

July 18, 1991

Members in attendance: Richard Smith, Sr., Chairman; Mel Keddy; Catherine George and Raymond Donald (Late)

Others in attendance: Austin Carter, Fire Dept., Joe Conti, Building Inspector and Larry Smith, Conservation Commission; Sarah Campbell, Rockingham Planning Commission.

The meeting was opened at 7:40pm.

The Public Hearing continuation for Curtis & Lucienne Jacques opened at 7:40pm.

Michael Jacques presented a mylar for signature stating that all State permits applicable to the subdivision were in place.

Sarah Campbell said that she had phoned the Wetlands Board and the State Subdivision has been approved. She asked the Board to be sure the bounds are set.

The Board signed plan after review.

The Public Hearing was closed at 7:55pm.

The Public Hearing for Scapicchio was opened at 7:57pm.

Ronald Pica, Engineer stated the only changes made to the plan were to the concrete piping and a vent change as requested by the Fire Chief. He has deleted an additional catch basin as recommended by the Town Engineer.

Larry Smith concurred with the change to eliminate a catch basin as it was not necessary. Mr. Smith said the land is so flat there is no place to put one at the site proposed by the Town Engineer.

It was determined that all Town Engineer comments have been taken care of.

Mr. Pica noted that there still exists a problem with the restoration. He noted that Larry Smith has been heavily involved in trying to resolve the situation.

Mr. Pica said they have been working on the well, State approvals have been granted and now they need approval of the well performance. The approval of the well's performance is mandated by the State in order to receive State approvals for the project.

Mr. Pica noted that the dam permits have been received. There are three sites for the dams at the retention ponds.

Mr. Joseph Conti asked what happens if one well fails.

Mr. Pica explained in detail the process of testing for minimum recovery.

Mr. Conti then asked for the size of the reservoir.

Mr. Pica stated that they would contract an outside firm to determine the testing, probably they would use Prescott Pump (Exeter). The well would be owned by the Association, however, the owner of the project would have to be responsible for the well performance and maintenance until 66% of the units are sold. The owners would then assume these responsibilities.

Mr. Conti asked who designs the piping to service the homes.

Mr. Pica said the layout are shown on the plan. They would hire an outside firm such as Prescott Pump to do the actual engineering for the pump and the correct sizing of piping, etc.

Mr. Pica noted that restoration is being carefully monitored by Larry Smith and other than this, he feels this is the final set of prints to be submitted.

Mr. Pica asked for conditional approval of the plan pending State approvals.

Ms. Campbell said she had compiled a letter of her concerns, however, she stated that she may have missed the most recent plans submitted. She inquired for the DOT permits for entering Rte. 107, and the Town Engineer's okay on his requirements.

Mr. Pica reviewed her letter and commented. He noted that they have done 25 year storm calculations except for one area where they did 100 year storm calculations. He said he would provide Larry Smith with a copy of the calculations.

Mr. Austin Carter, Deputy Fire Chief reviewed the plans for revisions made to the vent.

Mr. Keddy asked if Mr. Pica had secured a letter for use of the pond from Mr. Colanton.

Mr. Pica stated no, but Mr. Colanton had given his word for approval of the use of the pond on his land to be used for fire protection of the two homes closest to Rte. 107.

Mr. Conti asked if the pond had been okayed by the Fire Dept.

Mr. Carter stated it was his opinion that all was okay, however, he will check with Chief David Conti.

Mr. Carter noted the fire protection tank is located midway between Andrews Lane and Rte. 107.

Mr. Richard Smith and Ms. Campbell both expressed concerns with the future use of the Golf Course pond without written permission for use.

Mr. Carter noted that he is satisfied with the location of the tank in the event of pond failure for any reason.

Mr. Pica asked if the Fire Dept. could fill tankers from the tank storage if need arose.

Mr. Carter stated it could be done, however, the Fire Dept. would prefer to have the water supply from a single hose and explained the time and manpower lapses to fill tank trucks.

Mr. Pica said the State now requires and recommends one deceleration lane only, which will be placed on Rte. 107.

Mr. Keddy expressed his surprise that the State allowed the road entrance to the project given the accident history of this area.

