

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MINUTES

DATE OF MEETING: APRIL 4, 2002
PLACE OF MEETING: EAST KINGSTON TOWN HALL
TIME OF MEETING: 7:00P.M.
TYPE OF MEETING: MONTHLY MEETING

PRESENT: Richard Smith, Chairman; John Fillio, Ex-Officio, David Morse, and
J. Roby Day, Alternate.

OTHERS PRESENT: Maura Carriel, Rockingham Planning Commission
Amy Conti, Fire Department
Kent Shepherd, Building Inspector

CALL TO ORDER: Mr. Smith called the meeting to order at 7:00 p.m. Roll call was
announced by Mrs. Rice.

Acceptance of Minutes:

March 21, 2002:

Mr. Fillio made a motion to accept the minutes of March 21, 2002.

Mr. Morse seconded. The motion passed unanimously.

In-Coming Correspondence:

1. Letter from Rockingham Planning Commission regarding 2002 payment of dues of \$1,516.00 which is based on 85 cents per capita. The invoice has been sent to the Board of Selectmen for payment.
2. Rockingham Planning Commission News and Notes.
3. Letter from Town Counsel regarding review of Maplevale Condominium and Association Documents. Further information needs to be forwarded to complete this review.
4. Letter of Credit from Community Bank and Trust, Plaistow, NH regarding Paul Masone. This letter of credit has been extended until July, 2002.
5. Letter from Joan Morrison regarding concerns relative the Cricket Hill and Maplevale proposed developments and the impact of water quality and quantity these projects will have on abutting properties.

6. Brochure from Pipeline Industries.
7. Zoning Bulletin Brochure.
8. Letter from Civil Construction Management relative to the Bodwell Lot Line Adjustment.
9. Letter from Jones & Beach, Engineers regarding the Maplevale Projects. Copies of this letter will be forwarded to board members. A copy of the plans will be forwarded to the board engineer for review. It was noted the wetland crossings have been changed, however the road layout appears to remain the same. The size of the homes appears to have changed.

Continued Public Hearing for the Residents of Maplevale, LLC's proposal to subdivide 110 acres into 27 lots located at 14 Depot Road.

This public hearing has been continued until May 16, 2002 at 8:00 p.m. per the applicant's request and board's decision of March 21, 2002.

Public Hearing for a proposed lot line adjustment for Daniel J. Bodwell, 112 North Road, Tax Map 15-3-13 and Daniel Bodwell, 79 North Road, Tax Map 15-3-6.

Mr. Dennis Quintal, Engineer, Civil Construction Management was present. No abutters were present.

A memorandum from Miaura Carrick, RPC was present along with a letter from Mr. Quintal informing the board of a modification to the plan.

Mr. Quintal presented a set of revised plans to the board which depict a lot line adjustment between Tax Map 15-3-13 and Tax Map 15-3-6 located on North Road. This parcel was originally subdivided several years ago consisting of lots greater than five acres. The owner of lot 15-3-13 is planning to sell his home and would like to reduce the lot to a minimum lot size and return the additional acreage to lot 15-3-6 which consists primarily of wetlands. After a review by the current owners, it was felt that if a potential buyer was to purchase Tax Map 15-3-13 and would want to add on a garage or other feature, a variance might be necessary and in order to eliminate that potential problem additional area was taken from Tax Map 15-3-6. The continuous uplands for lot 15-3-6 is 103,000 with the continuous uplands for Tax Map 15-3-13 is 82,000. The board reviewed the driveway access to lot 15-3-6 as well as consideration of entering this lot thru Mr. Tim Bodwell's land. The board reviewed the history of the 3 way common drive of the Bodwell land and the state access permit requirements. A variance may be necessary to access thru Tim Bodwell's land.

It was noted the boundaries need to be set. The board reviewed the fire protection requirements and noted depending on the structure location for lot 15-3-13 is constructed, no additional fire protection requirements would be required.

Ms. Carriel stated the final plans needs to show the 4k areas, the well radius area and boundary monumentation.

The board discussed the driveway easement and Mr. Quintal showed a colored drawing depicting the actual location to lot 15-3-13. The board asked that the proposed driveway be shown on the plan

Mr. Day made a motion to accept the plans for jurisdiction.

Mr. Fillio seconded. The motion passed unanimously.

Mr. Day made a motion to grant conditional final approval with the following conditions:

- A. Location of the 4k area for lot 15-3-6 to be shown on the plan.
- B. Location of the 75 foot well radius for lot 15-3-6 to be shown on the plan.
- C. Certification of Monumentation to be completed.
- D. Proposed driveway access location for lot 15-3-13 to be shown on the plan.

Mr. Morse seconded. The motion passed unanimously.

