



PLANNING BOARD  
TOWN OF EAST KINGSTON  
New Hampshire

2010-2011  
David F. Sullivan, Chairman  
Ron Morales, Vice Chairman

**MINUTES**

Regular Meeting 20 May 2010  
7:00 pm

**AGENDA:**

- ◆ **Call to Order**
- ◆ **Approval** of April 15 minutes
- ◆ **PUBLIC HEARING** for a Home Occupation as an Eyelash Stylist for Lauralyn Conant, 47 North Road (MBL 15-01-12).
- ◆ **Board Business**

**CALL TO ORDER:** The regular meeting of the East Kingston Planning Board was called to order at 7:03 pm.

**ROLL CALL:** Mrs. White called the roll.

**Members:** Dr. RA Marston, Mr. R. Morales, Mr. D Sullivan, Mr. E Warren. Mr. D Pendell, ex-officio arrived at 7:30pm.

**Alternates:** Mr. J. Cacciatore and Mr. P. Gilligan. Mr. R. Forrest was not in attendance.

**Advisors:** Ms. Julie LaBranche, RPC Circuit Rider.

**Also Present:** Mrs. Law, East Kingston resident. Mr. Gary Hinz, also a resident, arrived at 8:00pm.

**Board Business**

The first item on the agenda was to approve the minutes of April 15. Mrs. White noted that Mr. Gilligan had an addendum to present for the April minutes; Mr. Gilligan chose to retract his request to do so. Mr. Sullivan asked for a motion to approve the minutes.

**MOTION:** Mr. Warren **MOVED** to approve the minutes of April 15 as presented. Mr. Morales seconded. Mr. Cacciatore abstained as he was not present. The motion passed.

**PUBLIC HEARING FOR A HOME OCCUPATION AS AN EYELASH STYLIST FOR LAURALYN CONANT, 47 NORTH ROAD (MBL 15-01-12).**

Mr. Sullivan opened the public hearing and welcomed Mr. & Mrs. Conant. He referred to Mrs. Conant's application and asked if the Board had any questions for Mrs. Conant in regard to her home occupation.

To Mr. Sullivan's question if this home occupation was to be part-time, Mrs. Conant replied it would be part-time during the school year and more towards full-time in the summer months when she was not working as the elementary school nurse.

Mr. Sullivan asked about hours; Mrs. Conant replied she had not filled it in on the application as she was just building her clientele. Mr. Warren suggested she ask for the most amount of hours she thought she would ever need so she would not need to return to the Planning Board for a change. Mrs. Conant filled in 7:00am - 9:00pm Monday through Saturday, and Sundays by appointment.

Mrs. Conant had included a picture of the sign she wanted to install by her mailbox. She hoped it would generate some interest and clientele, and also help provide direction to her location. Mrs. White stated as long as she kept to the sign size stated on the application, what she presented would be fine as she was in the size range allowed for signs for home occupations.

Mr. Morales asked how large the space was that she was planning of utilizing for her business. Mrs. Conant answered she would be utilizing a room above the garage and using a corner of that space to set up her table for the procedure. It had a separate entrance, so clientele would not have a need to enter the main house. Mr. Morales noted that since she was on a state road, she was allowed to utilize space up to 50% of area of the total square footage of the main dwelling if she so wished.

Answering the question of whether or not there were any chemicals involved, Mrs. Conant replied there was a minute amount in the solution she used, but nothing that could be considered dangerous.

Mr. Morales noted that the Home Occupation standards stated in Article XVI, Paragraph C would need to be met and should be included in the conditions of approval. Mr. Morales read the standards out loud, and emphasized that any solid waste generated by the business could not to be discarded with regular household trash, but needed to be discarded at the owner's expense.

Mr. Sullivan opened the floor to abutters; there being none, he closed the floor to abutters.

Mr. Sullivan asked if the Board had any more questions for Mrs. Conant; as there were none, he asked for a motion.

