

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
May 15, 1997

FILE

AGENDA

- 7:45 Richard Cook - Haverhill Rd Light Industrial Park - Discussion
8:00 David & Patricia Morse - 44 Willow Rd Subdivision - Public Hearing
8:30 Margie & Merrill Damon - 71 Main St Home Occupation - Discussion
8:45 Glenn & Cheryl Tebo - Backland Subdivision - Discussion
9:00 Joe Courtney for Marie Robie - Burnt Swamp Rd Subdivision - Discussion

Members attending: Richard A. Smith Sr. - Chairman, James Roby Day, Jr. - Ex-officio, Catherine George, Dr. Robert Marston, and Alternates Beverly A. Fillio and Robert Nigrello.

Absent: Ed Johnson - Vice Chairman and Alternate Madeline Marshall.

Others attending: Lawrence K. Smith - Conservation Commission Chairman, Sarah Campbell - RPC Circuit Rider, Glenn P. Clark - Building Inspector, Richard Cook, Kevin Fitzgibbon, David and Patricia Morse, Steven Luger LLS, Katherine Aronson, Wayne Carroll, Margie and Merrill Damon, and Marshall Merrill.

Chairman Smith called to order this May 15th, 1997 public planning board meeting at 7:45 p.m. with the roll call. He then designated Beverly A. Fillio to vote in the absence of Ed Johnson.

Richard Cook - Haverhill Rd Light Industrial Park - Discussion: Chairman Smith opened discussion with Richard Cook at 7:47 p.m.

Mr. Cook is a resident of Burnt Swamp Road and a co-owner of Triple C Manufacturing located on Haverhill Road. He informed the board of his interest to develop the light industrial park located on Haverhill Road. He stated that he has already presented his intentions to the Board of Selectmen and has received their blessing. He is now looking to the Planning Board for direction and approval of this venture.

Mr. Cook then expounded on the scope of this project. Ideas, facts and potential proposals are as following:

1. The light industrial park includes 3 to 4 different parcels.
2. Mr. Cook is interested in developing the 35 acre parcel currently owned by Mrs. E. Melvin Bowley.
3. The parcel contains both Public Service and Gas Pipeline easements.
4. Previous subdivisions of this 35 acre parcel by Mr. Bowley were unsuccessful.
5. Mr. Cook is proposing to construct light industrial buildings at one thousand, two thousand and three thousand sq. ft.
6. Depending on parcel dimensions, wetland issues, he would like to construct thirty buildings.
7. Types of business encouraged at the proposed park are welding, storage, woodworking, plumbing supply, etc.
8. Business using chemicals, paints, i.e.: autobody shops, would not be permitted. Only environmentally safe businesses would be allowed.
9. Depending on it's condition, the river could be used for fire protection.
10. Commercial and individual septic systems would be considered for this project.
11. Powerline easements are very restrictive about close proximity development. No buildings under them.
12. Considering modifying the current road layout to accommodate large truck deliveries.
13. Investigating the financing of the project and cleaning up the parcel are the necessary first steps in determining this proposals potential.

The board recommended that this project be handled via the Site Plan Review process. They stated that soil testing and HISS would be required.

Mrs. George and Mr. Day both expressed their approval of such an endeavor as long as it's development complies with the provisions of the ordinance.

Chairman Smith stated that the Planning Board would be willing to consider plans for this site plan review.

David & Patricia Morse- 44 Willow Road Subdivision - Public Hearing: Chairman Smith opened the public hearing for David & Patricia Morse of 44 Willow Road at 8:05 p.m. The applicants propose to subdivide 27.91 acres into three parcels located at MBL# 8-2-4.

Mr. Morse introduced Steven Luger LLS and then submitted revised plans (from the 4/17/97 preliminary discussion meeting) to the board.

The board acknowledged lot 8-2-18 with 200 feet of frontage and 4.9 acres, lot 8-2-4 with 236 feet of frontage and 2.67 acres, and lot 8-2-19 with 249 feet of frontage and 20+ acres. Also noted was the Soil Scientist's seal was present on the plan, and the HISS mapping was complete.

