

# **PLANNING BOARD**

Town of East Kingston, New Hampshire

## **SEPTEMBER 2021 MINUTES**

Approved on October 21, 2021

The Town of East Kingston Planning Board met on **September 16, 2021 at 7:00 pm at the Pound School, 41 Depot Road, East Kingston, NH**. The following members, staff and public were present.

Planning Board: Chair Bill Caswell, Vice Chair Tim Allen, Dr. Marston, Josh Bath, Ex-Officio Joe Cacciatore, and Janet Smith-Alternate

Staff: Julie LaBranche, Planning Consultant; Dennis Quintal, Town Engineer

Public: Jaclyn and Gerald Bowley

### **Applications:**

The Board opened discussion of a Lot Merger application by Jaclyn and Gerald Bowley to execute a voluntary merger of Tax Map 1 Lot 10-2-6 located at 3 Powwow River Road and Tax Map 1 Lot 10-2-7 located at 7 Powwow River Road.

Chairman Caswell asked the property owners to provide an overview of the Lot Merger application. The Bowleys explained that the purpose for the merger is to allow placement of a new house within the setback of the existing lot. The merger would alleviate any encroachment into required lot setbacks. Dennis Quintal added details about the site plan including issuance of the Shoreland Water Quality Protection Act permit and delineation of the high water mark for Powwow Pond. Joe Cacciatore noted that a bond had been secured for demolition of the existing dwelling.

Motion to approve by Vice Chairman Allen; 2<sup>nd</sup> motion by Josh Bath. Approved unanimously.

### **Discussion:**

#### Status of correspondence about Light Industrial Park property compliance

Several items discussed included Mr. Masone's local P.O. Box mailing address and method for documenting his receipt of the compliance letter from the Planning Board. There is a phone number on file for Masone; should a call be made to verify the mailing address and/or receipt of the compliance letter? Phone call was made by Caswell to Masone who indicated Planning Board letter had not been received as of Sept. 14th but pending.

Discussion with Dennis Quintal about the status of the NHDES Wetlands Permit. Dennis reported that the most recent NHDES correspondence did not indicate a date for the applicant to gain compliance with the requirements stated in the letter. Vice Chairman Allen suggested the Planning Board reach out to the NHDES staff to secure a date of compliance. Dennis Quintal offered to make that inquiry to NHDES.

## **Board Business:**

### Zoning Ordinance Amendments (Tim Allen and Julie LaBranche)

The following zoning amendments were discussed:

1. Add to the Definition Section a definition for Farming – It was assumed that the current definition and RSA reference to farming in the Zoning Ordinance covered this.
2. Article XIV Sludge Facilities – The Board discussed whether to prohibit creation of new such facilities and/or limit expansion of existing facilities. Vice Chairman Allen offered support for prohibiting new facilities and continuance of existing grandfathered facilities without expansion. Discussion on this matter will be continued.
3. Zoning Ordinance Article XVII (page 72, Section A.2) – Discussion about removing the \$1,000 value requirement for a building permit in favor of adding a definition of “structural improvement”. Dennis Quintal offered that a fee structure for certain types of improvements could be developed. Discussion about whether Zoning Ordinance XVII.A.2 and Building Code Section 2, paragraph 3 could be combined and or/modified (both state a building permit is required for improvement of \$1,000 or greater). Discussion on this matter will be continued. Julie LaBranche suggested revisions to the definition of a structure in Zoning Ordinance Article II Definitions. The Board suggested the Building Inspector review the definition and make suggested revisions if necessary.
4. Zoning Ordinance Article VIII.G.g Accessory Dwelling Units (p. 23-24) – Review and discuss requirements for septic facilities (e.g. inspections, replacement plans). Discussion on this matter will be continued.
5. Zoning Ordinance Article XI Conservation Subdivision (p. 34) – Review reference for High Intensity Soil Survey lot sizing and consider adding a specific table of lot sizing soil based parameters. Discussion on this matter will be continued.

### Master Plan / Growth Management

Chair Bill Caswell has obtained 2020 Census data from the RPC which shows an increase in growth for East Kingston compared with the growth rate for adjacent Kensington. Caswell would like to advance the discussion about Growth Management based on the Census data and compare with population projections from the state including future development trends, changes in population in the region and changes in technology that may influence both of these parameters. Discussion on this matter will be continued.

### Update on Tilton Lane Subdivision appeal case (Bill Caswell)

Chairman Bill Caswell offered a brief review of the current status of the Tilton Lane subdivision appeal case. The town is waiting for the final Court decision or advise in the matter.

### Other Matters:

Chairman Caswell reminded Board members to adhere to the RSA 91-A Rules for correspondence and discussion outside of noticed meetings including emails.

Vice Chairman Tim Allen reviewed the current status of staffing for the Planning Office to support both the Planning Board and Zoning Board of Adjustment. Allen recommended that an interim contract for up to 4 months be secured with Planning Consultant Julie LaBranche to provide administrative

services to both the Planning Board and Zoning Board of Adjustment until a permanent staff person could be hired. Motion by Chairman Bill Caswell to develop a contract. 2<sup>nd</sup> motion by Josh Bath. Approved Unanimously.

Motion to adjourn by Dr. Marston. 2<sup>nd</sup> motion by Josh Bath. The Planning Board adjourned at 9:30pm.

Submitted by:  
Julie LaBranche  
Planning Consultant