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PLANNING BOARD
TOWN OF EAST KINGSTON
NEW HAMPSHIRE

2007-2008
James Roby Day, Jr., Chairman
Catherine Ellen Belcher, Vice Chairman

MINUTES
(Regular Meeting of 19 July 2007)

Agenda:

7:00PM - Board Business

7:05PM – East Kingston Library site plan proposal (EKPB#07-OA)

8:03PM - Adjournment

CALL TO ORDER: Chairman Day called the regular meeting of the East Kingston Planning Board to order at 7:00PM.

ROLL CALL: Mrs. White called the roll.

Members present –Mr. JR Day, Chairman; Dr. RA Marston; Mr. RA Smith, Sr.

Mr. Day observed that Mrs. Belcher, Mr. Caron and Mr. Sullivan were absent.

Alternate members present –Mr. RF Morales.

Advisors present – Mr. Eric S. Steltzer, Planner, Rockingham Planning Commission (RPC); Mr. RR Donald, Building Inspector; Fire Chief Mazur and Mr. LK Smith, Conservation Commission Chairman.

Voting members –Chairman Day noted Mr. Morales would be a voting member for tonight's meeting.

BOARD BUSINESS

Mr. Day went over the handouts to the Board.

- The East Kingston Elementary School Board CIP input.
- A replacement page 20 for the Master Plan Agricultural Chapter.
- Some Clark-DeBross materials, including the Notice of Decision, 2 plan pages and a note from Jay Stephens, Town Engineer.
- A letter and lease agreement from Verizon wireless for Paul Masone's cell tower.
- Notification of the October OEP conference, without an agenda.
- A letter from the New Hampshire Division of Historical Resources regarding the Marston's proposed cell tower.

MINUTES. Mr. Day entertained a motion to approve the 21 June minutes. Mr. RA Smith submitted one change.

MOTION: Mr. Morales **MOVED** the Planning Board approve the 21 June 07 minutes with the proposed change. Mr. Smith seconded, and the motion passed unanimously.

Mr. Day directed the Board to the Secretary's addendum to the June 17th minutes regarding Mr. Cofske's auto repair business in the industrial park and the Fire Department inspection.

MOTION: Mr. Morales **MOVED** the Planning Board accept the addendum to the 17 May 07 minutes in regard to Mr. Cofske as submitted by Mrs. White. Mr. Smith seconded, and the motion passed unanimously.

Tombstones. Mr. Day mentioned that two tombstones had been found on the former Clark property and asked where they were at the present time. Mr. LK Smith reported that they were in the Town Office basement. They had been stolen some years before and the stones had been replaced, and no one was sure just what would happen to them now.

Targeted Block Grant. Mr. Day had spoken to Mr. Glenn Greenwood, RPC, in regard to CIP project costs. The cost would be \$5,000, with the Town's share being \$2,500. As the Planning Board had only budgeted \$800 to this effort and the CIP

had been updated in the 2001-2002 timeframe, it was decided to wait until next year when the cost could be factored into the budget.

RPC Dues. Mr. Day reported that the RPC dues would be going up from eight-five cents to ninety cents per capita. The RPC had ascertained for them to cover their costs, they would actually need to be charging \$1.10. Mr. LK Smith added most likely it would continue to go up each year due to inflation.

EAST KINGSTON LIBRARY SITE PLAN PROPOSAL (EKPB#07-OA).

Mr. Day explained this would be a *discussion only* meeting and the official public hearing would be held on Tuesday, July 31 at 7:00pm. This was due to improper abutter notification and the fact that the Board had not had time to review the library plans. Tonight's meeting would be to gather feedback and listen to what the advisors had to say.

Mr. Day opened up the questioning to the Board members and advisors.

Mr. RR Donald, Building Inspector stated that the septic system had been okayed by the state. He had looked at the plans and found two items that needed to be corrected, which were in the process of being completed. He also noted that the plans stated the maximum number of people allowed in the building was 66, and that the Fire Department had ascertained that more people could be allowed.

Mr. AJ Mazur, Fire Chief stated that taking into consideration the points of egress and the restrooms, 230 people would be allowed by Fire Code. He also noted that the sprinkler system was a dry pipe type.