Discussion of Zoning Ordinances, Subdivision Regulations and Site Plan Review Changes

Ms. Carriel noted she had prepared a memorandum several months ago with regard the wetland conservation and drainage report requirements. A suggestion was made to require drainage reports for subdivisions greater than 3 or 5 lots. Ms. Carriel will draft a proposal.

Ms. Carriel further noted that the application for a lot line adjustment should be revised along with a proposed checklist for this procedure. Ms. Carriel will review the requirements of towns and draft a proposal.

Mrs. Ric and Ms. Carriel will work on a proposal relative to the submission of applications and deadline for revised plan submissions.

Continued Public Hearing for Maplevale Woods. Site plan proposal to develop an elderly housing community located at 14 Depot Road.

This public hearing continued until May 16, 2002 at 8:30 p.m. per applicant's request and Board's decision of March 21, 2002.

Continued Public Hearing for a proposed lot line adjustment for David G. Morse. Tax Map 8. Block 2 Lot 19 located at 40 Willow Road and Jeffery Hirsch. Tax Map 8. Block 2. Lot 7 located at 14 Depot Road.

Mr. Smith stepped down from the board as an abutter. Mr. Morse stepped down from the board as

one of the applicants. Mr. Chris Frey was present from Lewis Builders.

Mr. Frey requested a thirty day extension for this project.

Mr. Fillio noted the public hearing would be rescheduled to May 16, 2002 at 7:15 p.m due to the lack of a quorum present.

Acceptance of Minutes for March 7, 2002

Ms. Carriel noted changes.

Mr. Morse made a motion to accept the minutes as amended.

Mr. Fillio seconded. The motion passed unanimously.

Discussion of Zoning Ordinance Update:

Ms. Carriel informed the board that the Zoning Ordinance update is in the process of being updated and will be available shortly. Ms. Carriel will contact Ms. Gallant at the Selectmen's Office regarding the printing.

Discussion of Rockingham Planning Commission Upcoming Events:

Ms. Carriel noted that a series of training workshops presented by RPC will be held on May 29th- Impact Fees; June 5th- Water Quality and June 12th-Water Quality. These sessions will occur at the Kingston Town Hall at 7:30 p.m.

Mr. Day reported the Impact Fee Ordinance is almost complete and will be presented to the board.

Public Comment:

Mr. Smith asked for public comment.

Mr. Ly Dang, Willow Road expressed concern over the availability of meeting minutes and the cost of such at \$1.00 per page.

Continued Public Hearing for Julien Dunlop, Site Plan Review proposal to raze and rebuild Carmen's Restaurant at 89 Main Street

Mr. Julien Dunlop, applicant was present. A revised set of plans was received today and distributed to the board members. Ms. Carriel noted that she has not had time to prepare a report on this proposal. Mr. Dunlop presented a letter to the board members as a response to the last meeting.

The board reviewed the proposed restaurant location and proximity to Route 108 and Route 107.

Ms. Carriel noted at the last meeting the board decided that this proposal did not signify a substantial change in use and directed the applicant to complete certain pieces of information. A waiver request was requested for the soils information which is incorporated in a letter presented to the board tonight. She noted that she has reviewed the plans quickly and noted that some of the items have been addressed and some have not. She noted the board needs to address the rear set back issue where the parking lot is located. She feels this is creating a new non-conformity and advised the board to address this issue. Additional outstanding items include lighting and its placement as well as spillage onto abutting properties.

The board discussed the location of the restaurant noting that moving it back creates a better situation at the intersection, however it forces the parking area as proposed on the plans to be located in the rear set back. The number of parking spaces was reviewed. It was noted that one parking space per two patrons and one parking space per employee was created for the plans. It was unclear how many employees Mr. Dunlop will have. The board reviewed the parking configuration and noted additional parking spaces could be obtained by taking down the existing barn. The board asked for industry standards and Ms. Carriel noted she would review other town's regulations for what they require. Gravel parking areas were also discussed for seven spaces which are located in the rear setback area. Discussion about the parking in the rear setback and this creating a larger non-conformance issue was reviewed. The rear setback was also discussed in terms of being 30 feet or 10 feet.

Ms. Carriel reviewed a list of items still outstanding. This list was reviewed again by Mr. Dunlop and a third time by the Board. The following is the list of items as prepared by Ms. Carriel on January 14, 2002. Items highlighted in bold print are action items decided upon by the board that need either re-remediation on the plans or data submitted so that it may be reviewed for conformance to the regulations.

