



PLANNING BOARD
TOWN OF EAST KINGSTON
NEW HAMPSHIRE

2006-2007:
James Roby Day, Jr., Chairman
Catherine Ellen Belcher, Vice Chairman

MINUTES
(Regular Meeting of 15 June 2006)

AGENDA:

- 7:00PM - **Board Business**
7:15PM - **Continued Public Hearing** for Glenn and Kathleen Clark, 21 Burnt Swamp Road (MBL 10-4-8), in regard to a 9-lot open-space cluster subdivision (EKP#06-03).
7:45PM - **Continued Public Hearing** for Joseph and Henriette Conti, 168 North Road, in regard to a 2-lot subdivision of MBL 16-3-11 (EKP#06-04).
8:15PM - **Continued Public Hearing** for Steven R. Davis, 19 Giles Road, in regard to a 2-lot subdivision of 13 Giles Road MBL 16-2-6) (EKP#06-05).
8:45PM - **Discussion only** with East Kingston School Board regarding the school parking lot
9:00PM - **Discussion only** with Amy Mastronardi regarding a home occupation - bakery business
9:15PM - **Continued Board Business**
9:30PM - **Adjournment**

CALL TO ORDER: Chairman Day called the regular meeting of the East Kingston Planning Board to order at 7:00PM.

ROLL CALL: Mrs. White called the roll.

Members present - Vice-Chairman CE Belcher, Chairman JR Day, Dr. RA Marston, DVM,
Mr. RF Morales, ex-officio, and Mr. RA Smith, Sr.
Alternate members present - Mr. EA Lloyd, Jr.
Advisors present - Jill Robinson, PhD, Senior Planner, Rockingham Planning Commission
Mr. LK Smith, Chairman, East Kingston Conservation Commission Chairman
Mr. RR Donald, East Kingston Building Inspector
Mr. A Conti, East Kingston Fire Captain

Voting members - Mr. Day noted the entire Board was present.

BOARD BUSINESS:

Mr. Day distributed the Regular Meeting 18 May 2006 minutes to the members for their approval. Mr. LK Smith inquired if his changes were made in the minutes and Mrs. White informed him that the changes had been made.

MOTION: Mrs. Belcher **MOVED** the Planning Board accept the 18 May 2006 minutes as presented. Mr. Morales seconded, and the motion carried unanimously.

ZBA meeting: Mr. Day asked Mrs. Belcher to describe the ZBA meeting on 25 May 2006 in the case of Industrial Tower in view of her sitting on that board. She reported that the ZBA had approved the requested variance almost unanimously. There had been one discontented abutter. Mrs. Belcher stated in her opinion it was a fair and practical use of a piece of property already afflicted by steep grades and railroad and utility easements, and noted that Great Brook ran through a portion of the property as well. Mr. Day stated that if there were any appeals, the earliest the ZBA could see the applicant again would be July, or even later.

Vesting of EKUMC site plan. Mr. Donald spoke in reference to the East Kingston Methodist church site plan. He stated that an area of concern raised by the church trustees was how much work was to be done under the site plan approval to allow it to be vested. The concern was that part of the plan was to consider paving the entire parking lot area. There was discussion among the Board members, and consensus was that the Planning Board would like to see it unpaved as much as possible. Mr. Day asked if the Planning Board thought the church had done enough, expressing his opinion that any vesting requirements had been met.

Mr. Day reminded the Board that the approved site plan was for a gravel parking lot, rather than paved, and said he is not sure phasing was tied into the vesting. Mr. Day did not remember language regarding vesting included in the site plan, and stated that the Board would look at the file.

Invasive plant species. Mr. Day referred the Board to an invasive plant review provided by Dr. Robinson, deeming it interesting reading. He asked for language recommendations from the Conservation Commission to consider as a regulation or ordinance proposal.

Farm-friendly ordinance proposal. Mr. Day addressed the proposed farm-friendly ordinance work before the Board. Dr. Marston spoke of the William Turco property, stating that Mr. Turco would like to see it remain in agricultural use. He noted that the family might want to split it up for development. He asked whether Mr. LK Smith had spoken to him, and Mr. Smith replied that he had given Mr. Turco a book describing conservation easement mechanisms. Mr. Day agreed with Dr. Marston that it would be a shame for the Town to lose that piece of property to development, and agreed that Mr. Turco should be assisted in every way to conserve the property.

2006 CIP update. Mr. Day reflected that the Board had wanted to start the CIP review and update cycle earlier this year, and that the Board was already late by such reckoning in starting the process. He asked the Board if they wanted to start in July, and Mr. Morales interjected that it would be useful to have an explanation together with a cover memorandum. Mr. Day suggested the process begin in July, but the Board could decide when and how at its next work meeting.

RPC annual meeting. Mr. Day reported that he and Mr. LK Smith attended a RPC meeting at which Mr. Nathan Zanton, a workforce housing development specialist, described a site plan proposal for downtown Exeter. Mr. Zanton proposed development of land located between the Town Hall and the Citizens Bank which is presently used as a parking lot. The plan would include a building with retail stores, market-rate condominium dwellings, work-force housing, and a parking garage with twice the number of parking spots that are presently available. Mr. Day noted that Exeter is very much in favor of the proposal, as is the RPC, and Mr. LK Smith added that getting around the area will be difficult during construction.

CONTINUED PUBLIC HEARING FOR GLENN AND KATHLEEN CLARK, 21 BURNT SWAMP ROAD (MBL 10-4-8) FOR A 9-LOT OPEN SPACE CLUSTER SUBDIVISION (EKPB #06-03)

Mr. Day opened the public hearing.

For the applicant, Messrs. Kenneth A. Berry and Scott Cole of *Beals Associates*. Mr. Scott Cole began the presentation by explaining that they had received comments from the Town Engineer and the Conservation Commission, and revised the plan to reflect those comments. He had met with Mr. Jay Stevens, P.E., East Kingston Town Engineer, and made suggested changes to road grades. The Fire Department had indicated that they needed a 125 foot diameter for cul-de-sacs to accommodate their equipment. That change had been made, and one-way road and no-parking signs would be installed. They had added a sediment basin for the retention pond as suggested by Mr. Stevens and Mr. LK Smith, and the applicant now believed that all drainage aspects had been met.