**MOTION:** Mr. Warren **MOVED** to send a letter of recommendation to the Selectmen for the approval of the application for home occupation as an Eyelash Stylist with the conditions noted for Lauralyn Conant, 47 North Road, East Kingston, (MBL 15-01-12). Mr. Morales seconded. The motion passed unanimously.

Mr. Sullivan closed the public hearing.

Mrs. White informed Mrs. Conant that she would receive a copy of the letter to the selectmen and that their next meeting was to be held on Monday, May 24th.

Mrs. White reminded Mrs. Conant that since she would be installing a sign, she would not qualify as an invisible home occupation but as a regular home occupation. There would be a \$50 annual fee associated with that and the Selectmen's Office would take care of notifying her when that fee was due to be paid.

Mr. & Mrs. Conant thanked the Board for their time.

### **Board Information**

#### ***Plan NH Discussion***

Mrs. White asked what the Board wanted to do with the report, as they had originally stated they wanted it up on the website. No one had read the Work Meeting minutes yet as they had just been distributed to the Board, and two members had not been present, so Mrs. White read a statement made by Mr. Warren at that meeting and asked if the Board wanted to follow his suggestion.

*"Mr. Warren opined that he was not pleased with what they got for what they paid, and did not consider it a valid document. To Mrs. White's question if she should send it to the website), he thought the Board should state that as a result of the charette, they learned there is definitely an interest and found further investigation and research on the options needed to be conducted before proceeding".*

Mr. Morales was of the opinion that Mrs. White's edited report should be the one to be put up on the website as it made more sense (was easier to understand), and include a note stating it was not the original report but a summary of the key points that were made.

The rest of the Board agreed with Mr. Morales. Mrs. White will send the edited report to Kathy Weiss for inclusion on the website.

### ***Agricultural Commission***

Mrs. White reminded the Board they would need to have permission from the Selectmen to establish an Agricultural Commission. She suggested she put together a letter stating that the Planning Board was interested in putting together a committee to investigate if there was any interest in creating an Agricultural Commission and asking the Selectmen for permission to do so. Mr. Morales thought they should then present the chosen committee members to the Board for further approval, and that most of the members should be farmers.

Ms. LaBranche suggested the Board reach out to the farmers and others in the community to see if they would be willing to serve on the committee before asking the Selectmen for permission. Mr. Sullivan stated that the Board would like to get the request approved as soon as possible so they could work on it with the farmers during the summer. They would like to work with the rest of the community on the question of rezoning in the fall when school was back in session.

Ms. LaBranche suggested including some of the ideas they had spoken of at the last meeting in the letter to the Selectmen, and a copy of the RSA so the Selectmen would know why they were coming to them. The Board discussed a mission statement and including a set amount of time they would be asking people on the committee to serve, noting that open-ended times were not well-received. People wanted to know just how much of their time would be required before committing.

Mrs. White would have Mr. Sullivan review the letter before giving it to the Assistant for inclusion on the agenda for Monday night. The Board agreed.

### ***Action Required?***

Mr. Warren wanted to bring to the Board's attention that at the last Selectmen's meeting he and Mr. Morales were asked questions as Planning Board members concerning the dumpsters at Cricket Hill/Maplevale. Had they been approved by the Planning Board, and were they on the site plan? Neither of them were serving on the Board at the time those developments were approved, and did not have the answers to those questions.

He was not sure if the Selectmen and/or the Building Inspector had asked those questions of the Planning Board officially and asked if they needed to look at the site plans or not. Mr. Sullivan stated the Board would wait until they got an official request for the information.

Mr. Warren relayed that the complainant was saying the setbacks were only 25' when they should be 100' and therefore were in conflict with the Town's ordinances. Mrs. White noted at the time the developments were approved, the setbacks were 25' and had since been changed to 100'. Mr. Morales acknowledged the ordinance states there is a 10' setback for structures, but was not sure if a dumpster would be considered a structure.