Mr. Pica pointed out a shaded area on the plan, on the Kensington side of the project layout on Rte. 107. He noted this area has to be maintained by the Association and this was so noted as a permit condition. This condition is shown on the plan.

Mr. Richard Smith stated that it should also include a statement on the plan which says: "No signs or obstruction of any kind".

Mr. Pica stated he will put a stipulation for Association covenants in the unit deeds as per Mr. Keddy and Ms. Campbells requests for the restrictions and mandated maintenance on the two upper lots.

Ms. Campbell requested a copy of the DOT permit.

Ms. Campbell asked Mr. Carter if he was happy with the fire protection plans.

Mr. Carter answered in the affirmative.

Mr. Carter asked if the two houses closest to Rte. 107 would be built first.

Mr. Pica stated yes, that is the plan.

Mr. Carter then requested that the dry hydrant at the Colanton property be put in prior to the houses being built.

There was discussion about the dry hydrant being installed prior to issuance of the building permits or prior to occupancy permits being issued.

Ms. Campbell noted the ownership of the road and the ownership of the retaining wall. She asked this ownership delineation be noted as well as the easement for the footings for the wall to be done as a separate document.

It was noted a guardrail has been recommended by the Town Engineer.

Mr. Pica will check for the guardrail at the retaining wall.

Mr. Donald arrived at this time (8:28pm).

Mr. Pica noted that dimensions of the retaining wall. It will be 150 ft. long and will be located right on the 60 ft. road ROW. It was noted that the culvert goes through the wall and beyond the project boundary. This culvert has been designed for a 100 year storm. The height of the wall will be approximately 8 ft.

Mr. Conti asked if there would be vegetation in the center of the cul-de-sac.

Mr. Pica said yes, there would be.

Mr. Richard Smith asked how the drainage would be maintained.

Mr. Pica stated this would be maintained by the Association. He further noted that the minimum size of the drain pipes would be 12 inches and asked if the Board wanted larger diameters.

Mr. Conti noted that minimum size in East Kingston is 14 inches.

Ms. Campbell stated if the Town Engineer has no problem with the 12 inch diameter perhaps the Planning Board should accept.

Mr. Donald noted the problems with cleaning the 12 inch pipes by Mr. Rossi.

Mr. Pica was agreeable to increase to 14 inches. He noted the inlet pipe is 10 inches per the Town Engineer's specification.

Mr. Pica noted that the pipe going under the road is 18 inches near 107. Mr. Pica wants to stay at 10 inches for inlet. He noted the length of the culvert under the road is 50 ft. more or less. The culvert remains within the ROW and will be bordered by riprap.

Mr. Donald reminded the Board that the Town has two years to accept the road and the developer could be at risk to rectify the problem if there is one.

Mr. Pica then referred to the plan to deed Parcel H to the East Kingston School Board.

There was discussion about how to accomplish this as this will be creating an unbuildable lot.

Ms. Campbell suggested moving the lot line and thought the school parcel could be a Lot Line Adjustment. She suggested it be treated as a Lot Line Adjustment, notify the abutters and sign it at time of subdivision approval.

Mr. Donald addressed the issue that this subdivision began as Robert Mills, owner; now it is R. Mills & Scapicchio. He noted that Board has letters stating that Dr. Scapicchio is the owner as per the drawings notations. However, the Board does not have a letter from Mr. Mills saying that he has no further legal involvement.

Mr. Pica stated that he will get something in writing from Dr. Scapicchio's lawyer confirming his ownership and Mr. Mills lack of involvement.

It was noted that the plan was drawn for Mills & Scapicchio and is now owned by East Kingston Realty Trust.

Mr. Donald suggested the Board would need something to tie the evolution of this project together.

Mr. Pica stated his problems with getting together with Mr. Robert Mills. He stated that Dr. Scapicchio has purchased the rights to use the name.

Mr. Donald stated that the Board would require a statement from

the Attorney to substantiate the claims.

Mr. Pica agreed to supply this documentation.

Mr. Pica stated the first phase of the project would be to put in the two houses, Lots 20 and 21.