Mr. LK Smith interjected that the conservation easement was not the Town's responsibility and that the homeowner's association would have this responsibility. The open space would be protected by covenants in the homeowner's association as required by the ordinance.

Mr. Day stated that the waivers and conditions should be included on the plan, and that permits should be site-specific. He noted a correction on the centerline slope waiver that stated Subdivision Regulation Section VII.I; rather, it should be Section VII.J. Mr. Day noted that the State subdivision approval was still outstanding, and a copy was needed for the planning file. He also recommended Mr. Cole confirm new lot numbers from the Town's Administrative Assistant to reflect the changes that had been made.

Mr. LK Smith stated that according to the selectmen's office staff, the lot numbers needed to be corrected, and that the MBL numbers were not on all pages. Mr. Cole replied that for purposes of tracking, they would include the MBL on all pages.

Mr. Day observed that the sediment trap was not labeled, and there was no depiction of its construction on the plan. Mr. Cole stated they would provide a detail for the sediment trap and label it on the updated plan.

Mr. LK Smith asked how the drainage would be in reference to where the houses would be. Mr. Cole answered that a typical lot grading plan would cover that, as they could not anticipate exactly where the house and driveway would be placed. Mr. Belcher suggested that that requirement be tied to the building permit.

Mr. Donald stated that there is nothing in the ordinances or regulations that states he cannot issue a building permit without receiving direction from the Planning Board. Mr. Cole stated that the owner did not want to show grading for the individual lots. Mr. Day directed Mr. Cole to work with the Conservation Commission on that issue. Discussion ensued amongst the Board members as to on how to address this question. Mr. Berry stated that since the Town Engineer, a meticulous reviewer, had not brought it up, he must not therefore have had any questions in the matter.

Mr. Day opened the floor to abutters, and there being no comment, closed the floor.

Mr. Day noted that there were three waivers to address. 1 – maximum length of a cul-de-sac, 2 – maximum centerline slope, and 3 - the provisions of the typical roadway (Regulation Appendix C which calls for a minimum pavement width of 24 feet). He stated his opinion that the applicant's engineers had done an excellent job in accommodating the Board's requests and needs, and thought it a fine piece of engineering.

Mr. Day asked the Board to address the cul-de-sac length waiver request. Mr. Morales asked if the waiver was for 200 feet more and Mr. Day said he thought it was. Mrs. Belcher asked Mr. Cole for clarification on the cul-de-sac length. Mr. Berry answered that it was 1,184 feet, and Mr. Day noted that the measurement was a little longer than the original waiver request had indicated.

MOTION: Mr. Morales **MOVED** the Planning Board grant a waiver from Subdivision Regulation Section VII.D regarding the maximum length of a cul-de-sac of no greater than 1000 feet to permit a road length of 1184 feet.. Mr. RA Smith seconded, and the motion carried unanimously.

Mr. Day noted that the second waiver to be addressed dealt with the 8% centerline slope limitation. He was aware that the road profile described in the original waiver request was for 8%, but that it now it was for 9%, and asked if that was to accommodate the 4% platform suggested by the Town Engineer. Mr. Cole answered that it was. Mr. Day stated that Mr. Stevens noted that he would be willing to accommodate up to a 10% slope, depending on all other factors.

Mrs. Belcher asked how long the slope in excess of 5% was and Mr. Cole answered that it was 300 feet.

MOTION: Mrs. Belcher **MOVED** the Planning Board grant a waiver from Subdivision Regulation Section VII.J regarding a road centerline slope no greater than 5% based on recommendations by the Town Engineer. Mr. RA Smith seconded, and the motion carried unanimously.

Mr. Lloyd asked Mr. Day since the motion was made to approve the original waiver request for an 8% slope, shouldn't the Board specify in the motion that they were approving a 9% slope. Mr. Day said that it would be noted in the discussion, but that Mr. Lloyd's point was a valid one.

Mrs. Belcher stated that in light of Mr. Lloyd's concern, they should restate the waiver motion, and proposed the following in lieu of the last motion:

REVISED MOTION: Mrs. Belcher **MOVED** the Planning Board grant a waiver from Subdivision Regulation Section VII.J. regarding a road centerline slope not greater than 5% to allow a 9% slope for a length of 300 feet as recommended by Town Engineer. Mr. RA Smith seconded, and the motion carried unanimously.

Mr. Day noted that the third waiver request was from the typical roadway section as described in Subdivision Regulation Appendix C which requires a minimum pavement width of 24 feet. The Board had suggested the applicant make the roads 20 feet wide, and the cul-de-sacs 16 feet wide which should be addressed in the waiver request as well.

MOTION: Mr. Morales **MOVED** to grant a waiver from Subdivision Regulation Appendix C regarding typical roadway section to permit roads of 20 foot width with one-way cul-de-sacs 16 feet wide. Mrs. Belcher seconded, and the motion carried unanimously.

Mr. Day noted to Messrs. Berry and Cole that he had a couple of questions. He stated that the Homeowners Association would require documents that Town Counsel would need to review, and the quicker they were in hand, the quicker they could be addressed by both the Board and Counsel. Mr. Morales asked if Mr. Day was referring to the typical covenants and by-laws for such associations, and Mr. Day answered yes.

Mr. Day asked for a copy of the NHDOT driveway permit for the file, and Mr. Berry said he would get it to him.

Mr. Day stated that a description of the waivers must be included on the plan to be recorded. He also noted that Town Counsel had reviewed the easement language and found it adequate, and Mr. Berry indicated he would provide the Board with covenant and bylaws language.

Mrs. Belcher stated it was her understanding that Atty. Daly had some recommendations. Mr. Day stated he had just received the information from Counsel, and asked Mr. Berry if Mr. Daly had sent a copy of the information to him. Mr. Berry said that he had not, and Mrs. Belcher provided her copy to Mr. Berry. Mr. Day advised Mr. Berry to use Counsel's memo for revisions.

