

del file

August 15, 1991

Members in attendance: Richard Smith, Sr., Chairman; Dr. Robert Marston; Catherine George and Mel Keddy (Late). Amanda Rossi, Alternate

Others in attendance: Sarah Campbell, Rockingham Planning Commission, Larry Smith, Joseph Conti

The meeting was opened at 7:40pm.

Mr. Smith requested the minutes of July 18, 1991 be acted upon.

Ms. Campbell had the following corrections:

Pg. 1: paragraph 6-first sentence add: "and has received Dredge & Fill Permit."

Pg. 2: paragraph 10-sentence two add to read: "She inquired for the DOT permits for entering Rte. 107, and the Town Engineer's okay of the plans on his requirements.

Pg. 6: paragraph 3-clarification to sentence: "The Board noted that no Occupancy Permits for Lots 1-19 were to be issued prior to the road's completion.

The July 18, 1991 minutes were accepted as corrected.

The Public Hearing for the Scapicchio (Mills) proposal was opened by Mr. Smith.

Mr. & Mrs. Blaisdell, abutters were present.

Mr. Ronald Pica, Engineer submitted plans for the Board's review.

Mr. Pica submitted the Road Permit letter from DOT and Mr. Smith reviewed it. Mr. Smith also noted that the site must be cleared to have the permit actually issued.

Mr. Pica clarified that the first letter indicated a driveway, and the second letter calls it a driveway-for future town road.

Mr. Pica noted the clearing is required to obtain the required 400 ft. site distance and must be done prior to issuance of the Road Permit itself.

Mr. Smith requested the covenants.

Mr. Pica stated the Town Counsel doesn't have them yet.

Mr. Pica stated Dr. Scapicchio's attorney's paperwork pertaining to the ownership of the parcel was submitted this evening.

Mr. Pica also submitted the following information:

Copies of the Dam Permits (3).

Wetlands approval has been received. Dredge & Fill Permit has been approved and is in the Conservation Commissions file.

Wetlands disturbance correction hasn't begun; awaiting Mr. Jensen's response. The deadline of Monday, August 19th has been given to begin restoration. Mr. Pica has contracted with another contractor for restoration if the deadline date for beginning is not met. Mr. Pica explained that upon request from Maryann Tilton, the August 19th date was extended to Mr. Jensen.

Site Specific Permit for drainage and erosion control has been received and reviewed. (WPM-3739)

Septic and Subdivision of units is awaiting for the Subdivision Approval, which in turn is awaiting the Water Supply Approval.

Water Supply & Pollution Control approval is pending head loss calculations for the pumps.

Water Supply & Dredge & Fill; Subdivision approvals pending.

Mr. Pica noted that 10 GPM (estimated) is the minimum water supply recovery allowed. Plans at this time are to supply all homes (21) from the community well. The design for the well and pumps will be done by a professional such as Prescott Pump of Exeter.

Ms. Campbell had submitted a list of concerns to Mr. Pica and he addressed them as follows:

A. Mr. Pica said he has addressed all concerns from Civil Consultants.

Ms. Campbell responded that she spoke with Civil Consultants and they are awaiting Mr. Pica's response to their May 16th comments.

Mr. Pica stated that he will send plans and respond as requested.

- B. Regarding the 50 and 100 year storms, Mr. Pica has done 25 year storm calcs and 100 year where requested. Mr. Larry Smith has the results and will give them to Dennis Quintal.
- C. NH DOT site distance has been accepted by the State.
- D. Mr. Pica agreed to put in all corner posts off Andrews Lane.
- E. Mr. Pica will submit a copy of the Dredge & Fill Permit showing they will be staying away from the buffer zone.

Ms. Campbell requested delineation of the 100 ft. buffer on the plan.

Mr. Pica agreed and will so note the buffer on the plan.

Ms. Campbell requested a note about the existing vegetation on the plan.

Mr. Mel Keddy arrived at this point (8:25pm).

Mr. Pica agreed the following statement will be placed on the plan: "No disturbance of vegetation beyond this point".

Mr. Pica also stated a note is on the drawing regarding flagging during construction of the 100 ft. buffer. This note and delineation line will also show on the portion of the plan for recording purposes.

