



**PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire**

2019-2020
Joshua Bath, *Chairman*
Tim Allen, *Vice Chairman*

Approved MINUTES
Zoom Meeting – July 16, 2020
7:00 pm

The Town of East Kingston Planning Board met remotely through a video conference (Zoom) meeting, Thursday, July 16, 2020 at 7:00 PM. Due to COVID-19, and pursuant with NH Emergency Orders, no public meeting location was utilized.

AGENDA:

Continued Public Hearing for Subdivision application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) - Barry Gier / Jones and Beach

Public Hearing for Kevin Jones, 152 Epping Rd LLC for 8 Depot Road (MBL 09-06-05) regarding a change of use for a tenant for unit 8R for a Private Art Construction Studio – Asia Scudder Designs.

Members Present: Chairman Joshua Bath, Vice Chairman Tim Allen, Dr. Robert Marston, Bill Caswell, and Ex-Officio Bob Nigrello.

Advisors Present: RPC Senior Planner Julie LaBranche, Conservation Commission members Dennis Quintal and Vicki Brown.

Also present: Mr. Barry Gier PE / Jones and Beach representing the Wayne R. Ewald Revocable Trust; Applicant Sal Ragonese and various residents of the Town of East Kingston.

Chairman Bath made a statement regarding video bombing:

If tonight's meeting is interrupted by outside sources, this meeting will be immediately terminated and public hearings will be continued and rescheduled to another date and time to be announced and published. This is our third video conference, so we ask for understanding and patience for any technical difficulties that may occur during the meeting.

Mr. Bath explained how the meeting will proceed: He will open the public meeting, role call of members will be called, other town officials will be recognized, minutes will be approved, he will read three letters, and the continued hearing will be opened. Mr. Bath will introduce the applicants, who will give a brief description of why they are before the board, followed by any presentations. Only planning board members will ask questions of the applicants at this point. Once the board members have finished with their questions, the floor will be opened for public comments. Please announce yourself by name and address and make any comments to the board and not the applicant. When public comments are completed, the public comment portion will be closed. Then the board will deliberate and may ask additional questions of the applicant. A motion and second will then be asked for to accept or deny the applicants' request, and there will be a vote of the board members if applicable.

Vice Chairman Allen explained people should be viewing their screen in gallery view, and asked participants to mute themselves unless asking questions to eliminate background noise. If anyone has a problem during the meeting connecting, Mr. Allen provided his phone number so he would be informed that someone could not connect with the meeting and either provide guidance to connecting or terminate the meeting as it a requirement the meeting be available to the public.

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

Minutes: Mr. Bath asked for a **MOTION** to approve the June 18 minutes.

Mr. Caswell **MOVED** to approve the June minutes as presented; second from Mr. Allen.

Roll call vote to approve the June 18 minutes – Mr. Bath – aye; Mr. Allen – aye; Dr. Marston – aye; Mr. Caswell – aye, Mr. Nigrello - aye. Unanimous approval.

Continued Public Hearing for Subdivision application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) - Barry Gier / Jones and Beach

Mr. Bath announced the Board had received a letter from Joshua Lanzetta, Bruton and Berube representing Mr. Ragonese on July 10, 2020 asking for a continuance of this public hearing. Mr. Gier was present and verified that the applicant was requesting a continuance to the next meeting.

Mr. Bath **MOVED** to continue the public hearing application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) to the next Planning Board meeting on August 20, 2020, with a second from Mr. Allen.

Roll Call vote – Mr. Bath – yes; Mr. Allen – yes; Dr. Marston – yes; Mr. Caswell – yes; Mr. Nigrello – yes. Motion is unanimous.

Public Hearing for Kevin Jones, 152 Epping Rd., LLC for 8 Depot Road (MBL 09-06-05) regarding a change of use for a tenant for unit 8R for a Private Art Construction Studio – Asia Scudder Designs.

Mr. Bath opened this public hearing and asked Mr. Jones to present his application. Mr. Jones noted he owned Jones' Store which has a rental area at the rear, where Moto Sports Crossing was previously located. As the space is vacant, he would like to rent to Ms. Scudder for use as an art construction studio. There is no new construction or new lighting on the property anticipated at this time. Mr. Jones noted Ms. Scudder could further explain what she wanted to do in the space.

Ms. Scudder stated she wanted to open an art construction studio with garden décor and landscape design items. She wanted to have open houses four times a year with acoustic jazz music at which she would sell some of her items. Other than at the open houses, she would have no retail sales from this location as she presently has an art gallery in Amesbury where she has her retail sales, and also exhibits at Exeter Fine Crafts and in Newbury. She will have no employees.