Mr. LK Smith asked if Mr. Day was referring to the conservation easement recommendations and Mr. Day stated that he was. Mr. LK Smith noted that comment #1 stated that the grant was to the Town, and he reminded Mr. Day of the fact that East Kingston was not going to accept the grant. Mr. Day acknowledged that to be true. He stated that Mr. Daly had been referring to the original document before the Town made the decision not to hold the easement.

Mr. Day asked if there would be any easements with regard to fire suppression systems. Mr. Conti stated there was a concern for access for maintenance. Mr. Day stated that the Cornerstone development had employed language for a similar provision. Mr. Conti stated that Cornerstone was a cistern versus a fire pond, but that Beattie on North Road and Osgood had a fire pond. Mr. Day stated that both Beattie and Osgood were different since they owned their respective properties. Mrs. Belcher stated that Maplevale had a Homeowner's Association, and Mr. Berry asked if they could have a copy of its documents in order to use the same language. Mr. Day

indicated that the Board would help them with that. Mr. Berry noted that if there was language in use already, it would make their job easier.

Mr. Day asked to come back briefly to the question of a typical drainage analysis for lots and what did the Board want to do about it. Discussion ensued, and the Board decided that the Town Engineer would be provided a copy of the comments, and that the verbiage "Town Engineer confirm or deny the need for a typical lot grading analysis" would be added to the list of conditions. Mr. Day stated that he had a proposed list of conditions for approval.

Mrs. Belcher asked about three items discussed at the last hearing –

- 1) clarification on conditions of the roads prior to building permit issuance – how complete must they be,
- 2) reclamation program – what reclamation should be done before a building permit is issued?, and
- 3) should the fire suppression system be fully activated and tested prior to issuance of building permits?

Mr. Cole asked if these items were specific to this application. Mrs. Belcher stated that they were from the May meeting hearing. Mr. Day stated that to address the applicant's question directly, the answer is yes and no. He noted that the Board had addressed the very same questions to other applicants, and have typically been a part of the approval process.

Mr. Berry interjected that regarding the timing on the reclamation plan, Mr. Bruce Nadeau (co-applicant) requested that reclamation of the land be tied to the building permits for lots 4, 5, 6, and 7. Mrs. Belcher stated she did not think that it was unreasonable that reclamation coincided with development. In her opinion, a parcel should be fully reclaimed before a building permit is issued. Mr. Donald asked that the Board state in the conditions which lots needed to be reclaimed before a building permit was to be issued, rather than which ones did not need to be reclaimed.

Mr. Day stated that there were three waivers and the proposed conditions of approval to address. He asked Mr. Cole which pages he thought should be recorded, and Mr. Cole suggested pages A1, A2, and A3.

Mr. Day reviewed a proposed list of conditions for approval of the subdivision application:

Waivers:

- 1- Subdivision Regulation Section VII.D. regarding the maximum length of a cul-de-sac to be no greater than 1000 feet (1184 feet permitted).
- 2- Subdivision Regulation Section VII.J. regarding a road centerline slope greater than 5% (9% grade permitted).
- 3- Subdivision Regulation Appendix C – "Typical Roadway Section" regarding a minimum pavement width of 24 feet (20 foot wide roadway permitted, and 16 foot roadway permitted on cul-de-sac termini that are marked as one-way).

Conditions:

- 1- All waivers to be described in notes on a final plan set page to be recorded.
- 2- Sedimentation trap detail to be added to page D1.
- 3- Confirm with East Kingston Administrative Office the correct MBL numbers for all new subdivision lots.
- 4- NH subdivision approval document.
- 5- NH DOT driveway (road intersection) permit document for connection to Burnt Swamp Road.
- 6- Fire Department approval of fire suppression systems design, and the testing and acceptance of systems prior to the issuance of building permits for dwellings.
- 7- Town Engineer confirm or deny the need for a typical lot grading analysis.
- 8- Town Engineer inspection and acceptance of completed roads and related infrastructure prior to the issuance of building permits for dwellings.
- 9- New lots numbered 4, 5, 6, and 7 shall be fully reclaimed prior to the issuance of building permits for a dwelling.
- 10- Certificate of Monumentation reflecting granite/concrete bounds properly set which is signed by the Building Inspector.
- 11- Easement deed language provided to Town Counsel for review and approval regarding Fire Department access to fire suppression systems for maintenance and inspection.
- 12- Easement descriptions noted on final plan set pages.
- 13- Proposed homeowner association documents (i.e. covenants and by-laws) to Planning Board and Town Counsel for review and approval.
- 14- The application of growth control measures or impact fees as appropriate.
- 15- Bonding for road construction and Town acceptance agreed to by the East Kingston Board of Selectmen.
- 16- Bonding for fire suppression systems against failure agreed to by the East Kingston Board of Selectmen.
- 17- Bonding for reclamation completion agreed to by the East Kingston Board of Selectmen.
- 18- Final plans to include a note on the sheets to be recorded stating they are a part of fifteen (15) pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.
- 19- Final mylar pages A1, A2, and A3, together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.

- 20- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.
- 21- Compliance hearing to be conducted prior to Planning Board final approval of the subdivision plan.

Referring to item #11, Mr. Day informed Mr. Cole that the Fire Department had some good examples of preferred language for easements.

Referring to item #18, Mrs. Belcher asked for additional language to be added to the pages to be recorded that would state that all plan sheets and notes on file with the Town are part of the approved plan and enforceable as conditions. Mr. Day asked what prompted Mrs. Belcher's concern, and Mrs. Belcher answered that she was concerned that only three sheets were being recorded out of the total number of 15 sheets, and she would feel more comfortable knowing that all the items would be completed, including those on non-recorded sheets. She suggested that this language might be included with every subdivision that has more sheets than are being recorded with the Register of Deeds. Such would be an acknowledgement of the plans that are on file and still part of the record, but not recorded and enforceable as conditions.

Mrs. Belcher added that the change to the lot #9 configuration might have an effect on lot MBL numbers, and the change should be addressed to Town Administrative Assistant.

Mr. Day assured Messrs. Cole and Berry that with a development of this size and complexity, a list of conditions of this length is not uncommon, and a compliance hearing is a tool that the Planning Board uses to facilitate an unambiguous final approval. The Board would be conferring with them as conditions are met, and a compliance hearing should be the last step in the approval process.