Dr. Marston noted that one of the reasons the developments were approved was that the developer had stated it would be a private road and they would be responsible for their own snow plowing and trash removal. Mr. Sullivan stated they had followed proper procedure and not acted for the Board as individual members. The Board would deal with it properly when it came to them.

## **RPC Questions**

### *Scope of Work*

Ms. LaBranche wanted to know if the Board wanted a Scope of Work to evaluate the Zoning Districts to see if they wanted to make any changes. Did they want to have a design workshop? It would require a 20% match for the grant program through transportation dollars at RPC. Mr. Sullivan had reviewed the budget and they did not have extra money in the budget to cover that at this time. Perhaps they could allocate some monies in next year's budget.

Ms. LaBranche noted that since there had not been many site plans to review, she had not used all her Circuit Rider hours and since the fiscal year was almost up, they might be able to use some of that money towards the scope of work. She would get an accounting from the RPC and report back to the Board.

### *Questions for Questionnaire*

Ms. LaBranche thought before giving the Board a questionnaire, they needed to have some more discussion on what they wanted to ask people. She asked the Board for suggestions of questions they would like to ask. Mr. Warren offered: ***"What type of things would you like to see develop in Town? Agricultural, businesses, or commercial?"***

Mr. Pendell thought they were going to go at it from a different approach. He was pretty sure that if they asked Mr. Warren's question, all the questionnaires were going to come back with the information that everyone wanted it agricultural/residential and they would be back where they started.

His thought was to ask where they would most like to see the commercial zones expanded, and give a few choices for that to happen. Ask, for example, ***"In an effort to combat higher taxes, would you be in favor of expanding the commercial zone in this \_\_\_\_\_ area?"***, then name specific areas to choose from. They could also include South Road to 107A, and North Road to Exeter.

Mr. Cacciatore noted the most open land was on North Road, and that the most traffic is on Rt. 107. They could designate areas such as: Willow Road to the Kingston Town Line; Freeman Street to the intersection of Rts. 107 & 108; 107 & 108 intersection to Kensington Town Line; and North Road to Stumpfield Road. They could overlay them residential/agricultural/ commercial.

Mr. Sullivan suggested also playing up the part of the light industrial area that was not being utilized. Other Towns have a specific person whose job it is to solicit businesses for the Town. Mr. Pendell thought that was good to do for the manufacturing end, but also noted that the average business needed to traffic going by to survive; Mr. Warren agreed.

Another question might be to ask, ***"Would you be in favor of adding to the budget \$5,000 (or \$10,000) to hire a business development entity in order to solicit tenants for the light industrial park? Or develop businesses?"*** They could utilize the Rockingham County Economic Development Commission (REDC), which is a county organization; Ms. LaBranche will find out how much they would charge.

Mr. Cacciatore noted some towns give tax breaks to entice business to come to Town. Another question could be ***"Would you be willing to give tax breaks to new business."***

He also stated that having two golf courses in Town could be a good incentive for companies that like to have golf tournaments.

They could include a map of the Town Center District, and the Commercial and Light Industrial areas, and then show where they would like to promote more commercial areas. If the residents decided they wanted more than one area, they would need to decide which one to concentrate on first.

Mr. Pendell noted that there might be many people who have sizable properties who decide to move from the area and potential buyers might be more interested if the zoning was such that they could put some sort of business on the property.

Ms. LaBranche opined asking the residents what type of services should be in Town could be included.

She asked how they intended on distributing the questionnaire. The Board reviewed that at last week's meeting, they had discussed this and decided mailing with a return envelope would be too expensive and they would most likely not get the response they hoped for. They also had discussed delivering to individual households and asking residents to drop off the completed questionnaire at certain drop-off spots such as the library, Town Offices, school, etc. They were just not sure of how to get the responses back from the residents.

Ms. LaBranche relayed the information that PREP had mailed a survey to every household in East Kingston that they had sent a newsletter to, and only got a 3-4% return, even with return postage. She did not think that was very good. Mr. Warren stated in marketing, a 1 to 1 ½ % return was considered good. Ms. LaBranche suggested putting it up on the website with something called "*survey monkey*". You can build an on-line survey and people would go in and click on their answers and send it back.

