



PLANNING BOARD  
TOWN OF EAST KINGSTON  
NEW HAMPSHIRE

2007-2008  
David F. Sullivan, Chairman  
Edward Warren, Vice Chairman

**MINUTES**  
(Public Hearing of 21 August 2008)

**AGENDA:**

- 7:00pm Call to Order and Approval of Minutes  
7:05pm **Continued Public Hearing** for a lot line adjustment between Norman and Carol Freeman (Honey Bee Trust), (MBL 09-08-01) 52 Main Street, East Kingston and Granite State Gas (18-01GSGC) (PB #08-05)  
7:30pm Board Business  
Adjournment

**CALL TO ORDER:** The regular meeting of the East Kingston Planning Board was called to order at 7:05PM.

**ROLL CALL:** Mrs. White called the roll.

**Members present** – Dr. RA Marston, Mr. E Warren, and Mr. D Pendell, ex-officio. Mr. D Sullivan and Mr. RF Morales were on vacation.

**Alternate members present** – Mr. J Cacciatore and Mr. R Forrest were not in attendance.

**Advisors present** – Dr. Jill Robinson, PhD., Planner, Rockingham Planning Commission (RPC)  
Mr. Ray Donald, Building Inspector

Mr. Fred Ford and Mrs. Kathy Ford were also in attendance.

**Voting members** – As Chairman Sullivan was not in attendance, Vice Chairman Ed Warren Chaired the meeting. Mr. Warren noted there was not a full voting Board present. As there was not a quorum, no voting could take place and only discussions commenced for the evening.

Mr. Warren opened the meeting at 7:05pm.

**BOARD BUSINESS**

**Meeting Procedures.** Mr. Sullivan had requested Board members raise their finger to be recognized so there would be no misunderstanding of who was to speak, and avoid confusion for the secretary in hearing what was spoken for the minutes.

**Welcome to our new RPC Circuit Rider.** Mr. Warren welcomed Dr. Jill Robinson back to the Board as the new RPC Circuit Rider. Dr. Robinson was with the Board for a few years just before our last Circuit Rider and we are glad to have her back.

**Continued Public Hearing for Granite State Gas.** Mr. Warren informed the Board that Granite State Gas has requested for a continuance. They will be placed on the September agenda.

**Minutes.** Mrs. White noted that since there was not a quorum, approval of the July minutes would be continued to the September meeting, along with approval of the August minutes.

Mr. Donald reported on two items brought up at the July meeting.

- ***The pool fence at Wind Crest Farm.*** The fence was 90% completed on July 18 and is 100% completed now and the pool is full of water. Mr. Pendell asked if a building permit was required for a pool and if it was, did the Building Inspector do a final inspection.

Mr. Donald explained that there were three inspections associated with installing a swimming pool: 1) an inspection for grounding of the electrical work, 2) for the installation of the pump, 3) and the safety considerations of the fence (height, size of slats, etc.), and he was the one who performed those inspections. Pools should not be used before all the inspections were completed.

Mr. Pendell asked if water was supposed to be put into a pool before the fence was installed. Mr. Donald stated that preferably the fence should be up first, but that there were some types of pools that needed to be filled with water immediately to keep them from collapsing.

- ***The fence around the Ford's storage units.*** As the Ford's were present, Mr. Donald turned the floor over to them so they could speak to the Board.

At the July meeting, there was a question why the fence had not been installed around the storage units since it was a condition of approval and it was now more than a year after that conditional approval.

It was ascertained that the fence was shown on the recorded plan, and the minimum required height of the fence was referred to in the conditions of approval.

In answer to the question of why the fence was not installed around the storage units, Mrs. Ford stated that only two units had been installed and the project was not yet complete. The project was not completed at the present time due to the economy. When it is complete, they fully intend on putting in the fence. Installing the fence before the entire project was completed was never their plan.

Mr. Warren asked if they as a Board had the authority to remove the condition of the fence or extend the time-frame in which the fence needed to be installed.

The Board discussed what avenue they could take since the fence is depicted on the plan and the height of the fence is mentioned in the conditions of approval. They conferred about removing the condition for the fence, changing the plan and removing the fence on a new drawing, amending the plan, or having As-Built drawings defining Phase I and Phase II, with the fence going in at Phase II. All suggestions with the exception of removal of the condition would be an expense for the Ford's.

Mr. Ford reminded that Board that the original question of the fence had been brought up when some of the abutters questioned whether people coming to the storage units could have access to their backyards.

It was the general consensus of the Board members present that since the project is not totally finished at this time, it would be acceptable to them for the Ford's to wait until the project was complete to install the fence. This will need to be voted on by a quorum of the members at September's meeting.

The Board invited the Ford's to come back to the meeting in September in case the absent members had any questions they needed to ask of them. The Ford's thanked the Board.

