

June 15, 1995

East Kingston Planning Board

Attending: Chairman Richard Smith, Catherine George, Dr. Robert Marston, Amanda Rossi-Lashoones (8:32), J. Roby Day-Alternate, Andrew Berridge.

Others Attending: Sarah Campbell-RPC Circuit Rider and Joseph Conti-Building Inspector.

This meeting opened at 7:32PM.

Public Hearing Charlotte Wall - Subdivision: Charlotte Wall presented the board with maps of the subdivision prepared by Doucet Survey Inc., Newmarket, NH. It was noted that the following abutters were present: Judy Leonard, Kevin & Marilyn Frye, and Mr. Andrew Aaronian with his father.

Sarah Campbell recommended that if any changes had to be made to the plans, the following items should be addressed: 1) On the legend -4"x4" concrete bound to be set, should reflect that the bounds are set, and 2) to show where the driveway will be located on the new lot.

Mr. & Mrs. Frye showed concern regarding future subdivisions on this property. It was noted that it was possible, but because of the wet conditions, it would be unlikely. Ms. Wall indicated she did have a wetland map.

Sarah Campbell wanted to recommend a couple minor adjustments to the plan:

- #1. The driveway per lot 7-03-65 should be located within the 60' Right of Way, to eliminate any confusion on it's location.
- #2. With reference to the Bridge location, perimeters of the wetlands and the brook should be indicated.
- #3. The frontage for the new lot (7-03-65) on Forest Drive should be more prominently displayed on the mylar.
- #4. The plan should show the bounds are set.

Motion: Catherine George motioned conditional approval of the subdivision plan, based on the four conditional items. Andrew Berridge second. The motion was passed unanimous.

Ms. Wall was then instructed to drop off the mylar and three paper copies of the plan to the Selectmen's office after the conditions had been met, and Mr. Smith would sign the plans.

This public hearing closed at 7:55 PM.

Amendments to Procedural Requirements in the Subdivision and Site Plan Review Regulations:

This public hearing opened at 8:00 PM.

The proposed regulation Amendments are an attachment to these minutes.

SUBDIVISIONS REGULATIONS amendments:

#1: Amendment would be made to page 11, Amend "Procedure for Obtaining Approval for Subdivision" by replacing "B. Procedure". (See attachment for text inserted.)

#2: Page 12, Amend "Procedure..." paragraph C. Submission Requirements, #4 by deleting the first and last sentences.

#3: Pages 11 and 14. Change two references to "Newspaper Public Notice Fee" to "Newspaper Legal Notice Fee".

#4: Pages 11 and 14. Change Abutters' fee from \$2.50 to \$3.50.

#5: Page 16. Delete "Application for Approval of final Plan for Establishment of a New Subdivision".

SITE PLAN REVIEW REGULATIONS amendments:

#1: Page 2. Amend "IV. Submission Requirements" by adding the following to #4: \$45 Newspaper Legal Notice Fee".

#2: Page 7. Amend "Site Plan Review Procedures" by adding a new Section after "References" as follows:

Fees: \$40 for each lot or dwelling unit (whichever is greater)
\$100 fee for non-residential uses
\$3.50 per Abutter
\$45 Newspaper Legal Notice Fee

#3: Page 8. Replace "B. Administrative Details" section of the "...Procedures..." with the following:
B. Procedure (See attachment for text inserted).

#4: Page 11. Amend "Application" by changing the second paragraph to read as follows: (See attachment for text inserted).

#5: Page 11. Amend "Application" by deleting 12.C (property deed).

#6: Page 11. Add "\$45 Newspaper Legal Notice Fee" to #13 of the Application.

#7: Pages 2 (IV-3) and 11 (#13). Change abutters' fee from \$2.50 to \$3.50.

Sarah Campbell said the new books will be ready in approximately two weeks.

Motion: Catherine George motioned the Board approve the proposed regulation amendments as amended. Andrew Berridge second. The motion passed unanimously.

The Public hearing ended at 8:24 PM.

Suggested Changes to Article VII-C-1 and Article X by Building Inspector Joseph Conti:

See attachment submitted by Mr. Conti.

