



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2014-2015
Joe Cacciatore, *Chairman*
Dr. Robert Marston, *Vice Chairman*

MINUTES
Regular Meeting 19 June 2014
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Continued Public Hearing** for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC.
- ◆ **Public Hearing** for Change/Expansion of Use for 152 Epping Road LLC (Kevin Jones) at 8 Depot Road (MBL 09-06-05) for Moto Sports Xing to operate as a motorcycle inspection station - PB 14-0AC
- ◆ **Public Hearing** for Site Plan Review for 152 Epping Road LLC (Kevin Jones) at 5 Depot Road (MBL 09-03-10) for acceptance of the site plan for paving around the storage units and the associated drainage plan; and for storage of RVs and boats at the storage facility - PB 14-0D.
- ◆ **Discussion** with Kevin Jones regarding sign specifications for 5 Depot Road
- ◆ **Discussion** with Julian Dunlop and Mario Herrera regarding change of ownership/management and updates to paperwork.

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

ROLL CALL:

Members Present: Chairman Mr. J. Cacciatore, Vice Chairman Dr. R. Marston, Mr. J. Bath and Ex-Officio Mr. R. Morales. Mr. C. Delling was excused.

Advisors present: Rockingham Planning Commission (RPC) Senior Planner Ms. J. LaBranche and John Moreau, East Kingston Building Inspector.

Also Present: Applicants George Guillmette, Mike Corcoran, Julian Dunlop, Mario Herrera, Kevin Jones and his representative Mr. Dennis Quintal, Licensed Professional Engineer, and abutter Mark Coorson.

Board Business

Minutes

Mr. Cacciatore asked for a motion to approve the May minutes.

MOTION: Mr. Morales **MOVED** to approve the May minutes as presented; Mr. Bath seconded.
The motion passed unanimously.

Continued Public Hearing for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC.

This issue is still pending a final court decision and will be continued.

Mr. Cacciatore asked for a motion to continue this hearing.

MOTION: Mr. Bath **MOVED** to continue the public hearing for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC. Mr. Morales seconded; the motion was unanimous.

Public Hearing for Change/Expansion of Use for 152 Epping Road LLC (Kevin Jones) at 8 Depot Road (MBL 09-06-05) for Moto Sports Xing to operate as a motorcycle inspection station - PB 14-0AC

Mr. Cacciatore opened this public hearing and invited Mr. Guillmette and Mr. Corcoran to the front to explain their application. They explained that along with their repair business of motorcycles and OHRVs, they would like to operate as an inspection station as well.

Mr. Morales asked what was entailed in such an inspection. They explained they would check the lights, tires, etc to make sure the vehicle was safe to be on the road. They also do a decibel check, and in answer to Mr. Morales' concern about noise, stated that the inspection is done at an idling speed so there would be no loud noise for that portion of the inspection. They would also like to do inspections of paperwork for OHRVs which consists of checking that the driver has a valid license; there is no safety inspection required for OHRVs.

Along with the inspection question, they presented proposed signage for the business which conforms to the regulations. One sign would be placed near the utility pole by the railroad tracks, but not placed on the pole. They were cautioned to ensure it was not installed on railroad property. The other would be placed on the building. They provided a copy of the signage for the file.

Mr. Cacciatore opened the floor to abutters. There being none; he closed the floor.

Mr. Cacciatore asked for a motion on the proposed inspection station application.

MOTION: Mr. Bath **MOVED** to approve the expanded use to add inspection of motorcycle and OHRVs to the Conditions of Approval for Moto Sports Xing. Mr. Morales seconded; the motion was unanimous.

Mr. Cacciatore asked for a motion on the proposed signage.

MOTION: Mr. Bath **MOVED** to approve the signage for Moto Sports Xing as presented. Mr. Morales seconded; the motion was unanimous.

Mr. Cacciatore closed this public hearing. Mr. Guillmette and Mr. Corcoran thanked the Board for their time.

Mrs. White will amend the Conditions of Approval for Moto Sports Xing to include approval of motorcycle and OHRV inspections and send a revised copy to Mr. Jones, Mr. Guillmette and Mr. Corcoran. Mrs. White will also send the necessary letter to the Selectmen requesting return of the appropriate paperwork to the State regarding the inspection station approval.

Public Hearing for Site Plan Review for 152 Epping Road LLC (Kevin Jones) at 5 Depot Road (MBL 09-03-10) for acceptance of the site plan for paving around the storage units and the associated drainage plan; and for storage of RVs and boats at the storage facility - PB 14-0D.

The Board decided to address each of the questions individually. They addressed the paving/drainage first.

Mr. Cacciatore invited Mr. Jones' representative, Mr. Dennis Quintal PE to the front to present the application for paving around the storage units and the associated drainage plan. Mr. Quintal explained he had indicated a small unfiltered trench on the railroad side of the property as there was no room for anything larger in that space. On

the southwest side of the units is a proposed grassy area which would filter the runoff as it flows towards the wetlands through the gravel and grassy areas and treatment swale.

Mr. Cacciatore asked if the Board members or advisors had any questions.

Mr. Moreau asked if clients would be driving around the units; Mr. Jones answered that was not the intent. He did not anticipate more than one car at any one time using the individual units in a row, and as such there was no need to drive around. It would be a drive in and back out situation.

The paved portion of the driveway would be over the existing driveway asphalt from the road to the storage units, and run all the way to the garage at the rear of the property next to the storage units which also belongs to Mr. Jones and is the rear yard of his existing house lot (13 Depot Rd.). There is an easement in place for access to the rear yard through 5 Depot Road. There is also an existing gravel area on the northwest side of the property.