Mr. Steltzer, RPC Circuit Rider referred to the plan page for site development. Upon looking at those plans, he had many questions for the Library Committee members. His list of questions includes: how will the library affect traffic, both on Rt. 107 and Maplevale; where will the signs identifying the library be located; with the close proximity of the Maplevale community, will there be spaces to park bicycles; will there be screening to shield the dumpsters from the neighbors view; will there be screening in place to shield the noise from the air conditioning units; will protection be put in place to protect the root structures of the existing trees from the building equipment; and what could be done to preserve the integrity of the existing stone wall. Mr. Steltzer stated he would put all of his questions in a formal letter and make sure the Library Committee received it so they could respond to those questions for the next meeting. Mr. Ted Lloyd, Library Committee, stated that they would come prepared to answer those questions at the next hearing date.

Mr. Lloyd introduced the members present. Conrad Moses, Trustee and Chairman; Amy Robbins, Secretary and Trustee; Tracy Waldron, Library Director; and Dave Pendell, Alternate Trustee and Owner's Designated Representative for the new building project. Mr. Lloyd stated he was a Trustee and the Treasurer. Other members of the Library Committee, but not present, are Joanna Postle, Trustee; Elizabeth Pruss, Trustee; and Sally Head, Alternate Trustee.

Mr. LK Smith observed that the silt fence between the library site and Jewett's store was unnecessary, as water did not flow up hill.

Mr. Day stated that the plans presented to the Board were mostly architectural and did not meet the needs of a site plan. The septic plan did show both the present and the proposed situations. He stated that at the public hearing, questions pertaining to the site plan would be asked.

Mr. Lloyd reported that both the architect and the builder would be in attendance at the hearing on the 31st and would be able to answer the Board's questions. Mr. Day answered that the Planning Board was not in the business of approving or denying this site plan. He stated that the LGC had supplied information that was quite helpful to the Board; the statute says that the Library Committee has the requirement to notice, and the Planning Board could chose whether or not to hold a public hearing. If the Planning Board chose to make recommendations to the committee, a duly noticed public hearing would be required.

Both Fire Chief Mazur and Building Inspector Donald stated that Mr. Pendell has been keeping them informed of the progress and they had no questions.

Mr. Pendell stated he did not know of the stone wall Mr. Steltzer was referring to, and would make an effort the following day to note the location. He mentioned that he would like to get the occupancy load increased to 200 people, and realized it

depended on the egresses, restrooms and floor space for that calculation. He stated that there would be no dumpster. He also announced that the groundbreaking would be on the 24th and invited all to the celebration.

Mr. Day informed both Board members and the Library Committee members that the hearing date for the library site plan would be on *Tuesday*, July 31 at 7:05 pm.

Mr. Lloyd thanked the Planning Board for the Library Committee for their time.

CONTINUED BOARD BUSINESS

RPC Commissioner Recommendation. Mr. Day reminded the Board it was their responsibility to nominate a person to serve as the RPC Commissioner as Mr. LK Smith's term was coming to an end. He noted that the recommended person did not need to be a Planning Board member; it could be any one from East Kingston.

Joanne Brandt's fire pond question. Mr. Day reported he had contacted Ms. Brandt, informing her of the change in regulation pertaining to fire ponds and subdivisions. He let her know she could come before the Board at her leisure if she wanted them to reconsider the ruling on her subdivision. She was very appreciative of the information, and the ball is now in her court.

South Hampton Public Notice. Mr. Day noted that the Town, once again, had received notice of an application for subdivision by Jameson Ridge Realty, LLC. Since a portion of the proposed subdivision falls in East Kingston, the Planning Board may need to be involved in the review process and sign off on the mylar.

Planning Board Budget. Mr. Day reported that to date, the Planning Board budget was \$2,000 ahead. Since they were not updating the CIP, the \$800 budgeted for that could be added back into the budget. The Secretary was keeping noticing costs down by using the Atlantic News when noticing time constrictions allowed.