The building has a full central fire alarm system and there are up-to-date fire extinguishers in the unit. In reviewing the considerations in the ordinance for this tenant, it was determined she complied with all of the items with the exception of hazardous materials. As she anticipated using spray paint (cans) for her work (in limited quantities), it was determined she would need to store those items in a metal cabinet, which she agreed to supply.

In discussion of hours of operation, it was suggested she ask for the most hours she anticipated so as not to have to come back to the board. Hours of 8:00 am to 8:00 pm were decided upon, and days of operation to be Monday through Saturday. For signage, it was explained she was allowed an 8 square foot sign on the building, and a 32 square foot (4' x 8') sign at the street.

Mr. Caswell asked if she would be giving lessons. Ms. Scudder noted not right away, but eventually she would like to be able to give lessons at that location. She was encouraged to ask for it now so she would not need to come back to the board to change the conditions of her tenancy.

Mr. Nigrello asked for an explanation of construction art, as he was not familiar with the term. Ms. Scudder described it as wire sculpture of wildlife as outdoor art with steel outdoor pieces; there will be no welding.

Parking for her open houses etc. was discussed. Mr. Jones noted 6-8 cars could fit in front of Ms. Scudder's space. Mr. Jones was asked if he could stripe parking spaces so patrons would not park on railroad property; he agreed.

Mr. Bath opened the floor to public comment; there being none, he closed the floor.

Mr. Bath noted one of the conditions of approval will be for Ms. Scudder to have an annual fire inspection from the Fire Department.

Conditions will be as follows:

- Operating hours of 8:00 am to 8:00 pm, Monday through Saturday
- Special events (open houses) will be permitted four times a year with retail sales allowed
- Art classes allowed, with a maximum of 6 to 8 students at any one time
- Hazardous materials will be storage in a metal cabinet
- An annual fire inspection will be conducted
- Parking spaces will be lined by the property owner
- One 8' square sign allowed on the building and one 32' square sign (4 x 8) allowed at the street

Mr. Bath **MOVED** to approve the application for change of use in the Commercial/Village District zone at 8R Depot Road (MBL 09-06-05) for Asia Scudder Designs - Private Art Construction Studio with the conditions discussed above; second by Mr. Nigrello.

Roll Call vote – Mr. Bath – approved; Mr. Allen – approved; Dr. Marston – approved; Mr. Caswell – approved; Mr. Nigrello – approved. Motion is unanimous

Mr. Jones and Ms. Scudder thanked the board. Mr. Bath closed this public hearing.

Other Board Business

Light industrial park conditions - Mrs. White asked if there had been any decision on the concerns regarding the light industrial park. Mr. Bath noted he had sent an email to the Town Administrator asking her to inquire of Selectmen if they wanted the planning board to write a letter to Mr. Masone re: their concerns before the board asked for any further action from the Selectmen. Mr. Nigrello noted the subject had not come up in their last meeting, but opined it would be a good idea to start a dialogue with Mr. Masone and go from there. Mr. Bath stated the board would send a letter to Mr. Masone letting him know of the continued concerns the board has regarding the light industrial park and the remedies that still need to be taken, and copy the Town Administrator and the Selectmen.

Ms. LaBranche asked if there would be a site visit scheduled; Mr. Bath opined members could take a ride through the park and observe the conditions for themselves and did not think a site walk was necessary. Ms. LaBranche and Mr. Quintal will schedule a time to observe the wetlands situation at the park.

Mr. Caswell – Inquired when the Master Plan committee would resume meeting to work on updating the information. He noted there could be no community forums with the Covid-19 issue and was wondering if they could get some momentum going on the committee work. Ms. LaBranche thought it would be good to revive the meetings, and maybe distribute some of the committee notes to the rest of the board members to see if they had any comments or suggestions.

Mr. Allen – Noted board members should also take a look at the regulations to see if they identify any areas that are in need of updating that they could work on for inclusion on next year’s warrant.

RPC Circuit Rider Contract - Mr. Nigrello noted the Selectmen have approved the Circuit Rider’s contract for the Planning Board.

August Meeting - As the Governor has extended the emergency order for another 30 days after July 21st, the August 20th meeting will be by Zoom video conference. The agenda will specify the Meeting ID and Password for that meeting.

Mr. Bath noted the Dr. Marston Meeting Room in the Pound School was quite small and they might need to look into having face-to-face meetings in the multi-purpose room at the school when they are allowed again.

Mr. Nigrello noted the Selectmen had discussion regarding opening the Town Offices with limited hours but was having difficulty with logistics of doing so. They are continuing by **appointment only** for the foreseeable future.

Adjournment

Dr. Marston **MOVED** to adjourn; Mr. Allen seconded - with a unanimous vote.

Mr. Bath closed the meeting at 7:47 pm.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joshua Bath

Chairman

Minutes approved August 20, 2020