



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2009-2010

David F. Sullivan, Chairman
Edward Warren, Vice Chairman

MINUTES

Regular Meeting 16 July 2009
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Approval** of June 18 minutes.
- ◆ **Review** of Tenant Applications
- ◆ **Discussion** of Home Occupation Application fees
- ◆ **Update** on the Trash Sequence
- ◆ **Discussion** regarding the Wind Energy
- ◆ **Update** regarding the CTAP grant

CALL TO ORDER: The regular meeting of the East Kingston Planning Board was called to order at 7:04PM.

ROLL CALL: Mrs. White called the roll.

Members - Mr. D Sullivan, Mr. R Morales, Dr. RA Marston and Mr. D Pendell, ex-officio.

Mr. E. Warren was not present,

Alternate members – Mr. R Forrest and Mr. J Cacciatore were not in attendance.

Advisors – Ms. J LaBranche, Planner, Rockingham Planning Commission (RPC) and Mr. R. Donald, East Kingston Building Inspector.

There were no members of the public present.

Board Business

First item on the agenda was to approve the minutes of June 18. There were no corrections or changes noted.

MOTION: Mr. Pendell **MOVED** to accept the June 18 minutes as presented. Mr. Sullivan seconded. Dr. Marston abstained, as he was not present for the June 18 meeting. The motion passed.

Tenant Applications. Mrs. White referred the Board to the two copies of the revised tenant applications she had distributed to the Board. At June's meeting, the Board decided to include the application procedure on the form so the applicant could know how things would progress after turning in their application.

After some discussion, it was decided that two different applications were not really necessary. The Board requested that Mrs. White to combine the questions into one application that would accommodate

both the commercial district and the light industrial district. She will take the operating hours off the application, and will e-mail the revised application to the members for review.

Home Occupation Fees. Mrs. White explained that the Selectmen's Office had asked if there was to be any change to the fees for Home Occupation applications. It had not been included in the fee schedule as it was on the Selectmen's list of fees and not included in the ordinance book. After discussion, the Board decided on a blanket \$200 fee that would include the application fee, legal notice fee, and abutter notice fees. Mrs. White will inform the Selectmen's Office of the change.

MOTION: Mr. Morales **MOVED** to change the structure of the Home Occupation fee to \$200 which would include the application fee, legal notice fee, and abutter notice fees. Mr. Pendell seconded. The motion passed unanimously.

Trash Sequence Update. Mrs. White updated the Board on the progress of the elderly communities and their proposed changes to their By-Laws, Condo Documents and Plans. Cricket Hill and Maplevale have been sent to Town Counsel for language review, and if received back from him in time, will be scheduled for an August hearing. Cornerstone is still in progress, and Country Hills is waiting for their Condo Association to be put into place. Mrs. White will suggest they get their proposed changes in to the Town Counsel for approval of the language as the timeframe between the deadline for submission to be eligible this year for trash pick-up and the formation of the condo association is quite tight.

Updates from Mr. Donald. There had been a complaint a property on Powwow River Road building an addition was in a messy condition. Mr. Donald had spoken to the developer and the property will be cleaned up. There was also a concern regarding back fees from two developers; these have been addressed and the fees will be caught up shortly. As far as new development in East Kingston: under new construction, there is one application each for Maplevale and Autumn Lane. Also one house on Winslow Drive is almost complete and will be looking for an occupancy certificate in the near future. Mr. Donald noted a lot of swimming pools and 3-season rooms are being constructed. It seems people are spending their money at home as opposed to taking vacations. Mr. Donald noted he had issued 23 alternation permits so far this year. In 2008, he had issued about 30 permits by this time, and in 2007 the number was closer to 40.

Wind Energy Ordinance Discussion. Mrs. White had distributed Mr. Steltzer's answers to the Board's wind energy questions. There was Board discussion if they needed an ordinance at all, as state law would regulate the requirements for wind turbines. Ms. LaBranche noted that an ordinance was not necessary as long as they were satisfied with the law. She will find out if the Board could act in an advisory capacity to the Building Inspector to aid in review of the applications with some sort of policy. The Building Inspector could bring the application and any abutter comments before the Board and the Board could discuss them with him. Although abutters are notified, in the case of wind turbines, there is not a public hearing as the Board usually conducts for other matters.

