



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2016-2017
Joe Cacciatore, *Chairman*
Dr. Robert Marston, *Vice Chairman*

MINUTES
Regular Meeting 18 August 2016
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Public Hearing** - Cornerstone Condominium Association, for the purpose of amending condominium documents with a Second Amendment in regard to landscaping provisions.
- ◆ **Public Hearing** for Christopher and Kelly Leighton, 29 Stagecoach Rd., (MBL 12-03-07) for a home occupation for office functions for construction business.
- ◆ **Review** of proposed changes/updates to the Accessory Dwelling Ordinance.

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

Members Present: Chairman Mr. J. Cacciatore, Vice Chairman Dr. R. Marston, Mr. J. Bath, Mr. C. Delling and Ex-Officio Ms. E. Pettinato. Mr. B. Caswell was excused.

Advisors present: Rockingham Planning Commission (RPC) Senior Planner Ms. J. LaBranche; East Kingston Building Inspector Mr. John Moreau; East Kingston Assistant Building Inspector Mr. Tom Welch.

Also present: Ms. Anne Kane and Ms. Rachael Morin representing Cornerstone Condominiums; abutter Richard Russman.

Board Business

Mr. Cacciatore opened the meeting at 7:00.

Minutes

Mr. Cacciatore asked for a **MOTON** on the July minutes.

Dr. Marston **MOVED** to accept the July minutes as presented; Mr. Cacciatore seconded. Motion passed.

Public Hearing - Cornerstone Condominium Association, for the purpose of amending condominium documents with a Second Amendment in regard to landscaping provisions.

Mr. Cacciatore invited Ms. Morin to explain their amendment.

Ms. Morin explained it was not clear for residents on existing condominium documents that they were responsible for the landscaping around their own unit; it was not the responsibility of the condominium association. Existing unit owners had agreed they would be taking care of their own landscaping, but when new residents come in there is no paperwork backing up this responsibility. Making it part of the condominium documents would ensure new residents would be informed of what their responsibilities were. That is the reason for the amendments to the documents.

Mrs. White explained the proposed changes had been reviewed and approved by Town Counsel prior to be submitted for this public hearing, and the required 2/3 approval vote had been conducted by the Condominium Association members.

Abutter Richard Russman asked to review what the changes to were, and after reviewing the changes noted he had no further comments nor any objections to the amendments.

Ms. LaBranche pointed out the location where Article 11, Section 1 was indicated on their reference copy of the Declaration and Bylaws was not correct. Mrs. White agreed she had placed it incorrectly; Ms. Morin pointed out where it should belong.

Mr. Cacciatore asked for a **MOTION**.

Mr. Bath **MOVED** the Board approve the amendments to the condominium Declaration and Bylaws as presented for Cornerstone Condominium Association; Mr. Delling seconded; the motion was unanimous.

Mr. Cacciatore closed this public hearing.

Ms. Morin asked when the changes would be recorded and how long it would take to be made "active" by the Registry; Mrs. White noted she had the necessary checks from the Condo Association for recording of the documents, so all that was necessary was the self-addressed stamped envelope. Ms. Kane would drop it off at the Office on Friday. She did not know the timeframe for recorded items to be made "active".

Ms. Kane also asked about the possibility of the Town snowplowing their road. Mr. Cacciatore explained when over 55 developments were built, because of the type of development, they were built with certain concessions for the builders and for the Town. For the builders to get those concessions, the trade-off was that the developments were to have no impact on the facilities of the Town and be self-sufficient.

Ms. Morin asked for some information regarding the roads in Cornerstone; Ms. LaBranche noted the specifications for construction of roads in East Kingston are in the Subdivision Regulations. Mrs. White would research the Cornerstone construction plans and see if she can find any additional information.

Public Hearing for Christopher and Kelly Leighton, 29 Stagecoach Rd., (MBL 12-03-07) for a home occupation for office functions for construction business.

Mr. Cacciatore opened this public hearing.

As they Leightons were not in attendance, Mr. Cacciatore asked for motion to continue.

Mr. Bath **MOVED** to continue the Public Hearing for Christopher and Kelly Leighton's home occupation application until the September 15th meeting of the Planning Board; Mr. Delling seconded; the motion was unanimous.

Mrs. White will include their Public Hearing on the September agenda.

Discussion of proposed revisions to the Accessory Dwelling Unit (ADU) ordinance

Ms. LaBranche distributed copies of proposed revisions to the Accessory Dwelling Unit Zoning Ordinance which would bring them in compliance with the State's new laws which will be going into effect. She commented for the most part, the existing ordinance was good with some adjustments to include the new information.

Some of the changes were: any reference to the term in-law had to be removed; the number of bedrooms cannot be limited to one (1); the inhabitant need not be a family member; which of the units to be owner-occupied cannot be specified; ADU cannot be converted to a condominium; ADU can have separate water and sewage systems if the owner wishes; owner must provide evidence that existing septic facilities which meet the Town and State standards are adequate to serve both units.

Mr. Moreau suggested they add that an applicant for an ADU must have an approved septic plan for a new septic system in place so in case of failure of the existing system, they would be ready to have the new one installed. There was no decision on this point of discussion.

The Board discussed whether or not they wanted to allow detached ADUs. The current ordinance requires ADUs have to be attached. The consensus was to not add detached ADUs at this time.

Ms. LaBranche suggested they add a definition of "attached" so there would be no confusion to applicants.

There was discussion on whether or not to leave the review of Accessory Dwelling Units under the auspices of the Zoning Board of Adjustment or to have the review conducted by the Planning Board. The consensus was to leave it for review by the Zoning Board of Adjustment at this time.

Ms. LaBranche noted she was going to create a new application for Accessory Dwelling Units.

Other Business

State of NH OEP - Mrs. White noted information for the OEP Annual Survey of Municipal Land Use Regulations had been completed by the July 28th deadline.

Adjournment

MOTION: Dr. Marston **MOVED** the Planning Board adjourn; Mr. Bath seconded. Unanimous approval.

Mr. Cacciatore closed the meeting at 8:10 pm.

The next Planning Board meeting will be on September 15, 2016.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved September 15, 2016