1. Locus map This item was satisfactorily addressed and accepted as complete by the board.
2. **Date of plan in title block. Although dates appear in the revision block, the board requested that the original date of submission be placed in the title block area.**
3. **Name and seal of a licensed land surveyor and engineer. Although the plan is prepared by an engineering firm, a licensed land surveyor as well as a licensed engineer must stamp these plans.**
4. Lot Area (acres and square feet), surveyed property lines, bearings, distances and monumentation on sheet 1. This item was satisfactorily addressed and accepted as complete by the board.
5. Existing and proposed contours and finished grade elevations. This item was satisfactorily addressed and accepted as complete by the board.
6. Requiring soils and wetland data. The board felt the intent of the request was fulfilled.
7. Existing tree lines and other vegetation. This item was satisfactorily addressed and accepted as complete by the board.

8. Elevation of first floor slab for new building. This item was satisfactorily addressed and accepted as complete by the board.
9. Size and location of water supply and sewage facilities, and provision for future expansion of sewage and water facilities. The board felt the present facilities were shown adequately. Discussion took place on the future expansion of sewage and water facilities and the applicant noted no expansion of the business would take place. It was further noted that if the septic system failed, it can be replaced in kind.
10. **Drainage plan.** (The site reflects an increase in impervious surface area due to the expansion of the paved parking lot.) A letter was received by the applicant in the form of a variance to this regulation requirement. The board feels if the square footage of the impervious surface is increased on the property a drainage plan will be required, however, if all impervious surfaces remains the same but is relocated a drainage plan will be required and if the impervious surface remains exactly the same, then no drainage report is required and noted a waiver needs to be applied for. The applicant shall provide the necessary additional information.
11. Erosion and sedimentation plan (Site Plan Review Regs. Sec. VI.E) This item was satisfactorily addressed and accepted as complete by the board by notes seven and eight.
12. **Type, extent and location of existing and proposed landscaping (refer to Site Plan Review Regs. Sec. VII.H).** The board discussed this requirement and noted that at a minimum one tree needs to be planted for every 35 feet of linear roadway the location abuts. The board explained to Mr. Dunlop the regulation is open to interpretation for the developer to present a plan to meet the site of development. A detailed landscaping plan is required with a minimum of examples of the species being shown.
13. **Location, size and design of proposed signs.** (Site Plan Review Reg. Sec. VII.3 allows 1 free standing sign) The plans show a note for a sign, however no detail as to the location, size and design was presented. The applicant had proposed a sign to be attached to the building. The board asked the applicant to provide this information.
14. **Location and type of all outdoor lighting (refer to Site Plan Review Regs. Sec. VII.D for guidelines).** No information has been provided with regard to the type of lighting. Locations were shown for proposed lighting. The board asked the applicant to provide this information.
15. Detail on type and height of screening around garbage dumpster, and all roof, ground, and wall-mounted mechanical equipment. This item was satisfactorily addressed and accepted as complete by the board.
16. Snow storage areas. This item was satisfactorily addressed and accepted as complete by the board.
17. Sidewalks between parking lot and main entrance (A sidewalk is shown from handicapped parking spaces to the wheelchair ramp at entrance on south side of building.) This item was satisfactorily addressed and accepted as complete by the board.
18. Note regarding the flood hazard area. This item was satisfactorily addressed and accepted as complete by the board.
19. Additional information on architectural details. (Refer to Site Plan Review Regs. Sec. VII.6.C) Elevation views are provided for the north and east sides of the building. The board

may wish to see elevation views of all sides. Elevation of all sides were provided. On the detail it appears that the building will be clapboarded with a shingled roof. This item was satisfactorily addressed and accepted as complete by the board.

20. **The Board needs to review the parking calculations to ensure adequate parking is provided. Calculations should take into account both carry-out and sit-down customers. If seasonal seating is proposed for the veranda, this should be taken into consideration, as well. No carry out service is proposed as no drive thru or window is being proposed.**

Outstanding items to be addressed are Items 2,3, 10, 12, 13, 14, and 20. Revised plans must be submitted prior to the meeting in order to allow sufficient time for a review.

Mr. Fillio made a motion to continue the public hearing until April 18, 2002 at 7:30 p.m.

Mr. Day seconded. The motion passed unanimously.

Continued Public Hearing for Maplevale Farms. site plan proposal to develop an elderly housing community located at 14 Depot Road.

This public hearing continued until May 16, 2002 at 9:00 p.m. per applicant's request and Board's decision of March 21, 2002.

Continued Public Hearing for Jeff Caley and Gary Denson for a proposed elderly housing community located at 163 North Road, Country Hills of East Kingston

Mr. Denson, Mr. Caley, Mr. Quintal, Engineer, Civil Construction Management and Attorney John Radigan were present.

Mr. Quintal presented a revised set of plans to the board. A report from Ms. Caniel, RPC was submitted for the board to review.