Tower Antenna in Paul Masone's Industrial Park. Mr. Day reminded the Board they have in their possession a copy of the original National Tower conditions of approval. In response to a Planning Board request, Mr. Day has received a letter of intent and a copy of the lease for Global Tower (the original owner was National Tower) from Verizon that describes the antenna array (a triangular arrangement and not flush-mounted). Mr. Day asked the Board if they thought there would be a need for Global to come before the Board.

Mr. Morales referred to the original conditions of approval, which stated that if any other type antenna than flush-mounted were to be used by a co-locator, the Board would require notification in writing of the new co-locator, the type of antenna proposed, and a copy of both the ground lease and the co-location agreement. Since Verizon had provided this information to the Board, he felt that nothing more was necessary and they should not be required to come before the Board. Mr. Donald stated that they should only need to come to him for the building permits. The rest of the Board members agreed.

Mrs. White will call Verizon and let them know that no more information would be required of them, and that their next step would be to acquire a building permit from the Building Inspector.

Master Plan Agricultural Chapter. Mr. Day directed the Board's attention to the newest version of the Master Plan agriculture chapter. Mr. Day gave accolades to Dr. Robinson for pulling it all together, as it was a Herculean effort.

Mr. Morales commented that he thought the new cover sheet was much better than previous versions, as it showed the dates of when it was first prepared and when it had been rewritten; previous versions had not included this information.

Mr. Day stated that the 1982 and 1988 versions of the Master Plan stood by themselves. In 1995, a major overhaul of the 1988 plan had begun. Since that time, any changes had been tackled one chapter at a time. Mr. RA Smith agreed that approach seemed to be most effective.

Mr. Day had added #5 to the recommendations on page 20 (refer to new page 20 distributed this evening). Since the information had only been distributed the Board members the day before, he asked the Board to take a long, hard look at the information to make sure it reflected what they wanted it to say. They would discuss it at the next regular Board meeting in August.

Mr. Day suggested they find where all the niche agriculture enterprises were and list them. Mr. Morales stated that the RPC defined “farms” as what one would consider more of a commercial endeavor than independent small farms. He wanted to know where, if anywhere, those who grew for their own consumption and not to sell would fit in the scheme of things.

Mr. LK Smith referred to the lists on pages 9 and 10, and corrected the name of Mr. Paoletta’s horse stable.

Mr. Donald asked if there wasn’t a second Christmas tree farm in East Kingston on Clement Lane. Mr. LK Smith replied there had been a second tree farm, but he was sure they had not replanted.

It was Mr. Morales’ opinion that all the information collected on farms in the Town should be maintained and kept at the Town offices or in the Conservation Offices for future reference.

Mr. RA Smith offered that Harold Bodwell’s 129 acres should be listed under the farms, and Mr. Day surmised that Dr. Robinson had thought the property to be located in Kensington and not East Kingston.

Mr. Morales asked for clarification on the definition of what the Board considered a farm. Did it mean that if you grew produce and did not sell any of it, it would be considered a “garden” and not farming? He stated that if you went back in time, people were growing things to be used for themselves. Mr. RA Smith offered that they also used it for barter of other services.

Mr. Day reiterated that the Board needed to look closely at the preamble material of the chapter to make sure it said what they wanted to recommend and what they wanted to accomplish. Typically, at the end of each chapter of the Master Plan, a list of concrete recommendations the Board wants to accomplish is included. Mr. Day informed the Board they would be discussing this at future meetings.

Agriculturally Friendly Planning Regulations by Glenn Greenwood. Bits and pieces of this publication were quoted in the Master Plan version by Dr. Robinson. Mr. Greenwood had informed Mr. Day that this article had been first published in 2000, which verified the fact that agriculture-friendly concerns had been around for quite some time. Mr. LK Smith stated it looked as though it had come from some materials he had in the Conservation Office.

In answer to Mr. Day’s question, Mr. LK Smith verified the Marcella’s 42 acres on Haverhill Road was in conservation. Mr. Day suggested it should be added to the list to keep it current.

DISCUSSION ONLY WITH MR. KEN BERRY OF BEALS ASSOCIATES AND MR. JOSEPH SAVARESE, OWNER OF THE BURNT SWAMP ROAD DEVELOPMENT (FORMERLY OWNED BY GLENN CLARK).

