



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES

Work Meeting 10 June 2010
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval** of May 13 and May 20 minutes
- ◆ **Board Business**

CALL TO ORDER: The work meeting of the East Kingston Planning Board was called to order at 7:00 pm.

ROLL CALL: Mrs. White called the roll.

Members: Dr. RA Marston, Mr. D Sullivan, Mr. E Warren, Mr. R. Morales. Mr. D Pendell, ex-officio, had a conflicting appointment and was not able to attend.

Alternates: Mr. J. Cacciatore, and Mr. P. Gilligan. Mr. R. Forrest were not in attendance.

Advisors: There were no advisors present.

Board Business

The first item on the agenda was to approve the minutes of May 13th and May 20th. Dr. Marston noted that in the minutes of May 20th, the last paragraph on Page 3, states that "*any structure has to be within 10' of the property line*". He noted that it should clarify that the *setbacks* are 10" feet.

MOTION: Mr. Morales **MOVED** the Planning Board accept the May 13th minutes as written and accept the May 20th minutes with the change noted. Mr. Warren seconded. The motion passed unanimously.

Secretary's Report

Conant Home Occupation. At their last meeting, the Selectmen had approved the home occupation for Lauralyn Conant.

Investigative Committee. The Selectmen also gave permission for the Planning Board to put together a committee to investigate if there was any interest in Town to form an Agricultural Commission.

Right-to-Know Seminar. Mrs. White referred the Board to the notice for the Seminar being held at the Kingston Town Hall on June 24th and asked if anyone was Planning on attending. Mr. Morales noted he was not sure they needed to attend since they had never had a problem with members stepping down if they were abutters, or otherwise involved for a hearing.

Mr. Castagna's Letter. The letter of disappointment to Mr. Castagna had been returned as undeliverable and Mrs. White inquired of the Board since it had taken so long for it to be returned to the Office, did they still want it to be sent and did they want her to reprint the letter with as more current date as the original date

was April 15. The Board's determination was that Mrs. White should place the letter, as is, in an envelope and re-mail to the correct address. It was noted that the cc: letter to Roger Hawk of Plan NH had not been returned.

Carmen's Restaurant

After last month's meeting, by direction of the Planning Board, Mrs. White had contacted Mr. Dunlop and informed him he would need to come before the Board for determination if a full site plan review would be necessary for his new tenant. He completed his application and provided a check, but also inquired as to why he was being required to appear since Keri Marshall, his attorney, had noted the last time he came before the Board for the previous tenant that the requirement to appear before the Board was outside the authority that RSAs gave the Planning Board for site plan reviews.

His appearance was put on hold until the Board received further information from the LGC. Mrs. White contacted the LGC and found that indeed, requiring a new tenant to come before the Board was outside the purview of the Board if it was not for a change of use. The RSA specifically gave the Board the authority to review in the case of a change of *use*, but not a change of *tenant*.

Mr. Warren, speaking as Fire Chief, stated he had inspected Carmen's and found everything to be up to the standards that were required and noted that in relation to the liquor license, the Fire Department's authority ended at occupancy. Mr. LaBonte will need to send a letter to the Town Clerk stating his occupancy. Mr. Warren also noted that the second gate at the top of the ramp was actually illegal to be there as per Fire Code (a condition of the previous tenant) and therefore asked Mr. LaBonte to remove it.

Mrs. White asked if they needed to send a letter to Mr. LaBonte; the Board decided it was not necessary. Mrs. White asked for a copy of the Fire Chief's current report to include in the file noting the change of the gate condition.

Mr. Warren reported that the Building Inspector, who was not in attendance this evening, had also inspected the building and found there were no violations and everything was satisfactory.

Mr. Morales noted it was a unique situation that the Planning Board included a member who *was* the Fire Chief, and commended Mr. Warren for being able to separate his authority as the Fire Chief and his position as a Board member.

The Planning Board determined a letter should be sent to the Selectmen stating why they were not intending on asking Mr. LaBonte to appear before them.

MOTION: Mr. Warren **MOVED** the Planning Board send a letter to the Selectmen explaining why they would not be asking Mr. Dunlop and Mr. LaBonte to appear. Mr. Morales seconded. The motion passed unanimously.

Mrs. White will draft the letter for the Board's approval at next week's meeting (May 20th).

Site Plan Regulations

Mrs. White asked if the Planning Board deemed it necessary to change the Site Plan Regulations and remove the phrase "*including change of tenants*" from both Section I - Authority (page 1) and A.1. - Introduction of the Site Plan Review Procedures (page 14) The Board asked her to confirm with Ms. LaBranche. If it was determined necessary to remove that phrase, a public hearing would need to be held to make the change and it would need to be in July at the earliest because of noticing timeframes.

Investigative Committee for Agricultural Commission

Since the Selectmen had given permission for a committee to find out if there was any interest in creating an agricultural commission in Town, Mr. Sullivan asked if there were volunteers from the Planning Board to be on the committee. Mr. Morales and Dr. Marston graciously volunteered; Mr. Sullivan thanked them for doing so. It would need to be determined if there was any interest in putting together a commission.

Mr. Morales noted this committee would investigate the feasibility of adopting an Agricultural Commission in the Town of East Kingston. The primary goal is to expand public awareness of agriculture and what the advantages of having it as a major part of the Town's infrastructure would be.

Mrs. White will put together a letter inquiring if any of the farmers on her master list would be interested in volunteering. Mr. Sullivan noted that any correspondence should contain a projected timeframe we are asking the volunteers to give of their time.

Mr. Morales thought it could take up to a year to do all the groundwork. Possibly volunteers could be asked to serve a portion of that time; perhaps 6 months each. The Board also had more discussion of leasing farmland, farmer's markets and community gardens as possibilities.

When the letter is finalized, the Board will put a copy on the website, and other information regarding the proposed Agricultural Commission. The Board also discussed putting a Public Notice in the newspaper.

May 20th Meeting.

Mr. Morales and Mr. Warren both noted that they would not be able to attend next week's meeting as they had prior engagements. Mr. Pendell had also expressed that he would possibly not be able to attend and would be asking Mr. Dworman to attend as ex-officio in his absence. Mr. Sullivan asked the alternates if they would be sure to attend as he would need them as voting members in Messers. Morales' and Warren's absence.

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

Mr. Sullivan closed the meeting at 8:05 pm.

HANDOUTS TO THE BOARD

- Flyer on Free Training Session @ Kingston Town Hall re: Right-to-Know et al
- Newspaper article re: Gardening

Respectfully submitted,

Barbara White

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved June 10, 2010