Chairman Smith reviewed the application for completeness, noting all fees were paid. At this time it was discovered that Mike Seraikes was notified by certified mail as the soil scientist when in fact, the plan was stamped with the name of Peter Schauer.

Mr. Morse explained that Mike Seraikes is a Wetlands Specialist and Peter Schauer is a Soil Scientist with both located out of the same office. He stated he felt comfortable that through Mike Seraikes, Peter Schauer was notified of this public hearing as required by law.

In reviewing the plans, the board found that the well to the existing house on lot 8-2-4 was located on lot 8-2-19 and that an abandoned well was located near the existing house. The board requested that an easement be given for the use of this well by lot 8-2-4.

Mr. Morse stated that he may use the abandoned well for the existing house OR he may drill a new well for the existing house when he drills a well for his new proposed house on lot 8-2-19.

The board ordered that concrete markers be set when State subdivision approval is given and that the lot sizes be noted on the mylar. In reviewing the HISS calculations, it was requested that lot 8-2-19 be noted at 140 C.

MOTION: Mr. Day, pursuant to RSA 676:4 (b), motioned to accept jurisdiction on the application to subdivide 27.91 acres (MBL# 8-2-4) into three parcels. Mrs. Fillio second. The motion passed 5-0.

Chairman Smith then allowed questions and comments from the abutters.

Katherine Aronson of 52 Willow Road, inquired where the location of the driveway for lot 8-2-18 would be placed.

Mr. Morse pointed out two possible sites.

MOTION: Mrs. George motioned to Approve the application to subdivide 27.91 acres into three parcels, MBL# 8-2-4, 44 Willow Road, subject to the following conditions:

1. Concrete or Granite markers be set;
2. Receipt of State subdivision approval;
3. Lot size calculations be noted on mylar;
4. 140 C HISS calculations be noted on mylar;
5. Easement note for well located on lot 8-2-19 on mylar;
6. All bounds set prior to mylar signature.

Dr. Marston second. The motion passed 5-0.

Margie & Merrill Damon -Home Occupation -Discussion: Chairman Smith opened the discussion for Margie and Merrill Damon at 8:48 p.m.

Mrs. Damon informed the board of her and her husband's intentions to purchase the Merrill property located at 71 Main Street. She stated that contingent to this purchase is the necessary approval of a business being run from the premises.

She explained that they (Damon's) are from Malden, Massachusetts and that her husband's current welding business is located in Everett. They would like to relocate to East Kingston, bringing only a small welding enterprise to the Main Street location. The Damon's have no intentions of changing the structure of the existing buildings.

Mrs. Damon stated that the scope of the business would be very small. It would take 3 to 5 years to establish and at that time her husband wishes to retire. She stated that most of the work is done with a portable welder at the job site.

Dr. Marston, Mrs. George and Mrs. Fillio stated that they would be in favor of this small welding enterprise as a permitted use.

Mr. Day stated that he felt that a welding business does not fit the perimeters of the ordinance as he understands them and that a welding business should be considered light industrial.

Again, the Damon's stated that the majority of the work would be conducted at the job site and that any work at home would be small enough to fit into the back of a pick-up truck.

At the inquiry of the Damon's, Mr. Merrill stated that only one abutter may oppose such a proposed use.

The board directed the Damon's to apply for a Home Occupation permit noting that the Damon's did not have to own the property to apply. They were then briefed on the Home Occupation procedure.

Mr. Day advised the Damon's to be clear and firm in their arguments to convince him that a welding business could be construed as a permitted use.

The recording secretary will forward the Home Occupation application to the Damon's at 15 Spruce Street, Malden, MA, 02148.

Glenn & Cheryl Tebo - Backland Subdivision - Discussion: Chairman opened the discussion with Glenn and Cheryl Tebo at 9:06 p.m.

Mr. Tebo stated that he is the Trustee for Great Hill Realty Trust. He then submitted plans for the board to review regarding MBL# 6-2-10. He noted that the dotted lines represent existing boundaries and the solid lines represent the proposed boundaries.