Mr. Conti made reference to Article VII-C-1 pertaining to the storage of trucks, indicating there are several trucks in town. Mr. Conti felt there were individuals in town that held Home Occupation permits in town that were renting space to others, for storage and/or repair of machinery, and felt this situation is not currently enforceable.

Mr. Berridge wanted to know if there were any complaints.

Mr. Conti said affirmative, but did not provide any names of complainants, but mentioned a scenario of an individual with a Home Occupation permit, who might own a commercial vehicle, (e.g. truck that hauls gravel, or the forms for foundations, stored in his building). This individual can not bring in an excavator from out of town, nor make repairs to that excavator for another individual.

After much discussion with the Board, Sarah Campbell pointed out, the proposal to Article VII-C-1 seemed too broad, and warned you have to write the ordinance in a manner you can enforce.

Mr. Conti went on to discuss his change to Article X, starting with adding a requirement for a public hearing, and building inspector must be present, for an application for Home Occupation permit.

Sarah Campbell said the public hearing taking place with Planning Board, is not illegal, or secretive. She felt the Selectmen prefer this forum, as a former Selectmen felt this was a natural thing, a place where abutters could come.

Mr. Conti then went on the next item, where he felt a Home Occupant have a structure for personal use or commercial use shall not be more than 7,000 square feet.

Mr. Berridge wanted to clarification on the 7,000 feet as a whole, or was reference being made to the 25% requirement in the ordinance.

Mr. Conti believes that home occupation have floor area in excess of 7,000 square feet.

Sarah Campbell then said Mr. Conti wants to say 25% of the gross floor area or 7,000 whichever is greater.

Mr. Conti then felt demolition permits should be required for any structure or partition, on a house, taking out fixtures, and taking windows out, according to BOCA.

Discussion on the remaining changes on Mr. Conti's proposal, came to a conclusion with no resolution.

Amanda Rossi-Lashoones asked the Board if Greystone Road was ever accepted by the Town as an approved town road, wondering if there ever was a problem with the gravel.

Mr. Smith said the Selectmen had been very lax in keeping him informed, so he did not know anything about that, and he had not received a letter from the town engineer for almost a year.

Mr. Berridge mentioned the Selectmen just sent a letter to Flynn Family Trust regarding a hydrant missing, but not aware of quality of roads.

Mrs. Rossi-Lashoones was lead to believe that the roads were paved, and the gravel beneath had not been tested. "So if this is not a town accepted road, why are there all those houses on that road", she asked. She continued "secondly, when they came to us to put that road in, they were going to fix the end of Giles Road, at 111A. ...now, they are lax with the water tank".

Mr. Richard Smith said the roads were paved with the Town Engineer's approval, but they would stand behind it, that if anything happened, they would fix it.

Mrs. Campbell asked if there was a maintenance bond, and suggested placing a call to Civil Consultants and contact Jay Stevens, and asked what the status is in regards to how the gravel failed, and if there is a maintenance bond on it, there might be money available.

Mr. Smith said "There was a 15 page book on the engineering study to fix the end down at 111, and a week or two ago, I went by there, and they are paving the road just like any old driveway".

Mr. Berridge offered to research this situation on Giles Road, the bond, and investigate the roads that are accepted, or not by the town, and would report next month.

Catherine George wanted to know about the fire pond that is to be dug on Ashlie Road.

Minutes from May 18, 1995: Corrections were made, and originals have been changed as directed.

Motion: Mrs. George motioned to accept the May 18, 1995 minutes as corrected. Dr. Marston second. The motion passed unanimously.

Mr. Richard Smith informed the Board that next month on the agenda, there would be a Home Occupation application at 7:30, and Mr. Frank Colanton will be on the agenda, regarding a caretaker at the E. Kingston golf course.

Mr. Smith wanted to know where we stood on the Grant for Master Plan funds. Mrs. Campbell said the deadline for the application was July 14th, and it was not yet prepared.

Mr. Berridge reported that the Selectmen will finish the contract with Sarah Campbell, and was going to spend the money, and that Mr. Richard Smith is now the director of the Master Plan Committee. A date for the next Master Plan Meeting was set for June 21, 1995 at 7:00 PM at the Town Office.

The meeting was adjourned at 9:55 PM.

Respectfully submitted,

Sandra Johnson
Administrative Assistant