Mr. Day reviewed suggested changes to the list of conditions:

- 1) correct the map/block/lot numbers on the plans,
- 2) Town Engineer confirm/deny need for typical lot grading analysis,
- 3) lots 4, 5, 6 & 7 shall be fully reclaimed before Building Inspector shall issue a building permit, and
- 4) easement language for fire suppression.

Mr. Lloyd stated he thought there was still one outstanding state permit that needed to be issued. Mr. Cole answered that the State subdivision permit was still needed. Mrs. Belcher affirmed the need, and Mrs. Day acknowledged the requirement.

Mrs. Belcher asked Mr. Day to answer the question about reclamation completion before the issuance of building permits. She understood that the Board had conditions regarding road completion and fire suppression systems prior to the issuance of building permits. Were there timelines to be clarified for reclamation as well?

Mr. Day observed that lots 4, 5, 6, & 7 needed to be fully reclaimed before building permits were issued. Mr. Belcher expressed concern about building permits being issued before the roads were sufficiently completed. Mr. Day said that question should be satisfied by condition #8. Mr. Morales confirmed that fact, and Mrs. Belcher agreed as much.

Mr. Donald noted that in the case of another subdivision, the weather had been so rainy and wet that a fire pond had not been constructed. There was a great deal of pressure brought to bear on the Building Inspector to issue building permits prior the roads and the fire pond being inspected.

Mr. Day entertained a motion to grant conditional approval for the 9-lot cluster subdivision application:

MOTION: Mr. Morales **MOVED** to grant conditional approval for the Glenn & Kathleen Clark 9-lot cluster subdivision of MBL 10-4-8 (EKP# #06-03) with the following waivers and conditions:

Waivers:

- 1- Subdivision Regulation Section VII.D. regarding the maximum length of a cul-de-sac to be no greater than 1000 feet (1184 feet permitted).
- 2- Subdivision Regulation Section VII.J. regarding a road centerline slope greater than 5% (9% grade permitted).
- 3- Subdivision Regulation Appendix C – "Typical Roadway Section" regarding a minimum pavement width of 24 feet (20 foot wide roadway permitted, and 16 foot roadway permitted on cul-de-sac termini that are marked as one-way).

Conditions:

- 1- All waivers to be described in notes on a final plan set page to be recorded.
- 2- Sedimentation trap detail to be added to page D1.
- 3- Confirm with East Kingston Administrative Office the correct MBL numbers for all new subdivision lots.
- 4- NH subdivision approval document.

- 5- NH DOT driveway (road intersection) permit document for connection to Burnt Swamp Road.
- 6- Fire Department approval of fire suppression systems design, and the testing and acceptance of systems prior to the issuance of building permits for dwellings.
- 7- Town Engineer confirm or deny the need for a typical lot grading analysis.
- 8- Town Engineer inspection and acceptance of completed roads and related infrastructure prior to the issuance of building permits for dwellings.
- 9- New lots numbered 4, 5, 6, and 7 shall be fully reclaimed prior to the issuance of building permits for a dwelling.
- 10- Certificate of Monumentation reflecting granite/concrete bounds properly set which is signed by the Building Inspector.
- 11- Easement deed language provided to Town Counsel for review and approval regarding Fire Department access to fire suppression systems for maintenance and inspection.
- 12- Easement descriptions noted on final plan set pages.
- 13- Proposed homeowner association documents (i.e. covenants and by-laws) to Planning Board and Town Counsel for review and approval.
- 14- The application of growth control measures or impact fees as appropriate.
- 15- Bonding for road construction and Town acceptance agreed to by the East Kingston Board of Selectmen.
- 16- Bonding for fire suppression systems against failure agreed to by the East Kingston Board of Selectmen.
- 17- Bonding for reclamation completion agreed to by the East Kingston Board of Selectmen.
- 18- Final plans to include a note on the sheets to be recorded stating they are a part of fifteen (15) pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.
- 19- Final mylar pages A1, A2, and A3, together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.
- 20- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.
- 21- Compliance hearing to be conducted prior to Planning Board final approval of the subdivision plan.

Mrs. Belcher seconded, and the motion carried unanimously.

Mr. Day indicated to Messrs. Cole and Berry that there was work yet to be done. They can begin to complete the conditions immediately in preparation for a compliance hearing, and when they are ready for the Board to consider a final approval, the Board can schedule a hearing.

Mr. Cole asked for a copy of the minutes with the conditions included. Mr. Day indicated that the Board would publish a Notice of Decision which will list all of the conditions to be met, and he would get a copy of the decision to them. Mr. Cole thanked the Board for their time, and Mr. Day thanked Mr. Cole for the good engineering, and closed the public hearing.

CONTINUED PUBLIC HEARING FOR JOSEPH AND HENRIETTE CONTI, 168 NORTH ROAD, IN REGARD TO A 2-LOT SUBDIVISION OF MBL 16-3-11 (EKPB #06-04).

Mr. Day opened the hearing, acknowledging Mr. Conti and Mr. Quintal.

For the applicant, Mr. Dennis Quintal of *Civil Construction Management*. Mr. Quintal handed out copies of revised plans to the Board members. Mr. Day reviewed with Mr. Quintal that the last time the Board met, the Board felt it needed information about the 100-year flood plain on the plan. The Board was reluctant to take jurisdiction at that time until it was provided the information. Mr. Day gave the floor to Mr. Quintal.

Mr. Quintal reported that he had worked with Mr. LK Smith to identify the flood plain elevations, which were now shown on the revised plans. He also pointed out that on the new plan, a box representing a 30x60 foot house is used to show the location of a typical single-family dwelling. He indicated that he had received State subdivision approval, and the approval number was listed under #5 in the state approvals list, and that easement language had been submitted to the Board. To Mr. Day's question, Mr. Quintal stated that the easement language referred to the shared driveway. Mr. Day acknowledged that it had been received, and it would be forwarded once the Board has taken jurisdiction. Mr. Quintal stated that those items were all he had on his list of items to complete.

