

July 20, 1989

Members present: Richard Smith, Chairman; William DiProfio, Selectman; Kathy George, and Dr. Robert Marston

Others: Larry Smith, Conservation Comm.; Joe Conti, Building Inspector

Mr. Smith called the meeting to order at 7:35pm.

MONAHAN/CORBETT PROPERTY Mark Peters representing James Corbett was present to discuss the Letter of Credit to be given to the town.

Mr. Smith stated that the Letter of Credit was not complete. It must include the following: Renovation of the pond, roadway, renovation of the existing fire hydrant and a new hydrant. Mr. Smith feels everything else is in order.

The Warranty Deed for the property is finished and was given to Mr. DiProfio for conveyance of land to the Town of East Kingston for the Corbett property located off Sanborn Road.

Mr. Smith stated Mr. Peters could leave the plans, mail the Letter of Credit to him.

The original of the Deed was given to Mr. DiProfio. This must be recorded at the Registry by the Selectmen.

TELEPHONE COMPANY A letter from the New England Telephone Company was received. They request an agent to work with them to make necessary future approvals and will cooperate if a Site Review is necessary. This letter will be on the Selectmen's Agenda for July 24 to appoint an agent.

SEPTIC DESIGN APPLICATIONS New septic design applications were received from the State. They have been distributed to Town Departments who are most concerned with this procedure.

LARRY SMITH Larry Smith, Conservation Comm. Chairman reported that the Water Resources maps that the Conservation Commission will do are done. He gave a list of the maps that are needed for the Master Plan. He stated the Conservation Commission has done what they have agreed to do regarding these maps.

Mr. DiProfio stated the Board should contract with Rockingham Planning Commission concerning the needs and get a proposal for the work.

Mr. Smith stated that he will talk to Sarah for this proposal.

Mr. Smith stated the the Exeter River Watershed Protection Ordinance should be cleaned up.

PRISCILLA ROSS The Public Hearing for Priscilla Ross was opened at 8:00pm. Mrs. Ross and her agent David McLean were present.

Mrs. Ross presented her blueprints, aerial soils map and her soils reports. As her perc tests were done yesterday, she does not have the written reports. She has applied for a driveway permit. It is her understanding that the State Engineer feels the location is satisfactory, but has suggested that the brush be cut back to facilitate better vision.

Mr. DiProfio mentioned that Mrs. Ross had some concerns regarding High Intensity Soils Studies. Since she does not have any low area, no High Intensity Soils Studies will be required. The smallest lot is larger than five acres and the scaled map shows no low areas.

Mr. Joseph Conti stated two test pits were dug and were okay.

Mr. Smith stated Mrs. Ross must put in the bounds and get her driveway permit. Mr. Conti will verify that the boundary markers are in place.

Mrs. Ross verified she authorized Mr. David McLean as her agent.

The Public Hearing was closed at 8:20.

Mrs. Ross will be placed on the August agenda at 8:00pm.

MARSHALL DECKER AND FRANK WILSON Mr. Smith recognized Mr. Marshall Decker and Mr. Frank Wilson, next on the agenda for a preliminary discussion.

Mr. DiProfio stated that he is an abutter to the property they are about to address and therefore would be removing himself from the Board during this discussion. Mr. DiProfio was seated with the general public at this time.

Mr. Decker began with the decision made at the March Town Meeting endorsing Cluster Zoning. He stated he and Mr. Wilson have revised their previous concept to develop this property to comply with the regulations with respect to Cluster Zoning. He further stated the purpose of this preliminary hearing is to address questions from the Planning Board.

He said that the entrance road complies with the State regulations of 50 feet in width and then expands to 60 feet of width shortly after it exits the State road. They propose 31 lots/sites with a 100 ft. buffer zone on the perimeter. They will meet the requirements of distances between homes. They propose ranch-style homes. Roads will have 22 ft. of pavement. Each lot will have 10,000 sq.ft. About 45 acres will be maintained as open space. Test pits have been done, they have stayed 75 ft. from wetland for designed systems. Mr. Decker and Mr. Wilson have applied to the State for re-Subdivision Approval.

Mr. Conti stated the Town requires 100 ft. distance from wetlands for septic systems.

Mr. Decker said he will speak to the Engineer about this. He foresees no problem.

Mr. Decker mentioned that he will only be allowed five building permits per year. He said it imposes difficulties, but they would live with it without any arguments.

Mr. Smith asked how they would start the development (of homes).

