

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
September 18, 1997

FILE

AGENDA

7:45 Charlie Marden –Light Industrial Park - Discussion
8:00 Matt Blunt – 22 Joslin Road – Subdivision – Continued Public Hearing

Members attending: Richard A. Smith Sr. - Chairman, Edward C. Johnson - Vice Chairman, James Roby Day, Jr. - Ex - officio, Catherine George, Alternate Robert Nigrello and Dr. Robert Marston (7:47).

Absent: Alternate Beverly Fillio.

Others attending: Lawrence K. Smith - Conservation Commission Chairman, Sarah Campbell - RPC Circuit Rider, Glenn P. Clark - Building Inspector, Charlie Marden and Matt Blunt.

Chairman Smith called to order this September 18, 1997 public planning board meeting at 7:37 p.m. with the roll call. He designated Robert Nigrello to vote in the absence of Dr. Marston.

September 4, 1997 Planning Board Minutes:

MOTION: Mr. Johnson motioned to approve the September 4th, 1997 Planning Board Minutes as presented. Mrs. George second. The motion passed 5-0.

Joint Board Meeting: Mr. Day suggested that the Zoning Board of Adjustment, the Planning Board and the Board of Selectmen meet to discuss where the responsibilities of each board overlap and affect each other as a means to improve the lines of communication between them.

He further explained that the object of a joint meeting is to reinforce and air board's expectation. Clarification of each board's role would be discussed.

Chairman Smith stated that such meetings were held in the past with town counsel in attendance.

Mr. Marden responded as a ZBA member, he often wondered how some cases ended up at the ZBA from the Planning Board.

Mrs. Campbell added that the ZBA might have input on ordinance amendments and suggestions in time for the March 98 Town Meeting.

Mr. Johnson and Mrs. George expressed their interest in attending a joint meeting.

Mr. Day stated that he would meet with the Selectmen and discuss it.

Charlie Marden –Light Industrial Park –Discussion: Chairman Smith opened discussion with Mr. Charlie Marden at 7:47 p.m.

It was noted that Dr. Marston entered the meeting at this time and that Mr. Nigrello would abstain from the voting process for the remainder of the evening.

Mr. Marden stated that Chuck Woodlands Realty owns the land at MSK Lumber located in the light industrial zone on Haverhill Road. He, representing Chuck Woodland Realty, would like to lease buildings on the lumberyard. He questioned if a site plan review is necessary.

He explained that one building currently used by MSK is a vehicle repair shop. He would like to lease that building out to another vehicle repair company. The actual use of the building will not change.

He further stated explained that another building on the lumberyard is currently used for storage. He is proposing to renovate it by pouring concrete floors, adding heat, and installing 14 feet doors. Will the Building Inspector issue a building permit for this renovation or would the building permit be held up if a leasee has not yet been secured?

He stated that he would be interested in expanding leasing buildings if it became economically feasible.

Mrs. Campbell responded that until a change of use is present, a site plan review might not be necessary.

Mrs. George quoted Article XII.4 which states:

Before any building permit may be granted by the Building Inspector for any buildings, structures or uses in a Light Industrial/ Commercial Zone for which approval has been granted by the Planning Board...

Mrs. Campbell suggested amending the ordinance if the light industrial park develops as there is confusion here.

Mr. Marden stated for clarification that a building permit for renovation would be issued prior to leasing the building without a site plan review. Would the leasee then need a site plan review hearing to operate?

The Board noted the permitted uses allowed as listed in the Article XII. The Board was in agreement that a building permit may be issued prior to a site plan review.

Dr. Marston stated that the Board wants to encourage the development of the light industrial park. Mr. Marden already has a shop set up. There is no change of use, just a change of shop operator.

Mr. Day, Mr. Johnson and Mrs. George expressed their agreement.

Chairman Smith noted that Mr. Marden was originally given site plan review for three buildings. Only one was built.

Mr. Marden stated that two to three thousand square foot buildings are in demand.

The Board was in agreement that Mr. Marden may execute his proposal to:

1. lease the repair shop to another entity; and
2. renovate the storage building for another use (building permit approval).

Chairman Smith stated that one plan for an overall site plan review should go before the Board. One plan that can be executed in stages. The landowner would then authorize and be responsible for any change of use in the light industrial park.

Mrs. Campbell added that the Planning Board has the authority to waive any unnecessary requirements.

Mr. Marden was directed to move ahead with his proposal and that the Planning Board would work out the logistics of the change of use provisions.