The Board noted that no houses were to be accepted prior to the road's completion for the 19 remaining houses on the lower portion, Lots 1-19.

The Board requested that if only two homes are built on Lots 20 and 21 they construct a temporary cul-de-sac prior to the completion of the road.

The following items remain to be resolved by Mr. Pica prior to approval, conditional or otherwise:

1. Copy of highway permit.
2. Covenants for unit deeds to be submitted for Town Counsel review and approval.
3. Retaining wall footing easement.
4. Indicate on drawings that no occupancy permits to be issued until the dry hydrant is installed and functional (operational).
5. All legal papers pertaining to and substantiating legal ownership of the property.
6. Articles of Association.
7. 100 year drainage calculations for the Conservation Comm.
8. Notice of Intent to Cut timber on the ROW.
9. Letter of Credit or Bond prior to Board signing of the plan. (Sample Letter of Credit in Regulations)

Mr. Donald said the developer can bond in phases of completion.

There was discussion about the Letter of Credit and Mr. Pica will speak to his client.

Mr. Donald suggested they consider phasing and request various phase approvals from the Planning Board.

Mr. Larry Smith stated it would have to be a two phase because of the cut and putting in the lower portion of the road.

Mr. Richard Smith asked what kinds of houses are planned to be put on the lots.

Mr. Pica stated they are looking at capes, unfinished second

floor. These would be three bedroom capes. He noted they could be stick built or modular homes. He mentioned several brands of modulars, Alouettes, Westville, etc. He noted that modulars have held their prices, and stick built may be cheaper to build.

Mr. Pica noted that there has been no mention of "manufactured homes".

Mr. Pica asked the difference between "manufactured" and "mobile" homes and what the differences in handling by the Town would be.

It was explained that only one "mobile home" permit would be issued each year.

Mr. Conti described the "manufactured" home versus "mobile" home.

Mr. Pica told the Board that the client had talked about modular.

Mr. Conti described the East Kingston requirement for the building construction for either stick built or manufactured homes.

Mr. Pica asked how the Board wished to handle the request for conditional approval at this time. He asked if they wanted more review or if they were ready to give conditional approval. He asked if it could be conditionally approved at the next meeting.

Mr. Donald stated if the outstanding items are answered satisfactorily he could not visualize why they would not expect at least conditional approval.

There was additional discussion about the project ownership. It was determined that the evidence has to be submitted in writing.

Mr. Pica stated he would try to get written evidence of ownership to Ms. Campbell prior to the next meeting of the Board.

The letter submitted requesting an additional 90 days was granted. The extension is granted until October 1991.

The Public Hearing was suspended at 9:24pm.

Richard Smith stated the Planning Board has to adopt the Bylaws.

Mr. Keddy motioned to set a Public Hearing to accept the Bylaws on August 15, 1991 at 7:45pm.

Ms. George second.

The motion passed 4-0.

Correspondence received:

ROW information for PSNH for trespassing, etc.  
Two letters from Civil Consultants  
Technical Bulletin-OSP (distributed to each member)  
Letter coming from Town Counsel re: FMR  
Letter from Selectmen to FMR dated July 10, 1991  
Mr. Donald explained the passbook is not a valid or acceptable way to bond or as a Letter of Credit.  
RCCD- Model Subdivision Regulations for Soil-based Lot Size Report, June 1991 - Vol. II.  
NHMA Volunteer awards.

Ms. Campbell brought the Board up to date on the FMR paving situation.

Mr. Donald stated that any verbal or written communication from FMR needs documentation and is to be sent to the Selectmen immediately and they will forward it to Town Counsel.

Mr. Donald stated the Selectmen have not been officially notified that Mr. Frank Wilson is no longer a partner in FMR.

Mr. Keddy suggested the Minutes of June 20, 1991 clarify the Madej Home Occupation as an Antiques Business.

Ms. George motioned to accept the minutes of June 20, 1991.

Mr. Keddy second.

The motion passed 4-0.

The meeting was adjourned at 9:45pm.

Respectfully submitted,

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Nancy J. Marden, Secretary

Typed: July 22, 1991