***Building Inspector's proposed changes for the book.*** Mr. Donald had two items he thought should be incorporated somewhere in the ordinances and regulations. The first item is in regard to the Shoreland Protection Act. If you own waterfront property in East Kingston, or any land bordering protected water sources, there is presently nothing in the ordinances stating you need to go to the State to get their authorization and comply with the Act before you get any approvals from the Town. He thought Dr. Robinson might have a suggestion where to insert it into the ordinances.

The other item Mr. Donald feels needs to be in the regulations is the issue of potable water with respect to new wells. In some other towns, since the water needs to meet the State standards, the Building Inspector needs to see the report from the State before he can issue a certificate of occupancy. Mr. Donald said for the most part he was speaking of new construction, but it should pertain to new wells also. He reviewed that towns can be more restrictive than the State in their regulations and ordinances, but not more lenient. They need to enforce at least to the State restrictions. He thought it could be included in the ordinances that the Building Inspector would need to see the water quality certificate from the State or some other testing agency before issuing a certificate of occupancy.

Mr. Pendell inquired if Mr. Donald could share the wording that Kingston has in their regulations pertaining to this issue. Mr. Donald stated he was on vacation next week, but would be glad to provide it to the Board when he gets back.

***Fire Chief Richard and proposed changes to regulations.*** Chief Richard had spoken to Mr. Warren and stated he was not quite finished with his proposed changes for the regulations as he was waiting for some more documentation to come from the State. He was certain there was enough water in the Town that they did not need any more fire ponds or cisterns, but laws regarding heat and smoke detectors and sprinklers had changed and he wanted to incorporate them into the regulations. He will most likely be ready to present his proposed changes for the September meeting. Mr. Donald offered that there were also some changes pertaining to new construction.

***Trash Pick-Up for Elderly Housing.*** This topic is rescheduled for September when there is a full Board.

***Changes for the Book.*** Mrs. White asked if any of the present Board members had any questions or changes on the proposed changes for the book she had distributed; they did not. Since the absent members still needed to give feedback before it could be placed on the agenda for public hearing, this will be reviewed again at the September meeting and placed for Public Hearing in October if the Board gives its blessing.

Mr. Warren asked since towns were non-profit and only supposed to be recouping their expenses, why did some of the amounts include plus 10%. Mrs. White explained that the +10% paid for the time, the envelopes, the paper abutter's notices are printed on, the labels, the printer/copier toner, etc.

***Conditional Approval Procedures.*** Mrs. White reviewed with the Board the procedures for conditional approvals.

***I-Zip Application.*** Mrs. White reported that although the grants were to have been allocated two weeks after the July 15 closing date of submission, there had been a problem getting the voting board together for ranking of the applications due to vacations. Mrs. White will report via e-mail to the Board if they have been approved to receive the grant or denied.

Dr. Robinson explained what the grant was for, and informed the Board that the RPC was on the list of providers approved to help the towns with implementing their Workforce Housing ordinances. Mrs. White reported that the office had also received a solicitation from another agency wanting to aid the Town with putting together their ordinance.

Mr. Donald offered a word of caution to the Board against doing business with outside consultants as the Town had done so before and was not happy with the results. His recommendation was to stay with what we know and who has always given us good service, which is the RPC.

## HANDOUTS TO THE BOARD

- **July 28<sup>th</sup> Construction Observation of Clark Road by the Town Engineer.** FYI - No action is required by the Board. Various entities are already part of making sure this is rectified – i.e. the builder, Town Engineer, Building Inspector, Road Agent, etc.
- **Updates** from the NH Legislative Bulletin.
- **July 21 and August 4 Selectmen’s minutes.**
- **Renewable Energy Forum** – This forum is to be held September 18 at the Sanborn Regional High School Auditorium at 7:00pm.
- **New Hampshire Fall Planning and Zoning Conference** – This conference will be held on Saturday, October 25 at the Mountain Club at Loon Mountain, Lincoln, NH from 8:00 am to 3:30 pm. The agenda is not available yet; I will forward as soon as I receive it.
- **10<sup>th</sup> Annual Statewide Housing Conference.** This is the tentative Conference Agenda. It will be held on October 14 from 8:00-4:30pm at the Radisson Hotel in Manchester. Go to [www.NHHFA.org](http://www.NHHFA.org) for more updated information.
- **Windmills split New York town and Families** article. “Clean energy: Some folks say the human cost is too high.”
- **NH Farm Revenue Growing** article. “Smaller, specialty operations redefine state agriculture.”

Mr. Warren asked if there was any other Board discussion. There was none and Mr. Warren closed meeting at 8:00pm.

Respectfully submitted,

Barbara A. White  
Recording Secretary

Ed Warren  
Chairman

Minutes approved September 18, 2008

17 July minutes will be approved at the September 2008 meeting.
---