The Planning Board agreed to work on the amendments of the site plan review to accommodate the needs of the light industrial park.

Matt Blunt – 22 Joslin Road – Subdivision – Continued Public Hearing: Chairman Smith opened the continued public hearing for Matt Blunt's proposal to subdivide 31 acres into 8 parcels located at 22 Joslin Road, MBL# 17-2-7 at 8:13 p.m.

Mr. Blunt stated that there is no new action on his subdivision proposal and that he doesn't expect any for a couple of months.

After discussing the 90 day clock and in mutual agreement between Mr. Blunt and the Planning Board,

MOTION: Mrs. George motioned to continued the public hearing for Matt Blunt's proposal to subdivide 31 acres into 8 parcels located at 22 Joslin Road, MBL# 17-2-7, until 8:00 p.m. on Thursday, November 20th, 1997. Dr. Marston second. The motion passed 5-0.

Driveways : Building Inspector Glenn Clark stated that on a couple of occasions, abutting property owners have complained about the location of driveways. Some driveways are being constructed too close to the boundary lines. Currently there are no provisions in the ordinance as to where driveways are placed (on Town roads).

He continued to say that he would like to recommend the Planning Board revise the driveway provisions to include a 10-foot setback from property boundary lines.

Mrs. Campbell stated that such a provision could be included in the subdivision regulations with the authority to waive as necessary.

MOTION: Mr. Day motioned to revise the subdivision regulations Section 4.D to reflect a 10-foot driveway setback from the property line. Mrs. George second. The motion passed 5-0.

Commercial District: Mr. Day reviewed discussion taken up at the September 4th work session regarding a new proposed commercial district. He explained that the Planning Board has stated that they would support a proposed commercial district from the video store on Main Street to the Church on Depot Road.

It was suggested that the language for this proposal include the property lines of the video store and the church as the boundary lines.

Mr. Day stated that he would take the Board's suggestion to the FLUAC for its support.

CIP Update: Mrs. Campbell stated that she had a good meeting with Principal Anne Goodman concerning the school's CIP input. Mrs. Goodman outlined the school's growth needs as follows:

1. ¼ million dollar expansion in 1999;
2. 2 classrooms needed for each grade;
3. total of 6 new classrooms needed.

The school is currently using the art/music room for a classroom. The library has been reduced to be used as a classroom also. Taking into account the state funding available, the Town is looking at financing ¼ million dollars which breaks down to a ten-year bond for \$25,000 each year.

CIP input still need from the Road Agent, the Historical Committee, the FLUAC and the Library.

Work Session: A work session will be held on Thursday, October 2nd, 1997 at 7:00 p.m. at the Town Offices. The agenda will include discussion on the CIP.

Shoreline Protection Act: The Board discussed the Shoreline Protection Act and noted that the Powwow River is classified as a category 3. Land owners along qualified bodies of water are upset at the restrictions set in the Shoreline Protection Act. The Board will take up discussion of the possibility of writing its own ordinance concerning this Act at another time.

State Subdivision Approval: Mr. Day stated that a lot line adjustment, which creates a lot under five acres, must receive state subdivision approval. A landowner in town has recently had to send for approval for a lot line adjustment that was approved by the Planning Board in 1989.

Growth Control Ordinance: Mrs. Campbell will work to have a draft growth control ordinance ready for the October 2nd work session.

Wetland Excavating and Dredging Permit Fees and Exemptions. (Ch. 212 (HB677FN): Conservation Commissioner Larry Smith noted an error in the new laws passed in NH. The correct fees are as follows:

1. 2 ½ cents per square foot for minimum impact; and
2. 4 cents for minor and major projects (anything over 3,000 square feet).

It was noted that in the cleaning of fire hydrants a permit is needed if vegetation has overtaken the pond. Minor cleaning projects need no permit.

Larry & Karen Bean Subdivision & Jerry & Jay Bean Lot Line Adjustment Mylars: At this time the Board reviewed the mylars and conditions for Larry and Karen Bean's 2 lot subdivision which was approved June 20, 1997 and Jerry and Jay Bean's lot line adjustment also approved June 20, 1997. It was noted that all conditions were met and the concrete bounds were set and inspected by the Building Inspector.

Chairman Smith signed both mylars and ordered the recording secretary to record them with the Registry of Deeds.

MOTION: Dr. Marston motioned to adjourn. Mr. Johnson second. The motion passed unanimously and this September 18, 1997 public planning board meeting ended at 9:10 p.m.

Catherine Belcher
Secretary

Minutes completed and on file September 23, 1997.