Mr. Morales addressed a concern regarding the abutter list as was discussed at the first public hearing. Mr. Day asked what the nature of the abutter problem was, and Mr. Morales stated that the addresses for two of the abutters had been incorrect, and two more abutters had been added. Mr. Quintal indicated that the problem had been taken care of. Mr. Day noted that it was ultimately the applicant's responsibility to make sure all the correct abutters were included.

Mr. Day opened the floor to abutters; there being none, the floor was closed to abutters.

Mr. Day entertained a motion to take jurisdiction:

MOTION: Mrs. Belcher **MOVED** to invoke jurisdiction for the subdivision plan of MBL 16-3-11 of Joseph and Henriette Conti, 168 North Road (EKPB #06-04). Mr. Morales seconded, and the motion carried unanimously.

Mr. Day reflected to Mr. Quintal that the “approval clock” was ticking. Mr. Quintal stated that he had submitted a waiver request for the driveway at the last meeting, and Mr. Day stated that it had not been sent to Counsel since the Board had not taken jurisdiction at that time. Mr. Day observed that easement language for the shared driveway was needed, and indicated that the Board had it.

Mrs. Belcher inquired if the need for the shared driveway was to reduce the impact on the wetland, and Mr. Quintal stated that it was.

Mr. Day noted that the Board had the driveway permit from DOT, the wetlands non-site specific wetlands permit from DES, and Mr. Quintal’s waiver request from Subdivision Regulation Section VII.F. Mr. Day asked Mr. LK Smith if he had any problems with the shared driveway provision, and Mr. Smith replied that he did not. Mr. Day then asked the Board for questions or comments, of which there were none.

Mr. Day opened the floor to abutters; there being none, the floor was closed to abutters.

Mr. Day stated that he did not have a copy of the subdivision approval, and Mr. Quintal suggested that “it was in the mail.” Mr. Day stated that there was a waiver request to be considered, and in light of the advice the Board had been given, it would make sense that it would look favorably on the request.

Mr. Day asked for a motion to grant the waiver.

MOTION: Mr. Morales **MOVED** the Planning Board grant the waiver to Subdivision Regulation Section VII.F. regarding shared driveways. Mr. Marston seconded, and the motion carried.

The Board reviewed a proposed list of conditions for approval:

Conditions:

- 1- Waiver to be described in a note on a final plan set page to be recorded.
- 2- NH subdivision approval document.
- 3- Easement description for shared driveway noted on final plan set page.
- 4- Easement deed language regarding the shared driveway to Town Counsel for review and approval.
- 5- The application of growth control measures or impact fees as appropriate.
- 6- Final plans to include a note on the sheets to be recorded stating they are a part of 2 pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.
- 7- Final mylar together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.
- 8- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.

Mr. Day questioned a minimum lot width of 125’ since the map did not look like it was that measurement. Mrs. Belcher stated that it was a back lot, and Mr. Lloyd stated therefore it only needed to be 40’. Mr. Day agreed that was the case.

There being no further discussion, Mr. Day asked for a motion to grant conditional approval.

MOTION: Mrs. Belcher **MOVED** the Planning Board grant conditional approval of the 2-lot subdivision for Joseph and Henriette Conti, 168 North Road, of MBL 16-3-11 (EKPB #06-14) based on the following conditions:

Waivers:

- 1- Subdivision Regulation Section VII.F. regarding the requirement for individual lot driveways (wetlands impacts will be minimized with a shared driveway).

Conditions:

- 1- Waiver to be described in a note on a final plan set page to be recorded.
- 2- NH subdivision approval document.
- 3- Easement description for shared driveway noted on final plan set page.
- 4- Easement deed language regarding the shared driveway to Town Counsel for review and approval.
- 5- The application of growth control measures or impact fees as appropriate.
- 6- Final plans to include a note on the sheets to be recorded stating they are a part of “X” pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.

- 7- Final mylar together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.
- 8- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.

Mr. Morales seconded, and the motion carried unanimously.

Mr. Day closed the public hearing.

CONTINUED PUBLIC HEARING FOR STEVEN R. DAVIS, 19 GILES ROAD, FOR A 2-LOT SUBDIVISION OF 13 GILES ROAD (MBL 16-2-6) (EKPB #06-05).

Mr. Day opened the public hearing.

For the applicant, Mr. Dennis Quintal of *Civil Construction Management*. Mr. Quintal provided the Board with revised plans. Mr. Day stated he had received the certification of Monumentation from the East Kingston Building Inspector. He had also just received comments from Town Counsel with regard to the shared driveway which Mr. Quintal had probably not seen.

Mr. Day gave the floor to Mr. Quintal, recalling that the Board had taken jurisdiction for the subdivision, and that this was the second hearing.

Mr. Quintal stated that last time there was discussion regarding the abutters, and that the names have been changed on the plan. The 100-year flood plan needed to be identified, and it was now on the plan. Mr. Quintal noted the corrections did not affect the upland area, and that any construction would be above the flood plain. He noted that a typical home site is also shown on the plan. Mr. Quintal recalled that the Board approved the shared driveway waiver request at the last meeting. He also noted a correction to the wording of "chairman" rather than "chairperson" on the plan, and clarified the square footage of the upland areas. The previous plan included the entire upland area and now it denoted the contiguous upland area for each lot.

Mr. Day asked if Mr. Quintal would please be more specific in the plan note addressing the shared driveway waiver. Mr. Quintal agreed to identify the specific subdivision regulation section reference.

Mr. Quintal stated he had no more new information.

Mr. Day asked the Board and Mr. LA Smith if they had any questions for Mr. Quintal. There were no further questions, and the floor was opened to abutters.

Mr. Peter Gilligan, 4 Autumn Lane. Mr. Gilligan asked for clarification of where the lots were in relation to his property and where the houses would be located on the property. After he was shown on the map where his property was in correlation to the site, it was explained by Mr. Quintal that the trailer would be removed and a "stick-built" dwelling built in the same location. Mr. Gilligan inquired about the shared driveway, and it was explained that it was requested to preserve wetlands area. He was also told that although regular lots needed to have 200 feet of frontage on a road, back lots were viewed differently, and did not require the same footage.

Mr. Day closed the floor to abutters.

Mrs. Belcher asked if they had granted the waiver, and Mr. Day thought they had not. Mr. Lloyd reminded them that the Board had taken jurisdiction, and the waiver was approved at the last meeting.