Mr. Tebo pointed out a 25 ft right-of-way to the 7.5 acres of backland located in East Kingston. It was acknowledged that no access to this property could be obtained through East Kingston.

The 25 ft. right-of-way is a 600 ft. shared drive of two proposed lots.

The board informed Mr. Tebo of a new Backlot provision that passed in March of 1997 (see Subdivision Regulations Section IV.D).

Mr. Day stated that there are no provision in the Subdivision Regulations for common driveways. He also stated that Mr. Tebo may need to go to the ZBA to get relief from frontage requirements.

The board questioned whether "frontage on Town-accepted roads" meant only East Kingston roads. The only frontage for this proposal is on a Kingston town road.

Mr. Tebo stated that the town of Kingston allows lots with frontage on Danville roads. He stated that he tried to sell this land to abutters and has tried to buy access from East Kingston abutters. All efforts have been unsuccessful. His only option is to subdivide and build.

Mrs. Fillio and Mr. Day stated that they would not be inclined to approve this subdivision because of the lack of East Kingston access, lack of frontage and lack of East Kingston fire, police, trash pick-up, school busing access.

Mr. Tebo stated that he has timed response from Exeter, Kingston and East Kingston as being very close and that this is where Mutual Aid would come into play.

The board reiterated their four items of concern:

1. Shared driveway;
2. Frontage;

3. length of driveway;
4. East Kingston public service access.

The board advised Mr. Tebo that reducing the two proposed lots into one lot would eliminate some of the problems.

Mr. Tebo stated that Wetlands would be an issue with that proposal. He then thanked the board for their time, stating that he came to see the board's response to this new proposal.

Joe Courtney for Marie Robie - Burnt Swamp Road Subdivision - Discussion: Chairman Smith opened the discussion for Joe Courtney at 9:40 p.m.

Mr. Courtney stated that Marie Robie could not attend this preliminary discussion as she was called away to Maine. He would discuss the basic concept of her subdivision proposal on her behalf.

Mr. Courtney presented a plan of Mrs. Robie's property, MBL# 10-5-2, and explained that 5 acres would be taken out of the 128.7 acres for the existing house with 245 ft. of frontage, and 123 acres with 201 ft. frontage would be used to create a new lot. Mrs. Robie has plans to preserve the larger lot.

The board reviewed the map and recommended the following:

1. The 5 acre parcel should have HISS mapping;
2. New lot should have a State approved driveway; and
3. Bounds must be set prior to the board's signature.

Mr. Courtney would advise Mrs. Robie of these requirements.

April 17, 1997 Planning Board Minutes: The board reviewed the minutes of the April 17, 1997 Planning Board meeting and noted one typo-o and one correction.

MOTION: Mr. Day motioned to approve the April 17, 1997 Planning Board minutes as corrected. Mrs. Filio second. The motion passed 5-0.

Capital Improvements Plan: Mrs. Campbell distributed 7 tables of information regarding Capital, School, and Operating Expenditures, Property Tax Revenues and the East Kingston Tax Rate for the board to review and discuss at the next meeting.

Planning Board Training Series: Chairman Smith informed the board of the upcoming Planning Board Training Series to be held on June 19th and June 26th. Topics to include soils mapping and a new planning board orientation workshop. The training series will take place at the Stratham Municipal Complex. Registration forms will be mailed out in Mid-May.

FERC Public Hearing: The FERC will conduct a public hearing on May 21, 1997, 7:00 p.m. at the Newton Memorial School in Newton Junction, regarding the PNGRS/MNE Joint Natural Gas Pipeline Draft EIS.

Rockingham Economic Development Corporation: The REDC will hold a meeting on May 22, 1997 at the Exeter Inn. The East Kingston Selectmen are planning to attend.

MOTION: Dr. Marston motioned to adjourn. Mrs. George second. The motion passed unanimously (5-0) and this May 15th, 1997 public planning board meeting ended at 10:10 p.m.

Catherine Belcher
Secretary

Minutes completed and on file May 16, 1997.