



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES
Work Meeting 8 July 2010
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval** of June 17 minutes
- ◆ **Board Business**

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

ROLL CALL: Mrs. White called the roll.

Members: Mr. E Warren, Mr. R. Morales, Mr. D Pendell, ex-officio. Dr. RA Marston and Mr. D Sullivan were not in attendance.

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

Advisors: There were no advisors present.

Vice Chairman Morales chaired the meeting as Chairman Sullivan was not in attendance, and appointed Alternate Peter Gilligan as a voting member in Mr. Sullivan's absence.

Board Business

The first item on the agenda was to approve the minutes of June 17. Mr. Morales offered some minor grammatical changes. As there was not a quorum of members present who attended that meeting, approval was tabled until the regular July work meeting on July 15.

Discussion on relaying information to new tenants with no change of use

Mr. Morales thought towns could make their regulations more stringent than the RSA, and questioned why the phrase needed to come out. Mr. Pendell noted you could make them more stringent, but in this case it went against the RSA; the RSA did not give the Planning Board the authority to require applicants to come before them for a change of tenant, but did for a change of use.

Mr. Morales noted there should be some way for the Board to monitor these things as the safety and well-being of the citizens of the Town was part of the responsibility of the Planning Board as per the Master Plan.

The Board questioned how they could impart conditional information to new tenants, as they could not mandate them to appear before them if there was no change of use.

Mr. Pendell noted they could send a letter and include the previous conditions of approval. Mrs. White was unsure if the landlord ever notified the new tenant of the approved conditions.

Mr. Morales wanted to know how the Board would impart conditional information, an annual fire inspection for example, to a new tenant if they were not required to come before them? They are still bound by the rules from the Building Inspector and the Fire Department. How does that information transfer if you do not meet with them? Mrs. White relayed that the LGC had intimated you could invite the business to come in for a discussion, but it would be their choice if they wanted to attend and you could not mandate them to.

The Board wondered if occupancy permits had an expiration date, and/or if they could mandate a new occupancy permit for new tenants. They also were not sure if the Building Inspector had to give them a new occupancy permit or not. Mrs. White will check with the Building Inspector and the LGC and report back to the Board. Mr. Warren noted perhaps the Board could include in their regulations that a change of tenant requires a new occupancy permit and a new inspection by the Fire Department; that way they would know exactly what was happening at the location.

Mr. Morales asked if they could find out what type of permitting is allowable to give the Town the right to inspect a business at least annually. Mrs. White will call the LGC. She also reminded the Board that all the conditions of approval that were given had the stipulation there would be at least one annual fire inspection performed; in some cases two.

Review of Notice

The Board reviewed the notice that Mrs. White had put together, and approved it to be posted in several places in Town (the library, Post Office, Jewett's, Pound School), and on the website.

Mr. Warren stated that the Exeter Information Channel could also be another place to post the bulletin. He suggested contacting Comcast in Exeter for more information.

Mr. Pendell noted there was now a person affiliated with the Exeter Newsletter who was producing a page a month dedicated to East Kingston news. He suggested Mrs. White contact her to see if she could put something in about the meeting for forming an Agricultural Commission.

Mrs. White will find out how much it costs to have the bulletins printed at Staples. Mr. Warren stated that the Fire Department would deliver the notices to individual houses much like they deliver the calendars.

Mrs. White will put an RSVP note at the bottom of the bulletin to help decide how much refreshments they should provide.

Agricultural Commission Discussion Specifics

Although it had been suggested that speakers would be an asset to the discussion, it was decided that for the first meeting, the facilitation will be handled by Ms. LaBranche and any further questions could be answered by either Mr. Morales or Mr. Gilligan.

Mrs. White will take care of providing the refreshments.

Letter for Carmen's

Mrs. White had requested the Fire Chief provide a copy of his letter pertaining to his inspection of Carmen's for her file. He provided it to her this evening, and upon reading it to the Board, she noted it stated that there were to be gates at either end of the deck. Mr. Warren had informed her at a previous date that upon investigation, he had found the second gate (at the top of the handicap ramp) was not supposed to be installed. Because in the future there could be a different Board and/or Fire Chief and no knowledge of the verbal

approval between the Fire Chief and the applicant pertaining to that second gate, Mrs. White asked if he could send a revised letter to Carmen's stating that fact, reinforcing the verbal permission he had given them, and asked if the Chief could also give her a copy for her file. Chief Warren agreed to do so.

Site Plan Regulation Change

Mrs. White reminded the Board that there would be public hearing in August to remove the "*including change of tenants*" phrase from both Section I - Authority (page 1) and A.1. - Introduction of the Site Plan Review Procedures (page 14) in the Site Plan Regulations.

Industrial Park

Mrs. White noted there could be a prospective tenant to the light industrial park coming before the Board.

July 15th Meeting

Pendell and Mr. Warren both noted that they would not be able to attend the July 15th meeting as they had prior engagements.

MOTION: Mr. Pendell **MOVED** the Planning Board adjourn. Mr. Gilligan seconded. The motion passed unanimously.

Mr. Morales closed the meeting at 7:50 pm.

HANDOUTS TO THE BOARD

- Draft Bulletin
- Creating an Agricultural Commission procedures

Respectfully submitted,

Barbara White

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved August 19, 2010