April and September.

Site Plan Review Regulations: Mrs. Campbell explained that in writing the new site and building design requirements, she envisioned these requirements to be used in the commercial district as well as the light industrial zones. She stated that waivers for any of the requirements may be granted at the Planning Board's discretion.

The Board reviewed the waiver clause in the newly proposed Article VII and discussed whether or not it needs to be addressed in this chapter as one is already addressed under Site Plan Review Procedures.

Mr. Nigrello stated that advertising waivers can be granted at the end of the new Article VII gives the impression the regulations are not enforced.

The Board agreed to replace the waiver sentence under Procedures with the new language waiver paragraph as written. The Board then reviewed Site and Building Design Requirements and noted the following:

1. Remove reference to chain link fencing – this type of fencing is acceptable.
2. Add signage and fencing to top of page 2.
3. Give restrictions to the lighting requirements – Mr. Nigrello to provide details later.
4. Signs – who approves: Selectmen or Planning Board? Further discussion later.
5. Allow for sign usage on buildings, out front of buildings and entrance.
6. Change *per site* (page 3 – D.3) to *per building*.
7. Parking – remove 2<sup>nd</sup> sentence.
8. Landscaping and Buffers – discussed types of trees and bushes to be used, i.e.; poplar, evergreen.

**Future Land Use Map:** The Board reviewed the future land use map and legend in relation to the remaining developable land in East Kingston. The Board directed that “land recommended for protection” be added to the map. Larry Smith, Conservation Commission Chairman will be notified.

**Future Goals for East Kingston:** Mr. Day offered his three realistic future goals for East Kingston as follows:

1. Manage growth rationally and intelligently.
2. Encourage commercial and industrial enterprise.
3. Preserve open space and wetlands.

Chairman Smith offered that the town should preserve drylands v. wetlands because the wetlands can't be developed anyway.

The Board noted that many of the goals listed in the 1988 Master Plan are the same as today. They also stated that actual plans for the development of the light industrial and commercial zones must be outlined instead of just offering to develop it.

Mr. Nigrello offered his future goals for the town as follows:

1. Implement impact fees – distribute the burden of infrastructure cost from existing residents only to incoming and future residents and businesses.

The Board noted impact fees that are collected must be earmarked for specific projects i.e.; new fire apparatus, new fire house, school expansion, etc.

2. Develop industrial zones.
3. Utilize existing town properties for future growth – needs before purchase of additional lands.
4. Actively promote the agricultural business currently located within the town and encourage expansion of agro-businesses to East Kingston.
5. Designate one Selectmen to chair a business committee to ensure attracting appropriate business partners to East Kingston.
6. Maintain the rural charter of East Kingston by balancing resident growth, industrial development and the agricultural history of the town.

Mrs. Campbell stated that future land uses must be written to propose future zoning areas. If more commercial and industrial areas are needed, they should be shown in the Master Plan's Future Land Use Chapter.

She went on to say that some home occupations are exceeding the limits of the ordinance. There may be some residents who want to operate their businesses at their homes to save money, not live one place and conduct their business in another commercial zone.

Dr. Marston recommended rezoning all of East Kingston to Residential/Commercial – let the voters make that decision.

Mr. Day stated that the future of East Kingston will be different from what it is today – growth is inevitable.

The Board noted that the next work session agenda will include further discussion on the Site Plan Review Regulations, Goals and Future Land Use of the Master Plan.

***MOTION:*** Dr. Marston motioned to adjourn. Mrs. George second. The motion passed 5-0 and this March 5<sup>th</sup> planning board work session ended at 9:50 p.m.

Catherine Belcher  
Secretary

Minutes completed and on file March 9, 1998.