Ms. Campbell said this would show clearly the waived area of the buffer.

Mr. Pica stated this might be confusing.

Ms. Campbell requested the line be delineated where there is no waiver.

- F. Mr. Keddy inquired if the 400 ft. beyond the brook belong to the Association.

Mr. Pica said yes, all will belong to the Association.

- G. Mr. Pica stated that it would be easier to ink everything except the topo for recording purposes. He will show the ponds on the recording plan. He will add a note to the recorded plan as follows: "Will have to conform to the construction plans on file with the Town".

- H. Mr. Pica stated that a Licensed Land Surveyor Stamp will

appear on the plan.

- I. Ms. Campbell inquired if the abutters listed were up to date.

Mr. Pica stated yes, he believed it was okay.

Dr. Marston and Ms. George questioned the ownership notation of the Patnaude and Warren properties and noted it needs to be clarified in the notes.

- J. Ms. Campbell asked about the property line change at the parcel to be donated to the school.

There was discussion about the Lot Line Adjustment. Ms. Campbell feels a Lot Line Adjustment is not necessary as it will belong to the Town. She stated that the Town will require a deed to the property.

- K. Mr. Pica said the Landscaping Plan is submitted this evening for the 19 units. He does not feel a plan is required for the two units, which each have five or more acres. He noted there will be four shrubs in front of each dwelling, minimum.

Mr. Conti asked the size of the shrubs.

Mr. Pica noted there is no size specification.

Ms. Campbell said the Board wants a minimum size specified.

Mr. Pica said the minimum size would be three ft. tall.

Ms. Campbell requested to show the 100 ft. buffer and the clearing as requested for DOT on Lots 20 & 21 on the landscaping plan.

Mr. Pica agreed.

Larry Smith suggested the use of Spruce instead of Douglas Fir might be a better selection for this particular area.

Mr. Pica noted that the plan needs to include lilacs.

Mr. Richard Smith suggested they add in some Scotch Pine.

Fencing for the retention pond to be included in the plan legend was okayed.

- L. Mr. Richard Smith asked if the road to the well would be gated.

Mr. Pica noted this would be a dirt road and he did not see the need to be gated.

Dr. Marston stated he did not feel a gate was required.

Ms. Campbell agreed, stating that the Association may decide to gate in the future if they feel it was warranted.

- M. Ms. Campbell noted that the Impact Fee issue is not resolved. She noted the Town might be amiable to giving credit for the parcel donation for the school.

Mr. Pica stated his position regarding impact. He noted that Andrews Lane would be brought more into conformance with the Zoning Ordinance with the through road. He noted that Andrews Lane had no cul-de-sac and the road was too long to comply at present.

- O. The Board discussed the dry hydrant and turn around (temporary) for the upper two homes (Lots 20 and 21) and other notes for the 19 units which are in place.

- P. Traffic signals/signs are shown on the plan.

Mr. Keddy questioned the legal aspect of posting the speed limit at 20 mph. He asserted the legal minimum is 30 mph.

The Board discussed the prospect of the Town voting a new Ordinance to post for 20 mph.

Ms. Campbell will check on speed limits.

- Q. Mr. Pica submitted a letter to the Board, dated August 15, 1991 requesting conditional approval and listing a list of conditions:

1. Granting of all State approvals.
2. Town attorney approval of the Articles of Association and Maintenance agreement.
3. Install property corners in the vicinity of Andrews Lane.
4. All wetlands restoration work has been completed.
5. Parcel H has been transferred to the Town of East Kingston.

Note also that prior to issuance of a building permit all bonding required by the Town of East Kingston must be

satisfied.

Mr. Pica stated that he wants to file the plan and agree that no building permit will be issued until all is bonded.

The Board discussed the economy regarding the issue of bonding.

Mr. Keddy was concerned with setting a precedent if this was allowed.

Ms. Campbell discussed the impact of 1/21st undivided interest in the whole parcel and its impact with no bonding.

Mr. Conti brought up the Impact Fees.

There was discussion about bonding and phasing regarding the issuance of Building Permits.

Mr. Pica said he saw no problems with the Board signing the plans without bonding, with the understanding that no Building Permits would be issued prior to bonding.