Mr. Donald had concern regarding the lack of direction his position would be provided with regard to wind turbines, mostly for anyone else that might be in the position in the future. He noted it was not a requirement for the position of Building Inspector to be a resident of East Kingston.

Mr. Donald reiterated if the Planning Board was considering writing a Wind Energy ordinance, he would like them to write into the ordinance that they *would* help in the review of the application/comments along with him; much like they gather the information to review home occupation applications for the Selectmen. In his opinion, the Planning Board could help in providing recommendations and direction

for him. Mr. Morales noted that the law states that the Building Inspector is solely responsible for the decision, but thought the Board could help him in the review.

The notifications enable abutters 30 days to reply to the Building Inspector in writing if they have comments, and the Building Inspector has 30 days after that in which to determine if there is any regional impact. If there is none, he will issue a building permit for the turbine.

Ms. LaBranche noted the law was written the way it is to be expedient and to not unduly limit the implementation of the turbines. She was fairly certain the applicant *could not* be required to come before the Board in a public hearing situation.

It was noted again that there might not be too many applications for turbines, as there does not appear to be enough wind to sustain them in East Kingston.

CTAP Update. Ms. LaBranche reported on Friday, June 19, Dennis Quintal, David Sullivan and she had met with Dave Kellum, Project Manager for the Piscataqua Region Estuaries Partnership (PREP). Mrs. White was in attendance to take minutes, which had been distributed to the Board members. Their discussion had included the overall scope of work necessary to determine the total amount of grant money necessary. As Ms. LaBranche had been chosen by the Boards as consultant on the project, PREP will rapport directly with her.

Ms. LaBranche explained that she would be designing a 3-fold brochure for Red Gate, as well as putting together a public outreach or workshop. A cookout at the school in the fall was suggested as a forum for the public presentation. She has already researched a source for the signs and has obtained a good price. Mr. Quintal will find out the cost of tree/trail markers to denote the edge of the easement and direct the public along the trail.

A newspaper would also be sent to everyone in Town with articles specific to East Kingston, and other information regarding buffer maintenance. Local people could also contribute articles on how to be a good buffer steward, or an article could be solicited from the science teacher at the elementary school. It was suggested that the information from the newsletter be posted on the Conservation page of the Town website when it is implemented, as well as the information for the cookout/public forum.

Mr. Donald reported that a representative from Jones & Beach had asked what the requirements were for boundary markers for property that was under conservation easement in East Kingston. He suggested finding out if other towns have conservation boundary markers. If they do, he wondered if they might need to have an ordinance stating that. This will be researched.

Other Board Business

TAC Membership. Mrs. White reported that the RPC had sent a memo asking for a Technical Advisory Committee (TAC) member from the Town. The TAC provides technical advice and recommendation to the Policy Committee concerning transportation issues that have a bearing on the region. They meet 6x a year on the 4th Thursday morning of the month for 2 hours. The Selectmen's office thought since both Mr. Warren and Mr. Sullivan were already RPC Commissioners, they might be willing to serve on the TAC also. Mr. Sullivan agreed. Mr. Warren was not in attendance, but Mrs. White would check and see if he is interested in serving as well. With both serving, each would only be required to attend three meetings per year.

Fred Ford. Mrs. White reminded the Board that they were due to review Mr. Ford's fence situation for his storage units in September. She inquired if they wanted to ask him to come to a meeting and speak to him, or send him a letter asking him to update the Board on the status. The Board decided a letter would serve the purpose. Mrs. White will send Mr. Ford a letter asking him to get back to them with the status of the fence.

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

Mr. Sullivan closed the meeting at 8:18 pm.

HANDOUTS TO THE BOARD

- Mr. Steltzer's answers to the Board's wind turbine questions
- CTAP meeting minutes
- June 8 and June 22 Selectmen's minutes
- Preliminary August Selectmen's Calendar

Respectfully submitted,

Barbara White

Barbara A. White
Recording Secretary

David Sullivan
Chairman

Minutes approved August 20, 2009