Mr. Day noted that at the first hearing a question was raised regarding bonding for a temporary trailer or mobile home. He observed that the Town had had to deal with situations where there were two dwellings on the same lot which was a violation of the ordinance. Mrs. Belcher stated that from this point forward, every time the Board was aware of the situation, she would feel more comfortable if the Board made bonding against such an eventuality a condition of approval.

Mr. Donald explained that the existing mobile home on this particular property meets the all set-back requirements and was a habitable dwelling as such. Legally speaking, a person could live in it until the new residence was completed.

Mr. Day stated that he had been sitting in a different kind seat when confronted with this very question (i.e. selectman) and thought it prudent to speak to it directly. Mrs. Belcher agreed. Mr. Day agreed that what Mr. Donald described was what should happen, but that that was not always the case.

There was discussion between the Board regarding this question and it was decided that the stipulation would be added to the conditions to read "In accordance with East Kingston Zoning Ordinance Article VII.D., no building permit shall be issued for the proposed lot MBL 16-2-6 without bonding for a temporary trailer (mobile home) agreed to by East Kingston Board of Selectmen."

The Board reviewed the proposed conditions of approval.

Waivers:

- 1- Subdivision Regulation Section VII.F. regarding the requirement for individual lot driveways (wetlands impacts will be minimized with a shared driveway).

Conditions:

- 1- In accordance with East Kingston Zoning Ordinance Article VII.D., no building permit shall be issued for new lot MBL 16-2-6 without bonding for a temporary trailer (mobile home) agreed to by East Kingston Board of Selectmen.
- 2- The application of growth control measures or impact fees as appropriate.
- 3- Final plans to include a note on the sheets to be recorded stating they are a part of "X" pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.
- 4- Final mylar together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.
- 5- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.

There being no further discussion, Mr. Day asked for a motion to grant conditional approval.

MOTION: Mr. Morales **MOVED** the Planning Board grant conditional approval to Steven R. Davis, 13 Giles Road, for the 2-lot Subdivision of 19 Giles Road (MBL 16-2-6) (EKPB #06-05), based on the following conditions:

Waivers:

- 1- Subdivision Regulation Section VII.F. regarding the requirement for individual lot driveways (wetlands impacts will be minimized with a shared driveway).

Conditions:

- 1- In accordance with East Kingston Zoning Ordinance Article VII.D., no building permit shall be issued for new lot MBL 16-2-6 without bonding for a temporary trailer (mobile home) agreed to by East Kingston Board of Selectmen.
- 2- The application of growth control measures or impact fees as appropriate.
- 3- Final plans to include a note on the sheets to be recorded stating they are a part of "X" pages in the approved plan set on file with the Town, and that the unrecorded plan pages are a part of the approved plan and enforceable as such.
- 4- Final mylar together with full-sized and 11x17 copies of the final plan set, to be submitted to the Planning Board for chairman signature and recording.
- 5- All outstanding or future fees and charges due the Town in connection with the subdivision, including but not limited to the reviews of Town Counsel, Town Engineer, RPC Senior Planner, Building Inspector, and Fire Department, and those administrative costs incurred by the Town be fully discharged.

Mr. Lloyd seconded, and the motion carried unanimously.

Mr. Day closed this public hearing.

DISCUSSION WITH THE EAST KINGSTON ELEMENTARY SCHOOL BOARD REGARDING A PROPOSAL TO PAVE AN EXTENSION TO THE SCHOOL PARKING LOT

Mr. Donald asked if he might explain why the matter is being addressed to the Board in its present form. He had gone with an engineer from the school district to look at the parking lot, and his first understanding was that all the school wanted to do was pave over an existing dirt parking lot. Upon looking over the site plan review procedures, he realized that such a proposal could justify a site plan review. The issue was that vehicles had been stuck in the mud of the unpaved area and had to be towed out at the owner's expense after Town Meetings when the area was used for overflow parking. He had suggested the School Board write a letter to the Planning Board stating what they wanted to do. Mr. Donald was unsure what more the Board needed from him in the way of information. Mr. Day stated that Mr. Donald's comments were a part of the reasons the School Board was asked to discuss the matter.

Mr. Day explained that the site plan review is a regulation that the Planning Board had formulated and presented at a public hearing before adopting. He noted that authority is vested in planning boards to govern the review of site plans for development, change or expansion of non-residential uses, and for multi-family dwellings, whether or not such development includes a subdivision or re-subdivision of the site. Mr. Day expressed his opinion that this present proposal clearly falls within the purview of the Planning Board

and the Town's right to have a say in the matter. More to the point, the Board has addressed similar questions with the Fire and Police Departments, and he does not feel it appropriate to treat the school any differently.

Mrs. Belcher addressed the pros and cons for conducting a site plan review. Pros included: 1) courtesy to abutters; 2) drainage issues should be looked at since this site has had previous drainage problems, and the proposal involves more impervious surface; 3) the Planning Board has the authority to waive many specifics; 4) consistency of provisions for all Town projects; 5) should be made part of the Town's public record; 6) address any lighting issues with abutters; and 7) the Planning Board could hold a special public hearing to expedite the application if so needed.

Cons included: 1) a pressing timeframe for desired construction. Mrs. Belcher's understanding was that the school district was looking to do something in July, but the applicant should have approached the Planning Board sooner; and 2) application with engineering plans would need to be drafted/submitted. Mr. Day noted that Mrs. Belcher's concerns closely mirrored his own.

Dr. Robinson commented that the school district was considered a governmental use and as such, the Planning Board could have a hearing, and issue comments regarding the site or the project, but they would not be binding on the governmental user. She suggested that the fact that the school could proceed as they wished should also be considered in the pros and cons. She wanted the Board to be aware of that fact, but thought it was a good idea to have a hearing.

Mrs. Belcher stated that while the Board was already aware of the fact that municipalities were not required to come to planning boards for approval, that fact could be added to the list of cons.