Mr. Berry was representing Mr. Joseph Savarese, who had purchased the Clark/DeBross subdivision on Burnt Swamp Road. Mr. Savarese needed clarification on some items in the conditions of approval for the subdivision.

Mr. Berry explained that Mr. Savarese was unclear on just how the reclamation of the land needed to happen to conform to the conditions of approval. Most of the area had reclaimed itself, and he was reluctant to take good growth out, scrape it down and put in seed if it was not necessary. If it *was* necessary for him to do so, he had no problem doing whatever was necessary to complete the reclamation to the Town’s satisfaction.

Mr. Morales offered that *his* definition of reclamation was replenishing topsoil and re-grading as necessary to bring the land back to where it started. He did not know if this was feasible or not in this particular instance.

After much discussion between Mr. Berry, Mr. Savarese and Board members, it was decided that Mr. Jay Stephens, the Town Engineer, needed to look at the property and would judge how much of the reclamation was complete, and what else needed to happen to conform to the conditions of approval. Mr. Savarese would contact Mr. Stephens to come a view the property. Mr. Berry agreed this was the best course of action.

Mr. Savarese invited the Board members to see the site and decide if the reclamation has been completed. Mr. Day explained that the Planning Board was not in a position to give him a building permit; and that the Building Inspector would perform that function when he received the go-ahead on the reclamation from the Town Engineer.

Mr. Savarese had another question regarding the permanent concrete bounds at the front corners of the lots. Mr. Donald stated that the rear bounds needed to be permanent from the onset, but it was acceptable for the front bounds to be temporary until after construction was completed, at which time permanent bounds would be required.

Mr. Savarese's next question was regarding the final coat for the road. Mr. Donald stated that the final coat on the road surface would not be required until construction was complete.

Mr. Day explained that there was a two-year waiting period before the Town would take over the roads, and that it would require inspection by the Town Engineer to be deemed complete. Mr. Savarese would then receive his bond money back.

Mr. Berry and Mr. Savarese thanked the Board for their time.

CONTINUED BOARD BUSINESS

Capital Improvements Program (CIP). Mr. Day referred to the copy of the CIP he had distributed to the Board members. Mr. Day inquired if Fire Chief Mazur was prepared to discuss his department's CIP for the year. Mr. Mazur stated he was presently working on his portion and would have it ready by the next meeting.

Mr. Day reported that he had received the elementary school's CIP and that the Board members each had a copy. The proposed changes were in boldface type.

Mr. Day asked Mr. LK Smith if he had any input for the Conservation Commission. Mr. LK Smith reported he had no changes except for the Marcella property, which would be in 2008. Mr. Day asked how much of the \$4 million allocated for conservation easements had already been committed. Mr. LK Smith reported the total amount committed was \$2,659,400, which includes the Marcella easement.

Mr. Morales said he had suggested at the last Conservation Committee meeting that a warrant article be placed at the next Town meeting to ensure that the monies did not run out. The Town had lost opportunities in the past due to the fact they did not have enough money. The Town population had voted in favor of the warrant article earmarking monies for conservation three years ago when there was nothing on the books, and now they can see what a difference that made.

August Agenda proposals.

- The library trustees will be talking to the Board in regard to the CIP.
- The library trustees may be back for the site plan for the library.
- Mr. Savarese may be back.
- Fred Ford and Denny Quintal still do not know what to do about the plans for the storage units. Mr. Morales stated that all the Board needed was an updated drawing showing the slab foundation, and thought Madam Chair's comments may have confused him. Mr. Day will call Mr. Quintal to clear the matter up.
- Joanne Brandt may be back in regard to her subdivision and the fire pond.
- Mr. Quintal may be back in regard to the second lot on the steep slope for Ms. Julie Turner's Haverhill Road property.

Adjournment:

MOTION: Dr. Marston **MOVED** the Planning Board adjourn. Mr. Morales seconded, and the motion carried unanimously at 8:37 pm.

Respectfully submitted,

Barbara A. White
Recording Secretary

J. Roby Day.
Chairman

Minutes approved July 31, 2007