Mr. Decker stated they would start with units (Lots) 1-5, then bring in the water main to the end of the street. They would like to do additional site work even if the homes didn't get built until the following year.

Mr. Decker stated they have the permits for the water wells. They will have to fill a small area of wetlands. They have the driveway permits. He said they may create a firepond for fire protection and also aesthetic purposes.

The water would be supplied to the sites by coming down the road.

Marilyn Berridge asked how many bedrooms each house would have.

Mr. Decker stated three. They would all be ranch style homes. He further added that they are proposing affordable housing suitable for beginning families or retirement homes. He rationalized that with a phasing of five units per year it would take seven years to complete the project thus minimalizing the impact on schools and town services.

Mrs. Berridge asked what price range Mr. Decker was talking about.

Mr. Decker stated under \$100,000.

Mr. Smith asked if Mr. Decker would be selling the individual lots to individuals or if they would remain common property.

Mr. Decker said they would be selling the individual lots.

(Citizen) questioned if Mr. Decker and Mr. Wilson had the resources and initiative to stay with the project for seven years, especially with the initial investment so large.

Mr. Decker stated that this type of undertaking is not for the first project developer. He stated he did have this type of commitment and that he wants this to be a project that East Kingston would be proud of and that it could become a model for other surrounding towns to admire.

Mr. Wilson stated they would need a waiver for the road length. He stated the Planning Board has the power to waive this item.

Mr. Decker said they would not have to have a waiver as this is not in the Cluster Development ordinance. The length of the road is 2,000 ft. long. The cul-de-sac is 120 ft. He stated this is not in the ordinance.

Mr. Conti suggested they consider keeping the center of the cul-de-sac area vegetated with trees, gardens, etc. for ease of plowing and also to lessen the cost of paving. This met with seeming approval.

Mr. Decker asked to schedule another preliminary meeting in August when he will have the Subdivision approval from the State.

Mr. Smith stated the Board would require an application before this is scheduled.

Mr. Wilson said he will pick it up tomorrow at the town offices.

ROBERT MILLS Mr. Robert Mills, Andrews Lane and Mr. Ronald Pica, R. L. Pica Engineering of Plaistow were present for a preliminary discussion of a Cluster Development proposal.

Mr. Pica stated that Mr. Mills would like a single family cluster on 45.2 acres of his property located off Andrews Lane. A portion of this acreage is wetlands with poorly drained and very poorly drained soils. Mr. Pica has hired a Soils Scientist working with him.

Mr. Pica stated they will require 3/4 acre of dry area per lot. With direct calculations the area will yield 32.11 lots. Discounting the wet areas it will yield 20.8 lots. Mr. Mills feels it will support 15 lots and that will be the figure they will propose. They also propose a cul-de-sac road. The domestic water will be supplied by a community well and there will be several leaching fields. The 60 ft. ROW will never be a collector road, it will only service the lots. Mr. Mills seeks a waiver for the width of the road.

It was clearly stated that regardless of the width, the road will have to be built by the town's specs.

Mr. Pica questioned if the Planning Board would like a Town maintained road, or one maintained by Association rights.

Mr. Mills asked if the School District would be interested in a fire pond or owning the wetland area. Some interest has been displayed in the past.

Mr. Mills offered a 45 ft. piece which adjoins and access the soccer field at the school site.

Mr. Pica stated that Andrews Lane is only 33 ft. wide.

Mr. DiProfo stated he is concerned with the impact of 15 more homes on this road.

Mr. Conti stated this is a poor road anyway.

Mr. Pica said the dirt portion of the road begins at the Mills' driveway. This is the only access he has to his property and he wants to be able to access it.

Mr. Pica stated they would need one dredge and fill permit and would observe the proper setbacks. The distance from the cul-de-sac to the edge of the property would be 1100 ft.

Mr. Conti asked if it would be 1000 ft. road length.



Mr. Pica answered yes.

Mr. DiProfio asked about fire protection.

Mr. Pica asked what the Board would suggest or want.

Mr. DiProfio said to talk to the Fire Chief, David Conti.

Mr. Pica asked what the Town practice is for fire safety.

Mr. DiProfio stated they rely on the Fire Chief.

Mr. DiProfio said he observed no internal boundaries.

Mr. Pica said they would form an Association. Each owner owns 100% of the land. Owners would be limited to their own specified area for private use and the common area would be used by the home deed owner. The land cannot be altered once the development is sold.

Mr. Smith asked how they would be selling the homes.

Mr. Pica stated similar to a condo sale.

Mr. Smith asked if there would be covenants.