Mr. Richard Poelaert, Chairman of the East Kingston School Board, addressed the Board. He explained that the school came before the Planning Board with their request for the parking lot with the full knowledge that they did not need its permission. There had been a problem with the parking lot each time it rained, and since the town meetings and elections were held at the school, the solution they settled upon for the problem was to pave the area. They had appropriated the money to pave the lot and fix the problem. From a strictly environmental point of view, if that area of the parking lot was paved, he explained that any oil from cars would not be absorbed into the ground, but run into an existing oil separator system installed last year.

Mr. Poelaert explained that they did not have the money to appropriate toward a site plan for the proposed parking area to be paved, for this year's budget closed at the end of the month (June), so they were in a "Catch-22" situation. They could accommodate the Board in many ways, but not with money.

Mr. Day explained that he was concerned about run-off and more impervious surface. One of the planning issues the Board has felt strongly about is impervious surface. He noted that when the local church came to the Board with a parking lot site plan, it was required not to pave its parking lot, leaving it gravel for that very reason.

Mr. Poelaert reiterated that once any oil was to hit the parking lot, it would be contained within a series of culverts, which would divert it to the existing oil separator system.

Mr. Day asked Mr. Poelaert if he could assure him and the Board that this new extension would behave the same way. At that point, Mr. David Miller, a member of the School Board and a civil engineer, explained that even though the lot was dirt, it was packed very hard and it was behaving as impervious surface at the present time. He explained that the area in question generally slopes from the Cole House to the existing paved area, and then pitches away from the school to an existing swale that leads to the oil separator system.

Mr. Day suggested to the Planning Board that this was a decision for them to ponder. They could say they wanted a site plan and the school district could ignore the request. At that point, Mr. Poelaert stated that they were not intending on doing that. Mr. Day stated to Mr. Poelaert that the Board was obligated to make a decision as to whether or not they felt that a site plan review would be appropriate, and that the School Board had an obligation to decide if it was in their best interests to respond accordingly.

Mr. Miller reiterated that a site plan review would impact the budget tremendously. He stated he could do it himself as he was licensed to do so, but had a hard time seeing the benefit of such a time-consuming task for a very small piece of pavement.

Mr. Poelaert reminded Mr. Day that the school did not have to adhere to what the Board suggested and could just pave the area, but also stated that they had no intention of doing so. They were at the meeting to see if they could work out an amicable solution to the problem. If the Board decided that they did not want the school to pave the lot, they would not pave it. At the same time, he reminded the Board that the problem with the lot was not a school problem but a Town problem, as it was used for elections and meetings. Mr. Miller interjected that the lot also posed a problem with ice in the winter and could not be plowed in its present state.

Mr. Day asked when the School Board needed the decision, and Mrs. Belcher pointed out that the School Board needed to expend its budget by June 30 2006. Mr. Poelaert explained that they wanted to have the work performed by August 15 so that it was completed before the start of the new school year.

Mr. Day told Mr. Poelaert that he wished he had come to the Board several months back, and Mr. Poelaert explained that they look at the budget on an on-going basis, and since they had not needed the money for a special education student, it meant they now had the

money to spend on paving the lot. Mr. Day restated that his concern remained that there was nothing definitive in front of the Board stating that what Mr. Poelaert said was in fact the case. He noted that the Board is faced monthly with drainage problems of all descriptions.

Mr. RA Smith asked when the lot was paved, where was all the water going to go? Mr. Day stated that, for him, the major concern is with water flows and impervious surfaces. He asked how might they come to an agreement or understanding that drainage won't be a problem. Mr. Poelaert noted that last year \$80,000 worth of site work was done to relieve the water around the school, and the work had included the oil separator system.

Mr. Day asked the Board what they thought in the matter. Dr. Marston responded that he thought the Board should let the school pave the lot, and Mr. Lloyd agreed. Mrs. Belcher stated that she agreed, given the timeline and the circumstances. She also stated that she agreed with Mr. Day also, and would feel better if the Board had something in writing for the file. She asked Mr. Miller if he would be willing to put together a semi-official plan that the Board could have on file; something that would include the dimensions of the lot and where the water would be directed, with some sort of drawing. She realized that the school district wished to accommodate the planning concerns of the Planning Board, and that the Planning Board wished to accommodate the school district's needs, and would like to be consistent about how Town projects are dealt with.

Mr. Day observed that the School Board may or may not be aware of the Planning Board's involvement with the Police Department to develop its new site, and the very similar work with the Fire Department to complete its new addition. Thorough engineering plans are now on record for both projects with the Town for historical and other reasons. He was concerned about the lack of paperwork, and if there was something the Board could have from the school in the way of a clear picture of the work to be done, it would go a long way. Mr. Poelaert suggested that they give the Board a copy of the existing site plan with the new paved area added to it.

Mrs. Belcher stated that we work to make sure that all departments are working for the good of the Town. Mr. Day explained that the Board appeared not to want a site plan review, but it would be appropriate and historically useful to have the information in the planning files. Mr. Poelaert asked if they could be first on the agenda for the July meeting, and Mr. Day said he was suggesting that all the Board was asking for was information for the record, and that they would not need to come back next month. Mr. Poelaert agreed to get the information to the Board.

Mr. LK Smith offered a correction to the information in the School Board memo that the proposed extension was east of the parking lot, rather than west as was stated in the letter.

Mr. Day thanked Messrs. Miller and Poelaert for their time.

DISCUSSION WITH MS. AMY MASTRONARDI REGARDING A HOME OCCUPATION – BAKERY BUSINESS

Mr. Day recognized Ms. Mastronardi. She explained that she wanted to move to East Kingston and have a home occupation to make wedding cakes from her home. She was asked if she had brought any samples, which she did not, but she brought two books with examples of the cakes she makes. She explained that since it would not be a retail storefront business, customers would not be coming in and out like a commercial bakery, and there would be no trucks coming in and out, but that clients would come in for consultation.

Mr. Day asked her how much space she would need to do it and she replied that according to the NH Health Code, she would have to build a commercial kitchen. Mr. Day explained that square footage allowed for home occupations would change according to whether she was located on a State or Town road. Mrs. Belcher suggested that she get a copy of the ordinance and the application from the selectmen's office.

