

July 21, 1994

East Kingston Planning Board

Attending: Chairman Richard Smith; Joseph Cacciatore, Catherine George, Amanda Rossi-Lashoones, Dr. Robert Marston, and Andrew Bernidge, Alternate

Others Attending: Joseph Conti, Building Inspector; James Davis, Deputy Fire Chief and Sarah Campbell, RPC Circuit Rider

This meeting opened at: 7:40pm.

Barbara Bagshaw Mr. William Bagshaw presented plans to the Board for signature. He has State Subdivision approvals. After a brief overview of his plans the Board took the following action:

Mrs. George motioned to sign the plan.

Mr. Cacciatore second.

The motion passed 5-0.

Chairman Smith requested Mr. Bagshaw to submit new paper copies of the plans for the records which have a better copy imprint of the surveyors stamp.

Mr. Bagshaw stated he would comply and get the plans to the Selectmen's Office.

Tiffany Trust - Jacques This Public Hearing was opened at 7:47pm. Mr. Dennis Jacques noted that this plan was a result of a Preliminary Discussion in May. He noted that he has been to the Zoning Board of Adjustment and now he is back with this plan. The ZBA has granted a variance to the frontage to accommodate a duplex with less than 300 ft. frontage which now allows a 200 ft. frontage for the new proposed lot.

There was discussion about the existing driveway and common drive. A shared driveway has been sanctioned by the State Highway Dept. State approval has been received.

Virginia Nichols-Kiley and Timothy Kiley, abutters were present and viewed the plans. Mr. & Mrs. Curtis Jacques, Mrs. Denise Jacques and Attorney Keri Marshall were present.

A topo was presented of this land.

Mr. Curtis Jacques stated that at this time he has no immediate plans for the property that he owns to the rear of the proposed subdivision property. He noted that it is in Current Use Assessment.

Mrs. Campbell stated it would be helpful to show the second driveway on the plan as well as the Street Number and the Map, Block and Lot numbers.

Mr. Cacciatore motioned to grant conditional approval. There are four conditions:

1. Show driveway (second)
2. Show map, block and lot numbers
3. Show street numbers
4. Set bounds and show them on the plan as "set"

Mrs. George second.

The motion passed 5-0.

Chairman Smith stated the plan, once completed is to be taken to the Town Offices and he will then be contacted for signatures.

This Public Hearing was closed at 8:20pm.

Site Plan Review-Denis Plante Mr. Plante presented his plan to make an addition to his existing business by adding a wing to the side of his current garage. He noted that access will be through an existing wall.

Mr. Plante noted the size of the addition will be 26 ft. x 30 ft. to the left side of the existing building. It will be to the back of his lot and run towards his pond. The structure will have a low profile.

The Board viewed the sketch provided. Mr. Plante also submitted a copy of his property outline and deed.

There were no abutters present.

Mrs. George motioned to approve a 26 x 30 ft. addition to the existing building on the North side.

Mr. Cacciatore second.

The motion passed 5-0.

This Public Hearing was closed at 8:45pm.

Site Plan Review-Change of Use -Harvey's Garage/Tri-C Manufacturing Co. This Public Hearing opened at 8:46pm.

Mr. Richard Cook addressed the Board stated that he wished to move his now Home Occupation to the site of Harvey's Garage. He stated he now needs extra floor space and wants to move his equipment to Harvey's Garage. Mr. Harvey Purington, owner of the garage, is retiring and will no longer be in business at this location.

Mr. Cook stated he does not want to change any outside appearance of the garage, but he will be putting up signs noting the Tri-C names. He noted that his objection will be to better his business profile. Mr. Cook cited his neat appearance at his current home occupation. He deals with sheet metal fabrication where there are no chemicals, no smoke emissions and no hazardous materials are used.

Mr. Cook noted that he will not be using his home residence as the business, but will continue to store some items there. There will be no more home business at his dwelling on Burnt Swamp Road, and there will be no expansion of the existing building on Haverhill Road.

Mr. Cook will be leasing the garage. He stated the business only has three partners, but anticipates that he will be adding an additional man soon.

Mr. & Mrs. Harvey Purington were present as the only abutters.

Mrs. Lashoones motioned to approve the move to relocate the home occupation to a Commercial Zone, Tri-C Manufacturing to be located at Harvey's Garage on Haverhill Road; constituting a change of use.

Mr. Cacciatore second.

The motion passed 5-0.

This Public Hearing was closed at 8:50pm.

**Public Hearing-Controlled Growth Ordinance** This Public Hearing was opened at 8:55pm. The purpose of this hearing is to comply with the terms of the Controlled Growth Section of the Zoning Ordinance; Article III-A, Section E. Expiration.

Mrs. Campbell explained the annual review mandated by the Article. It was noted there were 21 permits carried over from 1993, 23 permits available in 1994 (based on 4% growth) of which 16 permits remain available at this time.

There was discussion from the Board members regarding the application of the 4% figure. At issue was the application of 4% amortized over a period of years versus a straight 4% per year and no carryover possible.

Mr. Conti noted there were 601 houses in East Kingston as of June 21, 1994.

Mr. Smith concluded the Board should read and study the Controlled Growth Ordinance carefully and come back prepared to make suggestions. He stated the Board can post for another Public Hearing and make any suggested changes if so determined.

The Board discussed the feasibility of defending the 4% growth. Mr. Cacciatore feels the Town needs the growth control as stated.

Mr. Berridge motioned to send the Growth Control Ordinance to the Master Plan Committee for review.

Mrs. George second.

The motion passed 5-0.

This Public Hearing was closed at 9:22.

**Home Occupation concerns** Mr. Cacciatore brought to the Board's attention the possible pitfalls of the word "hobby" within the Home Occupation Ordinance. He stated at minimum the Board should define it and possible eliminate it.

Mr. Smith noted that a Home Occupation must be in a dwelling unit could be considered.

Mr. Cacciatore stated the Selectmen want to eliminate the word "hobby" from the ordinance.

Mrs. Campbell stated the concerns which arise when any Board has to "backpedal" each time an attorney comes in and challenges the ordinance.

**East Kingston Realty Trust-Andrew Lane proposal** Mrs. Campbell stated in reviewing this proposal it would be her suggestion that there are still outstanding conditions and there should be no renewals. This would be appropriate unless there is substantial work begun or done.

Impact Fees Mrs. Campbell explained to the Board that the new legislation addressing Impact Fees make it virtually impossible to implement them.

The meeting was adjourned at 9:35pm.

Respectfully submitted,

[Redacted Name], Administrative Assistant