Mr. DiProfio asked if there were covenants, all paperwork be approved by the Planning Board before the plat is signed.

Mr. Pica said they want a single family development with a cluster concept.

Mr. DiProfio would like to know more about the maintenance of the road by the owners.

Mr. Pica would like the Town to accept the road. The water, septic and common areas would be maintained by the Association.

Mr. Pica asked if the road would be accepted after two years as would be with a regular Subdivision.

Mr. DiProfio after researching the ordinance for the town's responsibility for the roads stated that there has to be a 200 ft. radius to protect the community wells.

Mr. Pica responded to a question regarding back-up wells. He stated there would be no back-up well because the State mandates a 48 hour test of the well and it has to be State approved. By State statute the well has to be tested every year for bacteria and they are strictly controlled.

Mr. Pica explained there would have to be a road to access the well. It would be a dirt road and would traverse over wetlands.

Mr. DiProfio reminded Mr. Pica and Mr. Mills that the Planning Board can hire an engineer to review the plans and any concerns with the installation of the systems. He also wants to check the Soil Scientist who did the survey. He made it clear that if the Planning Board hires one, the cost will be borne by the developer.

Mr. Larry Smith stated there are no High Intensity symbols on the plan.

Mr. Pica stated that future plans would have the information on it. He stated that Tim Ferwerder was the Soils Scientist used.

Mr. Pica requested a waiver of the road width if the Association maintains it. He also stated that the impact to Andrews Lane would be easily impacted given the number of homes that it presently services.

Mr. Smith asked how many homes would be placed on each leach field.

Mr. Pica answered 8.

Mr. Conti stated that he wanted only 5 per field.

Mr. DiProfio asked how big the cul-de-sac was.

Mr. Pica answered 60 feet. Mr. Pica also stated the engineer would accomodate the 15 feet differential for setback. He wishes to continue with the design phase of the review.

Mr. DiProfio explained the process and stated the plans would need careful review.

Mr. Pica said the footprint for the house would be 60 x 40 ft.

Mr. Conti inquired if there would be 100 ft. buffer zone adhered to.

Mr. Pica answered yes. He then asked if there were any other departments that he should be meeting with regarding his proposal.

Mr. Smith stated the Conservation Commission is concerned with the Dredge & Fill permitting issue.

Mr. DiProfio stated that there must be a 100 ft. buffer and it must be screened from abutting property.

Mr. Smith stated the Planning Board will be meeting on the 3rd Wednesday of August (August 16) for a Public Hearing.

Mr. Pica stated the project has to be filed with the Attorney General.

Mr. Smith stated their biggest drawback is Andrews Lane.

RICHARD WORTH Stockton Services engineer presented a plan for Richard and Marilyn Worth, corner Route 107 and Willow Road. They wish to subdivide one parcel for their son and daughter-in-law.

The plan has been submitted to the State for Subdivision Approval.

In response to the question, it was noted that East Kingston requires 200 feet of the property for notification to the abutters.

Stockton Services engineer stated that she has the Soils Scientist's recommendations. The present subdivision of the property shows poorly drained and very poorly drained soils. It is doubtful from the Planning Board's perspective that there is sufficient area to fulfill the requirement with the submitted configuration.

Mr. Smith stated that he wants the recommendations.

Mr. Larry Smith stated it is not possible to use the very poorly drained soils for inclusion in the minimum sizing of the lot.

Mr. Smith stated there must be two acres of viable land to subdivide.

Stockton engineer stated she thought it would be okay, by eye. She will get the Soils Scientist to write what he finds for poorly drained soils.

Mr. Larry Smith stated there are requirements for High Intensity Soils Studies.

Stockton engineer stated that High Intensity is to prevent new construction and a house already exists on the lot. She explained that the Worths wish to have two lots and keep the fire pond in the house lot entirely. She feels there is adequate upland soils on more than half the proposed new lot. She feels this configuration makes a better lot than if it includes the very poorly drained soils. She stated there is 3/4 acre minimum of good land.

There was much discussion of the probable division of the lot to get the proper acreage.

Mr. Smith stated that a letter from the Soils Scientist would be a help to the Board. They would need two acres.

A Public Hearing for the Worth property is scheduled for August 16. The application was received and \$70.00 application fee paid.

Mr. DiProffio requested that we get Sarah's contact for checking on the Cluster Ordinance.

Mr. DiProffio briefly brought the members up to date on the Giles Road bridge.

The meeting was adjourned at 10:30pm.

Respectfully submitted,

Nancy J. Marden, Secretary/Clerk