Mr. Cacciatore opened the floor to abutters. Mr. Mark Coorson, 7Haverhill Road asked for an definition of what reconstituted asphalt was. Mr. Quintal explained it was a recycled product which consisted of ground up asphalt. The area is presently gravel which has 80-90% runoff capability; paving the area would increase that to 95-98% runoff and using recycled asphalt would be somewhere in between and allow less sediment runoff than paving.

Mr. LaBranche was satisfied with the drainage plan as presented.

Mr. Cacciatore asked for a motion.

MOTION: Mr. Bath **MOVED** to approve site plan for the drainage plan and use of recycled asphalt for 5 Depot Road as presented. Mr. Morales seconded; the motion was unanimous.

The Board next addressed the request to allow storage of boats and RVs at the storage units.

Mr. Jones explained his observation was that most of the other storage unit businesses he had reviewed all offered storage of boats and RVs and wanted to know if the Board would approve of that change of use for his business.

Mr. Cacciatore asked where they would be parked. Mr. Jones stated his intent was to have those storage vehicles parked on the northwest side of the storage units on the existing gravel area. Ms. LaBranche asked how many he intended on storing. Mr. Jones stated he though 6-7 would fit nicely in the area he was intending for that use.

There was Board discussion on the fact that the area where the intended storage was to be would be hidden from view behind the existing house lots. They also discussed various ways of screening (trees) between the house lots and stored vehicles.

There was also much Board discussion on whether or not this use could even be considered as it pertains to the ordinances. This is a Commercial/Town Center District overlap property and as such has some relaxed uses that are allowed. The main issue was that the ordinance for the Town Center District explicitly states that in the Town Center District, commercial uses as defined by Zoning Ordinance IV-Commercial District would be allowed ***except*** for those businesses which display inventory in the open (vehicles, trailers, motorized operating equipment and machinery) are prohibited.

It was commented that previously a business had come before the Board to request a use at the old post office building as a used car lot and as it was in the Town Center District, it was denied under the same Zoning Ordinance.

Mr. Cacciatore opened the floor to abutters. Mr. Mark Coorson, 7Haverhill Road stated that as he could see straight through the bare trees in the winter to the property, he was not too happy with the thought of his possible view of shrink-wrapped boats.

After more rigorous discussion on the ordinances, Mr. Cacciatore asked for a motion.

MOTION: Mr. Bath **MOVED** to deny the application for change/expansion of use 5 Depot Road for storage of boats and RVs. Mr. Morales seconded. The vote was 3-1 against approving this use.

Mr. Jones stated he understood and respected the Board's decision not to allow the use.

Mr. Cacciatore closed this public hearing.

Mrs. White will amend the Conditions of Approval for Depot Storage disallowing the storage of boats and RVs and send a revised copy to Mr. Jones.

Discussion with Kevin Jones regarding sign specifications for 5 Depot Road

Mr. Jones presented a rendering of his proposed signage for the storage units. It would be 2-sided and in similar colors as the General Store across the street. It was a wood product with applied graphics and would have no lighting. He would comply with the size requirements which is 32sf and would like to mount the sign between two granite posts.

The Board had no problems with Mr. Jones' sign design as presented. There was Board discussion regarding safe sight distance past the sign and they concurred that if the sign was set back 20' from the edge of pavement there should not be any sight distance problems.

Mr. Cacciatore asked for a motion.

MOTION: Mr. Bath **MOVED** to approve the proposed signage as presented for 5 Depot Road with a 20' set back. Mr. Morales seconded. The motion passed unanimously.

Mr. Cacciatore closed this discussion.

Mr. Jones thanked the Board for their time.

Discussion with Julian Dunlop and Mario Herrera regarding change of ownership/management and updates to paperwork.

Mr. Herrera was in attendance and provided the Board with a copy of the Power of Attorney from owner Mr. Dunlop, giving Mr. Herrera permission to conduct business on behalf of the restaurant, and a copy of the liquor license for the Red Iguana. This is the information the Board had requested.

In September of 2008, the Selectmen had approved seating on the deck upon recommendation of the Planning Board, and also had no objection to service of alcohol on the deck under the Red Iguana name. All that is necessary is a letter to the state liquor board that there is no objection to the East Kingston Restaurant LLC dba Red Iguana Store 1001 serving alcohol on the deck. This has already been done and there have been no problems, but another letter is needed as the restaurant now is under a new name on the liquor license.

Mr. Cacciatore asked for a motion.

MOTION: Mr. Bath **MOVED** to approve sending a letter to the Selectmen asking them to forward a letter to the state liquor Commission stating there is no objection to service of liquor on the deck of the East Kingston Restaurant LLC dba Red Iguana Store 1001. Dr. Marston seconded. Mr. Morales abstained. The motion passed.

Mrs. White will send the letter to the Selectmen and also provide the letter of approval for the Selectmen to sign and send to the liquor commission.

Mr. Cacciatore closed this discussion.

OTHER BOARD BUSINESS

Review of the Master Plan - Ms. LaBranche will review the Master Plan and recommend chapters for the Board to work on this year. The Vision and Existing and Future Land Use Chapters will need to be updated. The Subdivision regulations also need to be updated.

Home Occupation - Mrs. White brought to the Board's attention a home occupation that is confused and is under the impression that since it is invisible, that means it does not need to pay the annual fee. She will send a letter stating how the home occupation ordinance works.

ADJOURNMENT

MOTION: Dr. Marston **MOVED** the Planning Board adjourn; Mr. Bath seconded. The motion was unanimous.

The meeting was closed at 8:23 pm. The next Planning Board meeting will be July 17th.

Respectfully submitted,

Barbara White

Barbara A. White
Planning Board Secretary

Minutes approved July 17, 2014

Mr. Cacciatore
Chairman