Mr. Richard Smith noted his concerns with recording the plan without bonding.

Ms. George agreed with Mr. Smith's concern.

Ms. Campbell explained the criteria under which the Board would consider Conditional Approval.

Mr. Pica stated he wants to record the survey plan. He requested the Board to sign the Survey Plan. He stated he is in no rush to get it recorded and will wait for the bond before recording it.

R. Guardrail construction material will be settled at the time of drawing the bond document.

Ms. Campbell stated that she has a long list of requirements to be met prior to signing. She stated she will put these requests in writing and mail Mr. Pica the list.

1. State permits to be received.
2. Resolution of Civil Consultants report of May 16th.
3. Review of storm calculations to Conservation Commission, as received tonight.
4. Corner posts set in Andrews Lane vicinity.
5. 100 Ft. setback on portions of property with notation

they will be flagged during construction and left in a natural state.

6. Appropriate signed stamps - ie Licensed Land Surveyor, etc.
7. Illustration of the donated property to the school and deed for same.
8. Articles of Association.
9. Changes to Landscaping Plan, list of shrubs, 100 ft. buffer, show lilacs, Scotch Pines, change Douglas Fir to White Spruce.
10. Planning Board needs approval for disturbance of buffer at Detention Pond #1.
11. Bonding acceptable to the Selectmen with a written agreement regarding phasing.
12. Clarification of the speed limits.
13. Payment of all outstanding review fees.
14. Change the name on the plan to East Kingston Realty Trust.
15. Impact Fees.

Mr. Keddy asked if the Board could review the Articles of Association.

Mr. Pica stated yes, he would supply when available.

Ms. Campbell noted her concerns with getting the Articles of Association and not be a condition for approval.

Mr. Richard Smith requested that Mr. Robert Mill's name be removed from the plans as per the Attorney's (representing Dr. Scapicchio) letter.

Mr. Pica said he will call the Attorney and tell him of the change to the drawing regarding ownership to East Kingston Realty Trust.

It was noted that Impact Fees are generally assessed at \$1200 to \$1500 per unit.

Mr. Pica asked if these figures were negotiable.

Mr. Richard Smiths said yes.

Ms. Campbell stated credit for the school parcel was likely.

Mr. Pica requested a copy of the minutes.

Mr. Pica also requested to be placed on the September agenda, but reserved the right to change to the October meeting.

The Board granted this request.

Ms. Campbell stated the Town likes a self-calling Letter of Credit for the bond.

The Public Hearing was adjourned to the next meeting at 9:50pm.

Mr. Keddy read RSA 265.60, Basic Rules and Maximum Limits to the Board. It states speed limit minimum is 30 mph basically.

Ms. Campbell questioned if the steep hill creates a major hazard.

Mr. Richard Smith questioned the yellow warning for 20 mph.

The Board then discussed Impact Fees and what municipal services would be impacted by the project, such as schools and roads.

Mr. Joseph Conti cited that Ordinance changes are required because of the faulty wording now in place. He suggested the Town adopt BOCA code in its entirety or make a new ordinance.

Mr. Conti will submit a list for change at the next meeting and Ms. Campbell will bring in language for BOCA adoption.

Mr. Keddy motioned to accept the Bylaws for the Planning Board of East Kingston as submitted.

Dr. Marston second.

The motion passed 4-0.

Ms. Campbell noted that Mike Rafferty had requested only to bond a portion of the road at Bell & Flynn's development. After she explained ramifications, he has decided to bond the whole project in order to get the plan signed.

Mr. Conti stated that the garage and house in question will have to be moved or they should go to the Board of Adjustment; they have been so appraised.

Dr. Marston stated he just received the Water Resources plan and has not been able to read them.

Mr. Richard Smith agreed all should have a chance to read them before discussion.

The Board will discuss the Water Plan at the September meeting and it is to be placed first on the Agenda.

Mr. Richard Smith will be attending the 1st and 3rd Law Lecture Series.

The Lot Line Adjustment between David Kinchla and Francis Colanton as presented at the July 23, 1991 meeting was signed by the Board members previous to this meeting.

The meeting was adjourned at 10:35pm.

Respectfully submitted,

Nancy J. Marden, Secretary

Typed: August 21, 1991