Mrs. White explained that the website was run by an independent person whose job it was to put agendas, minutes and other information up on the website, but not to monitor survey responses. Mrs. LaBranche stated the responses could be directed back either to her or Mrs. White for compilation of the information. She will check into this for the Board.

Mr. Pendell suggested they approach the Superintendent of Schools for permission to send them home with the students. Mrs. White reminded him that would need to wait until the fall, as school was almost done for the year and they would not be ready to distribute it before school ended.

Mr. Warren thought he could get volunteers to distribute the questionnaire throughout Town similar to how the Fire Association delivers the calendars each year. And they could arrange for drop boxes at the library, Town Hall, Jewett's, etc.

### ***Traffic Counts***

Ms. LaBranche found that there are 4 permanent traffic count locations in East Kingston and cover from 2002-2008. NH 108 at the Newton Town Line; NH 107A at South Hampton; the intersection of NH 107 and NH 108; and NH 108 North of the junction with 108. There are 8 other traffic count locations along the surrounding town boundaries. These counts are for 24 hour periods of time.

Ms. LaBranche noted that from an economic standpoint, if they were thinking of rezoning, a traffic count was a good thing to have. You could look at traffic patterns, which would be helpful for anyone wanting to open a business. You can compare the numbers between 2002 and 2010 and see what kind of increase (or decrease) in traffic there might have been.

Mr. Pendell asked where the locations along Depot Road (107) were. Ms. LaBranche reported there was one on 107 near Maplevale Road, two on the border with Kingston on 107, and two on the border with Kensington.

Ms. LaBranche will get a spreadsheet for the Board to review by the next meeting.

### ***Carmen's***

Mr. Warren noted that new people were fixing up Carmen's and wanted to know if they needed to come before the Planning Board. Mr. Morales answered that they do, and Mr. Sullivan agreed.

Ms. LaBranche brought up the point that the ordinance states that new tenants for the light industrial and commercial zones need to come before the Planning Board, but Mr. Dunlop and Carmen's was a unique situation as it is zoned residential but is a grandfathered use. Mrs. White reminded the Board that when Mr. Dunlop decided to run the business himself and not his renter, they had required him to come before them. Mr. Morales noted that even though it is grandfathered, they had put it under the commercial umbrella.

Ms. LaBranche noted also that under Section I - Authority, of the Site Plan review regulations, it states they will *"review site plans for the development or change or expansion of use of tracts for non-residential uses and for multi-family dwellings for all changes and expansions of use – including change of tenants – and require written notification to the Planning Board (or its designee), who will determine whether the proposal shall be required to undergo the full Site Plan Review and public hearing processes."*

Mrs. White will send Mr. Dunlop a reminder letter and let him know when he would need to get his information in by to get on the June agenda.

### ***Fencing Around Air Conditioners on Roof Tops***

Mrs. White noted that in regard to last week's discussion regarding fencing around air conditioners, she had asked Ms. LaBranche about it and she thought it could be included as a condition as approval under the noise ordinance. Ms. LaBranche stated that under the site plan review regulations, Section F. Paragraph 8, Part 5, Number 6, Equipment it also states: *"All roof, wall or ground mounted mechanical equipment and all dumpsters and trash receptacles shall be screened from public view with fences or vegetation."*

**MOTION:** Dr. Marston **MOVED** the Planning Board adjourn. Mr. Morales seconded. The motion passed unanimously.

Mr. Sullivan closed the meeting at 8:25 pm.

### **HANDOUTS TO THE BOARD**

- PB May 13 minutes
- Copies of OEP Conference Handouts
- Copies of several RSAs related to farming and agricultural commissions

Respectfully submitted,

***Barbara White***

Barbara A. White  
Recording Secretary

David Sullivan  
Chairman

Minutes approved June 10, 2010