



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2013-2014
Joe Cacciatore, *Chairman*
Dr. Robert Marston, *Vice Chairman*

MINUTES
Regular Meeting 15 August 2013
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Continued Public Hearing** for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC.
- ◆ **Continued Public Hearing** for Amended Site Plan Review for Bradley Jamieson for 14 Powwow River Road, MBL 10-03-09.
- ◆ **Public Hearing** for Site Plan Review regarding the greenhouse, 14 Powwow River Road, MBL10-03-09 for Brad Jamieson to sell plants (both flowers & vegetables), associated greenhouse items (garden statues, etc.), giftware (bird houses, etc) and possibly a small farmer's market.
- ◆ **Discussion** with James Kiley, Fremont, NH regarding allowable businesses within the light industrial park.
- ◆ **Discussion** with Mr. & Mrs. Oliveira, Epping, NH regarding allowable home occupations on North Road.

CALL TO ORDER: This meeting of the East Kingston Planning Board was called to order at 7:00 pm.

ROLL CALL: Mrs. White called the roll.

Members Present: Chairman Mr. J. Cacciatore, Vice Chairman Dr. R. Marston, Mr. C. Delling and Ex-Officio Mr. R. Morales. Mr. J. Bath was not in attendance.

Advisors present: Rockingham Planning Commission (RPC) Senior Planner Ms. J. LaBranche, and East Kingston Building Inspector Mr. J. Moreau.

Others Present: Applicant Mr. Bradley Jamieson; Mr. Jamieson's representative, Mr. Dennis Quintal, Licensed Professional Engineer; Mr. James Kiley and Mr. Paul Brown; and Mr. & Mrs. Oliveira.

Board Business

Minutes

Mr. Cacciatore asked for a motion to approve the June and July minutes.

MOTION: Mr. Morales **MOVED** to approve the June and July minutes as presented; Mr. Delling seconded. The motion passed unanimously.

Continued Public Hearing for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC.

Mr. Cacciatore asked for a motion to continue this hearing; the applicant has appealed the Planning Board decision.

MOTION: Mr. Morales **MOVED** to continue the Public Hearing for Subdivision Review for proposed 3-lot subdivision at Woldridge Lane, MBL 03-02-03 for Maplevale Builders, LLC. Mr. Delling seconded; the motion was unanimous

Continued Public Hearing for Amended Site Plan Review for Bradley Jamieson for 14 Powwow River Road, MBL 10-03-09.

Mr. Cacciatore opened this continued public hearing and invited Mr. Jamieson's representative, Mr. Dennis Quintal to update the Board on the status.

Mr. Quintal distributed updated copies of the amended site plan to the Board members, and submitted a revised septic plan to the Building Inspector and the RPC Planner. He reminded the Board that there had been discussion regarding water flow and septic setbacks for the site at the last meeting. They are working closely with the state regarding the septic system and the water supply.

Mr. Quintal explained that he and Mr. Jamieson had met with Dawn Buker from DES and Allison Gorley from the Water Supply Commission for discussion regarding the septic setback conflict at 14 Powwow River Road and the water supply. They noted it would be in Mr. Jamieson's best interest to come into compliance with the state regulation. They also discussed the site in general and the capacity of the site, and it was suggested they look at the flow numbers for the entire site in conjunction with Mr. Jamieson's long-range plans.

Ms. Gorley explained what is required for water sampling for the well and the proper procedures and forms needed. Mr. Quintal has spoken to Jennifer Mates (also with the Water Supply Commission) the following day regarding additional flows for the site. It was determined the well radius would need to be enlarged if there were extra flows added.

On the revised septic plan, the location of the septic system has been changed to comply with the state setback of 75'. A portion of the existing system will be moved to meet the state setback and relocated to the side. They will still need to come before the ZBA for relief from the Town setback of 100'.

The new leach field has been enlarged to 950 gal/day as opposed to the 750 gal/day of the old system. When the final approvals for the system are received, Mr. Quintal will submit the free-standing table of usage for submittal to the Board, which will be updated for each new tenant to ensure they stay within the flow requirements.

Changes to the plan in response to the Town Engineer's comments and other changes include:

- more detail regarding the symbols for the vegetation at the front of the property
- modification to the leaching area from the greenhouse
- modification of the stormwater detention area
- a proposed outdoor seating area next to the sunroom on the bakery/café end of the building
- a proposed addition at the rear of the bakery/café for a cooler
- addition of a stairway for access to the second floor space above the daycare (A-3) for an antique and collectibles shop

These changes were taken into consideration for the new drainage analysis and with the added flow, the septic size requirements have increased, so a proposed 500 gal/day tank is to be added.

They hope to receive the Town Engineer's comments on the revised stormwater drainage analysis plan before the next meeting.

