

Let file
COPY

PLANNING BOARD

June 20, 1990

Members in attendance: Richard Smith, Sr, Chairman; Cathy George, Dr. Robert Marston and William DiProfio

Others in attendance: Joe Conti, Building Inspector; Sarah Campbell, Rockingham Planning Commission; Larry Smith, Conservation Commission and David Conti, Fire Chief

NOTE: A suggestion was made by Chief Conti that the Secretary include the nature of the proposed Home Occupation when she notifies Board/Officials of a pending application. Every effort will be made to give as much information in the notices as possible.

The meeting was called to order at 7:35pm by Mr. Smith.

Larry Smith noted that the word "Commission" on page 5 of the Minutes of May 16 should read "District". Correction has been made and so noted.

Mr. DiProfio motioned to accept the minutes of May 16, 1990 as corrected.

Mrs. George second.

The motion passed 4-0.

Richard Smith notified the members of incoming correspondence:

- RCCD pamphlet on Technical Consultants...names read.
- RPC population estimates for area towns.
- Sanders & McDermott information on how to conduct executive meetings.
- Natural Resources brochure (training sessions available).

Larry Smith asked if the Board is planning anything for the ~~Conservation Commission~~ to work on.

PLANNING - Corrected 7-18-90 -win

Ms. Campbell stated they are working on the water plan.

Richard Smith will talk with Ann Thompson in the future about the changes in the RSA's.

Richard Cook Mr. Richard Smith recognized Mr. Cook and opened the Public Hearing at 8:00pm.

Mr. Cook submitted a petition signed by his abutters stating they are in agreement with the proposed Home Occupation.

Mr. Cook stated that he will be using his cellar and garage to do light duct work. He will use no solvents and will utilize only hand tools. He anticipates there will be no waste.

Mr. Conti inquired if the garage is attached to the house.

Mr. Cook stated yes. The total area will be 25% of the total footage of his house.

Mr. DiProfio asked Mr. Cook what Home Occupation it most closely fits from the allowable occupations.

Mr. Cook stated he will be doing sheet metal fabrication. He will not be selling his product, rather he will be custom building ductwork at his site and deliver and install on site of the customer. Mr. Cook feels that he will fall into the "craftsman" category.

Mr. DiProfio noted Mr. Cook will employ two plus himself.

Mr. Cook stated that he hopes the business will expand to allow him to buy some of the industrial property and he anticipates no change to his present structure.

Mr. DiProfio asked if there would be any machinery.

Mr. Cook answered there would be none.

Mr. Smith asked is there would be any hazardous waste, or old tin on the exterior.

Mr. Cook replied no to both. He said all the excess tinwork would be taken care of.

Mr. Joseph Conti asked how he would do the bending, by machinery...electrical or otherwise?

Mr. Cook said it would be done with hand machinery, there would be no power at present.

Mr. DiProfio motioned to recommend the Selectmen grant this permit to Mr. Cook.

Mrs. George second.

The motion passed 4-0.

This Public Hearing was closed at 8:12pm.

^{Edward}
Richard Johnson Mrs. George excused herself from the Board at this time as she is an abutter to Mr. Johnson.

This Public Hearing opened at 8:13pm.

Mr. Smith read the notice and recognized Mr. Johnson.

Mr. Johnson stated that he is a Sales Representative for the New England area and he wants to establish an office in his home. He

will have a desk, computer, etc. He is only a representative, not a manufacturer. This will be an office situation.

Mr. Joseph Conti asked if he would have this office in his home or in the building next door.

Mr. Johnson said he would have it in his home, the building next door is vacant.

Mr. DiProfio motioned to recommend the Selectmen grant this Home Occupation permit as requested by Mr. Johnson.

Dr. Marston stated he did not feel that Mr. Johnson needs to apply. He sees it only as using his phone and possibly having occasional visitors. Dr. Marston then motioned that we dismiss the application as it is not needed.

Mr. DiProfio second.

The motion passed 3-0.

The Board of Selectmen will send a letter to Mr. Johnson that he would not require a Home Occupation permit.