Mr. Quintal noted that they have contacted Alan Garland, District 6, NH DOT with regard to the elimination of the crash gate at the secondary access point and they are awaiting a response which they hope to have for the next meeting.

The board reviewed the RPC report. Items highlighted in bold are items that still need to be addressed by the applicant.

1. **Plans to be stamped by a Licensed Land Surveyor, Wetland Scientist and Certified Soil Scientist. These items still need to be completed.**
2. **Elevation view of building and their height, bulk and surface treatment need to be provided. These items still need to be completed, however a sample schematic drawing was provided. Mr. Quintal asked to provide an example as they did not want to have**

a cookie cutter type establishment.

3. Plans should indicate septic reserve areas. Additional test pit and per test data needs to be provided. The test pits have been completed. Mr Quintal contends that the septic systems can be replaced in kind should a failure occur. He noted expansion areas are provided, the plan has been maximized so it has been designed for capacity. He noted the concern for the future could be addressed.
4. Indicate the location, size and design of proposed sign. Mr. Quintal noted this has been provided on sheet 2 to meet the town requirements for size and located at the entrance.
5. Need to detail on the type of screening for the trash dumpster for the multi-unit buildings. The dumpsters will have a wood fence around them and more detail will be provided for the next submission.
6. Need detail on the type, extent and location of proposed landscaping. A detail on the second sheet was provided showing the bushes and trees. Different types of trees and plantings were shown and between the buildings additional vegetation plantings will be completed.
7. Need size and location of all utilities, underground and overhead. Mr. Quintal will provide a separate sheet showing the service features of the development and the utilities of the development.
8. Need additional detail on the type of lighting for all outdoor facilities. (i.e. photometric report or iso-illuminance curves). The plans show a light detail, however a photometric report will be forthcoming. He noted the homes will have an outdoor light consisting of a 75 watt light bulb.
9. Drainage report and calculations need to be provided. This has been completed and five copies were given to the board.
10. Additional erosion and sedimentation plan work is needed. Silt fencing has been added to the plans to protect the wetlands. Site specific permit is still pending. Consideration of phasing this project has been reviewed with the state.
11. Common land/open space calculations need to be provided on the plan. Calculations should show that no more than 50% of the required space is poorly or very poorly drained soils and that no land with slopes over 25% is used to meet the minimum required space. Mr. Quintal noted the 25% slope has been removed and the right of way area has been removed from the calculation and the areas still work.
12. Plan set is missing a Planning Board signature block. Mr. Quintal will provide this.
13. Plans should list all setbacks and zoning requirement, including wetland setbacks and indicate setbacks on the plan. Mr. Quintal will provide this.
14. The applicant should submit a written request for a waiver from the 5% maximum roadway grade standard. The waiver request has been submitted.

Mr. Quintal stated most of the items have been addressed and the outstanding items are drafting items that can be easily incorporated into the plans. He asked the plans be sent to the Town Engineer for a review and to proceed at the next meeting.

Ms. Carriel asked if the wells have been tested and the possibility of notifying as a courtesy homeowners outside the 500 foot radius so that these homeowners may if they wish, monitor their

wells (at their expense) at the same time the testing will occur. This is not a requirement, but would be courtesy. It appears that two people would be notified.

Mr. Denson stated the testing should be completed within one month. The wells have been drilled and are currently 900 and 1100 feet respectively.

Mr. Day discussed the 8% grade of the road. It was noted this is in the vicinity of the gas pipe line and wetland area. It was noted if the grade was brought down, increase disturbance to the wetland areas would occur.

Mr. Conti discussed the fire protection services being provided. Currently two fire ponds and one cistern is being provided for the project. Currently the proposal does not meet code and will need to be revised.

Mr. Larry Smith asked if an amended dredge and fill permit will be required.

Mr. Quintal stated yes.

The board reviewed the style and layout of a proposed housing unit. It was noted the four plex units would be a combination of this style. The community center is being proposed to be located within one of the four-plex units.

Mr. Day made a motion to accept the plans for jurisdiction.

Mr. Fillio seconded. The motion passed unanimously.

Mr. Quintal stated he would provide a revised set of plans to Mrs. Rice. Mrs. Rice will forward the revised plans along with the drainage calculations to the Board Engineer for review.

Mr. Fillio made a motion to continue the public hearing until April 18, 2002 at 8 p.m.

Mr. Morse seconded. The motion passed unanimously.

Mr. Morse made a motion to adjourn at 10:47 p.m.

Mr. Fillio seconded. The motion passed unanimously.

Respectfully submitted,

Susan J. Rice, Secretary
East Kingston Planning Board

Minutes Completed: April 6, 2002

Minutes Accepted: _____