Mr. Morales noted that on Mr. Quintal's letter to the Board, he had referred to the 25 year storm event data, and in the middle of the same letter he referred to the 100 year storm event data which was not included at the bottom of the letter.

Mr. Quintal noted although it was not listed on the cover letter, they had also calculated for 50 and 100 year storm events in the analysis report itself. He explained the figures for 100 year storm events have been calculated using updated Cornell University numbers.

Mr. Moreau asked if there were any concerns regarding the expanded well radius. Mr. Quintal stated he was informed by Jennifer Mates there were no problems with the expansion of the radius.

Mr. Cacciatore opened the floor to abutters, there being none, he closed the floor to abutters.

Ms. LaBranche asked Mr. Quintal to explain to the Board the changes to the septic system. Mr. Quintal explained that presently the distance from the septic system leach field is 63', and state requirements are 75' from very poorly drained soils. The 10-12 feet at the northerly end of the system will be moved to the southerly end to comply with the 75' setback.

In looking at the site, it was determined the site could handle more wastewater flow and the system was redesigned to accommodate that additional flow. Originally it was 750 gal/day and the newly designed system will be 950 gal/day. An additional 500 gal septic tank will also be installed to handle the additional flow.

Ms. LaBranche asked if in addition to a waiver for the 100' setback to surface waters, were they anticipating asking for a setback from poorly drained soils?. Mr. Quintal stated that setback was 50' and the system was already within that setback, so there is no need for a waiver.

Ms. LaBranche inquired if the crushed asphalt driveway/parking surface was taken into consideration when Mr. Quintal re-calculated his figures; he answered he had.

Ms. LaBranche commended the plan, stating it included everything the Board had asked for.

Mr. Cacciatore noted the Board would need to wait until they received the response of the ZBA hearing and the additional review by the Town Engineer.

MOTION: Mr. Morales **MOVED** to continue Public Hearing for Amended Site Plan Review for Bradley Jamieson for 14 Powwow River Road, MBL 10-03-09 to September 24; Dr. Marston seconded; the motion was unanimous.

Mr. Jamieson and Mr. Quintal thanked the Board for their time.

Public Hearing for Site Plan Review for Brad Jamieson to sell plants (both flowers & vegetables), associated greenhouse items (garden statues, etc.), giftware (bird houses, etc) and a small farmer's market at the greenhouse at 14 Powwow River Road, MBL 10-03-09.

Mr. Cacciatore asked Mr. Jamieson explain his application for the greenhouse to the Board. Mr. Jamieson passed around pictures of the landscaping and greenhouse with everything in bloom to the Board members.

Mr. Jamieson explained his intent from the very start was to have a showpiece for the property and to give it life along the roadway. The greenhouse with the flowers and seasonal changes would convey his vision for a community-based, neighborhood-based plaza.

He is asking for this occupation of the greenhouse for the above mentioned uses at the present time for himself, but ultimately would like to have someone come in and utilize the space and also take care of weeding, watering and maintaining the flowerboxes and garden area with the exception of mowing the lawn Mr. Jamieson was hoping for someone to come in 1-2 times a week and weekends, which would accomplish the maintenance of the flowers.

They could display their items outside in a manner fitting the atmosphere he was trying to create for the property but he did not want it to look too commercial. He did not want anything too large or Christmas trees, for example. There would only be one employee and they could utilize the first floor common bathroom.

Mr. Moreau asked if anything was growing in the greenhouse at the present time; Mr. Jamieson answered there was not. Ms. LaBranche encouraged Mr. Jamieson to also consider winter growing, which would mean he would need to include requesting year-round use on his application. He agreed he wanted to include that request and will send Mrs. White an e-mail to that effect which can be attached to the application.

Mr. Moreau asked if there was a business name. Mr. Jamieson explained he had an idea for a name but wanted to check with the previous property owner first; so the name is pending.

Mr. Cacciatore opened the floor to abutters, there being none, he closed the floor to abutters.

MOTION: Mr. Cacciatore **MOVED** to approve the year-round use for Brad Jamieson to utilize the greenhouse at 14 Powwow River Road, MBL 10-03-09 for the sale of plants (flowers & vegetables), associated greenhouse items (garden statues, etc.), giftware (bird houses, etc) and a small farmer's market. Mr. Morales seconded; the motion was unanimous.

Mr. Cacciatore closed this public hearing. Mr. Jamieson thanked the Board for their time.

Discussion with James Kiley, Fremont, NH regarding allowable businesses within the light industrial park.

Mr. Cacciatore invited Mr. Kiley to the front for discussion.