Mr. DiProfio noted that the Board of Selectmen will be notified to return the \$50.00 application fee.

This Public Hearing was closed at 8:20pm.

Ed Smith Mr. Smith submitted his application for a Subdivision.

Mr. DiProfio asked how wide the ROW is to the back.

Mr. Smith said it is 25 ft. He also stated he and Larry Smith still need to talk about this.

A Public Hearing for Mr. & Mrs. Smith was scheduled for July 18, 1990 at 8:30pm.

Mr. Smith said that he had a question about the tax map numbering. He said that Ruth Kaste gave him nos. 06-01-40 and the Board agreed this is okay. They are shown on the plan.

Robert Mills Mr. Mills was informed that the Board had a problem with his application. The Board accepts the applications at a Board meeting and then schedules the Public Hearings. The next problem is with the fees to be paid. The Board feels this should be calculated at the fee per lot times 40 lots (units).

The Board formally accepted the application and scheduled a formal Public Hearing to be held on July 18, 1990 at 8:00pm.

Mr. Mills and Mr. Pica agreed that they would proceed with a preliminary discussion this evening.

Mr. Pica stated they have made changes utilizing the five additional acres as suggested.

Mr. DiProfio said he wanted to update the public (as many abutters to this property were present) on the past history of this proposal. He said that Mr. Mills has been in twice before and has not included the through road. The first proposal was unacceptable because of the length of the road. The newest through road would connect Andrews Lane and Route 107.

Mr. Pica said they are doing what the Planning Board had suggested by proposing a through road to Route 107. He showed the road profiles and the grades. He noted the Site Plan Review allows a maximum 5% grade. He also said they have discussed the possibility of increasing the 5% grade. He noted the increase of 5.6% at approximately 1175 ft. into the filled area....7% grade at 1300 for 417 ft. The grading at the juncture of Route 107 would allow the drainage to flow back onto the property.

Mr. Pica said the proposed road would not overly burden Andrews Lane and extension as this would be a non-collector road or a major road.

Mr. DiProfio asked if they would be seeking a waiver with this proposal.

Mr. Pica stated yes.

There was discussion between Mr. Pica and the abutters at this time and the prints were displayed for the public observation.

Mr. Pica stated that the safe site distance entering Route 107 was 400 ft. and meets the requirements.

Mr. Joseph Conti asked if they would be utilizing the existing driveway.

Mr. Pica said yes, they would, however, they must obtain state approvals for the status change from driveway to street.

Mr. DiProfio stated they would require septic and water provisions for the Public Hearing.

Mr. Joseph Conti said they would have to have new test pits, or perk the old ones. He asked if they would have individual septic systems.

Mr. Pica stated they would have multiple user systems. They would have to maintain the setbacks.

Mr. Pica asked what number of units would be allowed. He asked if the ROW is deducted from the calculations.

Ms. Campbell said they would use the ROW for calculations for the number of units, but not for the calculations for open space.

Mr. Pica said he would need a waiver on the five acre parcel. The road grade and narrow configuration does not allow for maximum use of the lot. Mr. Mills would like to place two units with less than 100 ft. to the abutting property. He would like to continue the cluster to the five acre piece.

Mr. Pica was informed that they must request all waivers in writing at the time of the first meeting.

Ms. Campbell said she doesn't know if the road is stipulated in the Cluster Ordinance, however, she will review and get back to him.

Mr. Pica noted the plans show a 8 ft. high retaining wall, with waiver, they could bring it closer, have better grades and a smaller wall. They are asking for 24 ft. paved width.

Mr. DiProfio stated that they should be made aware that when they submit the application an come for a Public Hearing the Board may request a Town Engineer and legal review. The cost for this remains the developer's responsibility.

Mr. Mills stated that he will assume these costs.

Mr. DiProfio said he wants the Engineer to review the placement of the wall. He noted the advantages of having an independent review prior to the Board making its decision.

Mr. Smith asked the length of the cul-de-sac.

Mr. Pica noted it is 150 ft. to the edge of the pavement.

Mr. DiProfio said the Conservation Commission would be reviewing as would the fire protection status by the Fire Dept.

