

September 15, 1994

East Kingston Planning Board

Attending: Chairman Richard Smith; Joseph Cacciatore, Catherine George,

Others Attending Sarah Campbell, RPC Circuit Rider

This meeting opened at: 7:50pm.

Carolyn Averill -Home Occupation The Public Hearing for Carolyn Averhill opened at 7:50pm.

Mrs. Averill was present. She submitted an application for a Home Occupation. She wants to do Dog Grooming. She would be grooming dogs from her garage. There would be no employees, only herself. There would be grooming only, no boarding of dogs. They would be dropped off, then picked up. There would be a two hour holding time estimated. There will be cages for the dogs.

Mrs. Averill proposed use of one stall of the garage, it will have its own entrance. She will get a tub for bathing. All soaps to be used are biodegradable. There will be an easily accessible filter. She will require a building permit to install the tub.

The Board went over the checklist. The use will be within the garage, the sign will be 2 x 2 ft. Parking in the driveway which is large enough to turn around in, there will be no backing up required. The area to be used is 12 x 20 ft. or 50% of the garage area. The garage is attached to the house. There will be no employees, no commercial vehicles, no offensive noises, no barking. It is most closely affiliated with the permitted category of medical, beautician/barber. This would be considered an allowed category. The only issue could be the tubs effect on the septic and water. She assured the Board that all products would be environmentally safe.

Mr. Cacciatore motioned to recommend approval to the Selectmen.

Mrs. George second.

The motion passed 3-0.

The Public Hearing closed at 8:04pm.

Informal Discussion -Laurie Carbone - William Kennerly property Mrs. Carbone explained that she would like to discuss the feasibility of building a home at the rear of the former Hebb property, owned by William Kennerly. She noted the house lot has 400 ft of frontage. The land goes from the RR Tracks to the Town owned property (Police, Fire, Town Hall Complexes). There is 11 acres and they would have to subdivide. She would like a lot of about 2.5 or 3 acres.

A problem exists in that it doesn't have frontage readily converted to the lot configuration. She inquired about using the private property owned by the Town (near the Recycling Station).

She asked if this were a ROW.

Mrs. Campbell stated she could go to the ZBA for a variance.

Mr. Smith noted the risk to all if the ROW over Town owned property were to happen.

Mrs. Campbell stated the Town could grant an easement, and this is done frequently. It is possible.

Typed: 2/25/97

East Kingston Realty Trust-Continuation The Meeting with East Kingston Realty Trust opened at 8:27pm.

Mrs. Campbell stated she has talked with Jay of Civil Consultants regarding bonding issues.

She noted the figures submitted by Mr. Pica are \$40,000 less than what Civil Consultants asked for.

Mr. Pica stated he understands where the figures are coming from, the big cut and the use of the fill around the houses. He stated that Jay figured these different, in that he would only make the "big piles" and would have to use the bond money to remove this material. There is a contingency of 5%. The water lines were suggested for the ROW, increased drainage. Mr. Pica stated they are going by bid prices. He agrees with Jay's concept and feels the Planning Board will go along with Jay's plan. Total is \$484,390.87.

It was noted the concerns are with the stockpiles. There was then discussion about the partial releases.

Mr. Cacciatore asked about the previous discussion about doing Phases I and II.

Mr. Pica stated his client is now talking about bonding and doing both phases at the same time.

Mr. Cacciatore stated otherwise would be a big change and require new plans.

Mr. Pica disagreed, stating the notes on the plans show the entire project. It is no longer an issue, they will bond the whole project. They plan to put in the whole road. They have an option for two phases, and only bring the pavement to the cul-de-sac. The hydrant would service the top houses, or the plans call for an alternative source through the use of two 10,000 gallon tanks if Mr. Colanton's hydrant facility were not used.

Mrs. Campbell asked if all houses would have their own septic and well systems.

Mr. Pica explained that there is one well and one septic system per two houses. These will be part of the association. Further he stated, they plan to build three bedroom houses. There was brief discussion about the regulation changes. The 12?? gallon per minute regulation has now changed. They saved money by not bringing up the piping to the upper houses. These will be serviced by their own common well. No association membership would be required if only the septic is shared by the two lots.

Twenty one houses are to be built. Dr. Scappichio wants to build the entire road, he will put the binder on, build the houses on top and market them, and then build spec houses. Ronald Cote of Epping is the excavation contractor. MSP, Guy Sawyer, of Plaistow is the builder.

Mr. Cacciatore voiced concerns about building only to recovering the expenses and then walk away.

There was some discussion about the Impact Fee. It was also asked who owns Andrews Lane where the Town ends and the "new" part develops.

The outstanding items were then reviewed.

Mr. Cacciatore stated the following as outstanding items:

1. Who owns Andrews Lane (Town has deed to 1400 ft.-they are not taking ROW), question of who or what happens (to this unknown). Mr. Pica stated this is not of concern to his client. Mr. Smith stated he cannot see why Town doesn't own it. Mrs. George stated her concern, very strong concern about connecting a Town owned road, a new road to the unknown area between. It was noted by Mr. Pica that the people can traverse the ROW like anyone else. He also noted that the Town wanted the road to loop through to Route 107.
2. Impact Fee. Mr. Pica stated owner is willing to sign, Mr. Pica will write letter.
3. Letter of Credit - Renewable, Irrevocable Letter of Credit
4. Stamps on mylar
5. IRS Liens, proof of final okay
6. Deed for School property
7. Bonding
8. Payment of fee for Civil Consultants
9. Fire pond issue. They are on the plan and there is an alternative.
10. Need Intent to cut for ROW, but this cannot be a condition for approval.
11. The property and engineering fees are paid for, they only need for pay for construction.
12. Bonding as acceptable by the Selectmen. Mr. Pica requested Planning Board to accept these figures from Civil Consultants.

Mr. Smith asked if there would be a possibility of hitting ledge at the deep cut.

Mr. Pica stated yes, they cannot do test pits at this time because of time constraints. The ledge would come early and bond money would still be available to do the restoration if needed.

There was discussion of school deeds and the need for additional land.

Mrs. George motioned to accept the bond estimate prepared by Civil Consultants.

Mr. Cacciatore second.

The motion passed 3-0.

Three paper copies plus the mylar will be required.

The Public Hearing closed at 9:27pm.

Mr. Cacciatore stated that Joe Conti had questioned why all subdivisions are not required to have a fire pond or fire protection.

There was discussion of the Master Plan. Mrs. Campbell stated the last plan was done by Piscataqua Planning, Tom Morgan, Portsmouth.

Mr. Cacciatore motioned to accept the minutes of July 1994.

Mrs. George second.

The motion passed 3-0.

Mr. Richard Smith signed up for the Tract I Seminar for October 16th.

The meeting was adjourned at 10pm.

Respectfully submitted, Nancy J. Marden, Administrative Assistant _____