Mr. Kiley explained he rents Building #2 at 213 Haverhill Road (light industrial park) for personal use at the present time and wanted to know if selling used cars would be an allowable use. His intent is to sell 4-5 cars a month and advertise on Craig's list. Mr. Moreau asked if there would be any hazardous waste; Mr. Kiley noted he would be detailing vehicles, and there would be no hazardous waste.

Board consensus was that this was an allowable use; A-1 Auto (also located in the light industrial park) is a used car dealer. The Board explained Mr. Kiley could have a sign on the park marquee and a sign on the building, but not a larger sign such as A-1 has at the entrance. They had approved that sign last month and there is only one extra sign allowable at a site.

Mr. Kiley's next step would be to fill out a change of use application and pay the application fee to be placed on an agenda. He provided his e-mail address to Mrs. White who will e-mail an application to him, along with the deadlines for the next two meetings.

Mr. Kiley thanked the Board for their time.

Discussion with Mr. & Mrs. Oliveira, Epping, NH regarding allowable home occupations on North Road.

Mr. Cacciatore invited Mr. & Mrs. Oliveira to the front for discussion.

Mr. Oliveira stated he and his wife were looking into purchasing a property on North Road. It was Mr. Oliveira's intention to turn the property back into a farm, perhaps with just hay for the first few years, and then on to other things. His wife runs a catering business and at the present time rents space in Chester, NH at a commercial kitchen. A commercial kitchen for cooking is mandated by state regulations.

They wanted to purchase the property and turn the attached 2-car garage into a commercial kitchen for his wife to use for her catering business. Before entertaining an offer on the property, they wanted to make sure what they wanted to do would be allowed. The intent was to cook food in the commercial kitchen, and take it elsewhere for consumption.

Board consensus was that the proposed use would fit the definition of a home occupation and would be allowable. It was also noted that since North Road is a state road, the allowable area for a home occupation would be 50% of the total square footage of buildings on the property. The Oliveira's were pleased what they wanted to do would be allowed.

Once the Oliveira's have purchased the property, their next step would be to fill out an application for home occupation and pay the application fee to be placed on following month's agenda. Mrs. White will e-mail an application to the Oliveira's, along with the deadlines for the next four meetings.

They provided samples of Mrs. Oliveira's cakes to the Board to taste. The Board agreed everything were delicious.

The Oliveira's thanked the Board for their time.

Other Board Business

RPC Master Plan Updates

The RPC is conducting a series of discussions for updating their Regional Master Plan. The regional master plan provides a vision and set of goals to help direct the region's future. They are seeking public input.

Topics: Transportation, Economic Development and Housing

- 9/09 Epping Town Hall (6:00 to 8:00 pm)
- 9/23 Plaistow Public Library (6:00 to 8:00 pm)
- 9/25 Portsmouth Public Library (6:00 to 8:00 pm)

Topics: Land Use, Natural Resources, Energy & Climate Change and Cultural & Historic Resources

- 10/07 Seabrook Library (5:30 to 7:45 pm)
- 10/10 Brentwood Community Center (6:00 to 8:30 pm)
- 10/23 Hampstead Town Hall (6:00 to 8:30 pm)

All community members are welcome. There is no charge to participate in the discussions, but registration is requested to ensure accommodations for seating are met. Refreshments will be served.

To register, please visit www.rpc-nh.org/gsf or call the RPC at (603) 778-0885. Directions and additional information are available on the RPC website.

Unapproved Business

Mr. Morales asked about last month's report of an unapproved business and if the Planning Board received any communication from them. Mrs. White noted a letter had been sent out last month, the week following the Planning Board meeting, along with a Home Occupation application, a copy of the Zoning Ordinance and the deadline for submission to be included on the next Planning Board agenda for public hearing. As of yet there had been no response. The deadline was August 27 for the September meeting. The next action would be from Code Enforcement.

89 Main Street

Mr. Morales asked if the real estate agent for 89 Main Street had been contacted and what the response was. Mrs. White noted she had spoken to the agent, who was surprised to hear the information related to him regarding the property. He was happy for the call to let him know and said he would contact the property owner to update the listing properly. He indicated no agent wanted to state information that would be misleading to a prospective buyer.

Frequently-Asked Questions Handout

Ms. LaBranche encouraged the Board to review the handout/reminder of processes and procedures for Planning Boards she had distributed at the last meeting.

Next Month's Agenda

Mrs. White reported there would be an application for an antiques and collectible business at 14 Powwow River Road and two separate lot line adjustments.

ADJOURNMENT

MOTION: Mr. Morales **MOVED** the Planning Board adjourn, Dr. Marston seconded.

The meeting was closed at 8:25 pm. The next Planning Board meeting will be on September 19.

Respectfully submitted,

Barbara White

Barbara A. White
Planning Board Secretary

Mr. Cacciatore
Chairman

Minutes approved October 17, 2013