Mr. Day said that the Board could not speak in specifics, but that they did not discourage home occupations. Ms. Mastronardi asked if what she was proposing would fall under the home occupation category. Mrs. Belcher stated that, based on the information she had provided, it was her opinion that it did qualify for a home occupation. Mr. Day suggested that if she found a location that she really liked, she could include a caveat on the sales and purchase agreement to make it contingent upon her obtaining a home occupation permit. Ms. Mastronardi asked if the Planning Board would be her first stop for obtaining a home occupation permit, and Mr. Day answered that it was. Ms. Mastronardi thanked the Board for their time.

OTHER BOARD BUSINESS:

Subdivision Regulation change recommendation. Mr. Day referred the Board to information that Fire Captain Conti had given to him regarding Subdivision Regulation Section VII.R, which addresses the requirement for a 30,000-gallon cistern/fire pond for all subdivisions. He noted that the Fire Department is recommending any subdivision creating less than 3 new lots ought to be exempt from such a requirement with the caveat that newly-created lots cannot support any further subdivision of land in the future. For example, were someone with 100 acres to propose subdividing it for two small lots, that subdivision would preclude any further subdivision of the remaining parcel. Mr. Day asked Mr. Conti for verification that he was correct in his understanding, and Mr. Conti stated that he was. Mr. Day expressed his concern that such a caveat might not stand legal scrutiny.

Mrs. Belcher offered that it could read that no further subdivision would be approved “unless a cistern was installed.” The Board would therefore not be prohibiting further development, but rather, precluding unprotected development by stealth.

Mr. Conti stated that Mrs. Belcher’s reasoning was incorrect; if there were plans for future subdivision, cistern(s) should be installed now, and not when it was subdivided again. Mrs. Belcher thought that it was unreasonable to expect someone to pay \$30,000 for a cistern for something that might happen in the future, and when they might not even own the property. Mr. Day suggested that this was a good item for discussion at the next work session.

Mrs. Belcher stated she thought it would create a financial hardship for some people such as the Brandts who were still waiting to build their house. Mr. Conti stated that the Fire Department had looked at that situation and had decided that it was not needed. Mrs. Belcher stated that it was one of the conditions for subdivision approval. Mr. Conti said again that the Fire Department had taken the matter under review and decided that it was not necessary. Mr. Day told Mr. Conti that the Fire Department had no license to do that, and Mrs. Belcher seconded that opinion that they could not change the conditions of approval by the Planning Board.

Mr. Day stated unequivocally that review of conditions were not subject to change by any entity other than the Planning Board. If the cistern was a condition of approval, it remains as such, and the Fire Department did not have the authority to change it. If the Fire Department felt that the condition of approval was no longer appropriate, then they needed to address that to the Planning Board.

Mr. Conti replied that the Fire Department took the statement “subject to the review of the Town Fire Chief” to mean that they had the right to change the condition. Mr. Day explained that they could not square that with the subdivision requirement for a subdivision requirement for having adequate fire suppression available. That was a condition of approval from the Planning Board, and if the Fire Department felt that that condition was inappropriate, they should come to the Board to change that stipulation in that subdivision regulations. Mrs. Belcher stated that the Planning Board cannot be undermined; that teamwork was necessary.

Mr. Day stated that the Fire Department was not autonomous in that regard. The Fire Department must refer to the Planning Board’s conditions of approval, which is their authority and direction, and the Department does not have license to change that. Mr. Day stated that now that he knew what had happened, he was going to address it to the selectmen. Mr. Conti countered that it had taken hardship into consideration, and Mr. Day reiterated that the Planning Board was the forum at which to address any such questions. Mr. Conti again stated that the Fire Department’s action was taken in light of Subdivision Regulation Section VII.R.

Mrs. Belcher stated that it did not give the Fire Department license to circumvent decisions made by the Planning Board. She noted that it is the Planning Board’s responsibility to set the conditions of approval, and the Fire Department has the authority and expertise to determine when those conditions are met.

Mr. Conti continued to explain why that decision had been made. Mr. Day replied that, emotionally, he agreed with him, but rationally and procedurally, the Fire Department was wrong. The Department did not have license to make such decisions itself. Mrs. Belcher asked if Mr. Conti understood the Planning Board’s point of view that it wanted to work together with the Fire Department.

Mr. Day suggested to Mr. Conti that he would recommend the Fire Department ask the Planning Board to revisit that decision. In the particular instance of the Brandt subdivision, the Fire Department should re-address the question to the Planning Board if it felt the requirement inappropriate. Mr. Day was sure the Board would entertain further discussion. Mrs. Belcher stated that this would make it legal since a word from a Fire Department member did not relieve the Brandts from fulfilling the conditions set forth by the Planning Board.

Tricklin’ Falls Dam property access. Mr. LK Smith was asked if he knew who owned Tricklin’ Falls and the property adjacent to it. He replied that the State did. Mrs. Belcher thought it sad that it was no longer used for recreational purposes. She asked Mr. Morales if the Board of Selectmen deemed that the property should be used as it was intended, could they ask the Police Department to remove the no-parking signs. Mr. Morales answered that they should get the appropriate people to help them.

Mr. Conti stated then when the State redid the hydrants on the property, I-beams were installed on the parking side. Locks had been installed preventing the Fire Department from accessing the hydrants. The Department had obtained special locks to allow them access. Mrs. Belcher stated that the no-parking signs should be on the grass and not where people needed access to the property for recreational purposes. She stated she had received a parking ticket there when she was 20, and Mr. Day suggested that that must have been last week.

Planning Board meeting with Conservation Commission. Mr. Day asked the Board what they thought of a joint meeting with the Conservation Commission in July to discuss the proposed work on a natural resource inventory ordinance. The Board’s consensus was that it would be worthwhile, and Mr. LK Smith asked when the meeting would be. The 10th of July at 7:00PM in Mr. LK Smith’s office was suggested, it coinciding with the Commission’s own meeting. The date was penciled in, and Dr. Robinson suggested she would confirm she could attend.

ADJOURNMENT:

MOTION: Dr. Marston **MOVED** the Planning Board adjourn. Mr. Morales seconded, and the motion carried unanimously at 10:05PM.

Respectfully submitted,

Barbara A. White
Recording Secretary

James R. Day, Jr.
Chairman