Mr. Pica said the cul-de-sac would be owned by the abutters (the Association). He said it would be privately owned, not by the Town. It would be maintained by the six homes serviced by it.

Mr. Joseph Conti asked the distance between houses.

Mr. Pica said 50 ft.

Ms. Campbell said in the Zoning Ordinance it states each building lot should have its own driveway. She asked if the developer interprets these as house driveways.

Mr. Pica said there would be no lot lines. They would calculate 15,000 sq.ft. as provided by the Ordinance for open space. This would be done in the calculations.

The cul-de-sac homes each have their own driveways. The advantage was there would be less driveways coming out onto the Town road. This would allow only one access for the homes served.

Mr. Conti asked if the cul-de-sac would be 24 ft. wide paved.

Mr. Pica said yes, they are showing 24 ft. now, with 120 ft. diameter. He noted the Zoning Ordinance shows a 20 ft. paved area with 150 ft. diameter.

Mr. Pica said Mr. Mills will increase the diameter to accommodate the Town specifications.

Mr. Pica asked if the Town defined a "service" and "collector" road.

Mr. Smith said he felt servicing six homes is a "collector" road. He also noted two units can be placed on one drive with the approval of the Planning Board.

Mr. Pica asked if 60 ft. ROW was required for a Town road.

They must maintain a 60 ft. ROW.

Mr. DiProfio said he wants the cul-de-sac to be a Town owned road.

It was agreed waivers would be needed for the grades shown on the profile and the 100 ft. setback for the buffer zone.

Ms. Campbell said they would need a variance from the Board of Adjustment.

Mr. Mills said this would be only one lot, there won't be any new lots by going with the Cluster.

The number of units are subject to final approval by the Engineer.

Mr. DiProfio stated the intent of the Application fee schedule is for each unit in the Subdivision. The Application was not updated at the time for Cluster Development.

Ms. Campbell said at the time the Site Plan Review was amended, the fees were set at \$35.00 per lot, parcel or dwelling unit, but it is not applicable on this Cluster.

Mr. Mills agreed to pay the per lot fee. He will be charged as follows:

\$ 922.50	Based on 22 Units, plus 17 Abutters
- 40.00	Paid for 1 Unit
\$ 882.50	Balance owed to East Kingston

Mr. DiProfio explained the 90 day clock situation. The developer must apply to the Planning Board for an extension.

Mr. Pica asked if the Board had any other concerns.

Mr. Smith asked if they will have a community well.

Mr. Pica pointed out its location. He stated the minimum recovery would be 12GPM (22 units). The State requires 10.3GPM with adequate storage (absolute minimum). All water supplies and quality would be approved by the State.

It was noted that the Town requires all State approvals prior to their approval.

A Public Hearing was scheduled for July 18, 1990 at 8:00pm.

Other Business:

Susan Oeschele, School Board member stated the Board has concerns about the Mills proposal and the impact it may have on the schools.

Mr. DiProfio stated they should come back during the Public Hearings to ask questions. He said they could hire consultants if needed.

One abutter asked if the land has been surveyed by a Registered Land Surveyor. He stated one abutter's lot is missing.

Ms. Campbell stated the parcel has to be surveyed by a Registered Land Surveyor.

Mr. Larry Smith said that the plan is stamped by an Engineer, not a Surveyor.

Mr. DiProfio said at the Public Hearing people could ask these questions and the Board would do what we can.

One abutter expressed concerns with a 13 ft. ROW funneling into a State highway.

Mr. DiProfio said he realizes the problem, but Andrews Lane is a 30 ft. ROW and the Board of Selectmen will be reviewing with the Town Engineer to recommend increasing the surface to 18 ft. paved.

The road is too long (Andrews Lane). 1200 ft. length was allowed.

One abutter addressed how the new development will effect existing Andrews Lane.

Mr. DiProfio noted he is aware that it will affect it, for certain.

The meeting adjourned at 9:50pm.

NOTE: At the end of the evening, Mr. Mills paid \$822.50 for his application fee.

Respectfully submitted,

Nancy J. Marsden, Secretary

Typed: June 26, 1990