



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES
Regular Meeting 20 October 2016
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Review** of proposed changes/updates to the Accessory Dwelling Ordinance.
- ◆ Other Board Business

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

Members Present: Chairman Joe Cacciatore, Vice Chairman Dr. Robert Marston, Joshua Bath, Bill Caswell and Ex-Officio Mr. Richard Poleart. Mr. C. Delling was excused.

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

BOARD BUSINESS

Mr. Cacciatore opened the meeting at 7:00.

Minutes

Mr. Cacciatore asked for a **MOTION** to approve the September minutes.

Mr. Bath **MOVED** to approve the September minutes as presented; Dr. Marston seconded. The vote was unanimous.

Discussion of revisions to the Accessory Dwelling Unit ordinance.

Ms. LaBranche distributed an updated version of the revised Accessory Dwelling Unit ordinance.

One change in the new law is that a manufactured home is considered a single family residence and as such would be allowed to have an accessory apartment as long as it was not in a manufactured home park or under condominium ownership. Ms. LaBranche has changed that paragraph to reflect those changes.

The Board also discussed what the term "attached" really meant. There was lengthy discussion about what actually meant. Would it only require a roof or a shared wall? Ms. LaBranche read the definition of interior door from the NHMA flyer. "*An interior door shall be provided between the principal unit and the accessory dwelling unit but the municipality shall not require it be unlocked.*" Another definition read "*or shall have an ingress and egress through a common space such as a shared hallway to an exterior door.*"

They decided roofed and semi-enclosed would be acceptable as the attachment. Ms. LaBranche will add the definition of "attached" under paragraph d. construction.

Mr. Caswell brought up some of the concerns the Board had discussed in regard to detached accessory apartments. Mr. Cacciatore opined a person would be more concerned about who they were renting to if the apartment was attached to the home, rather than being unattached. Mr. Bath did not think it really made that much difference. Mr. Bath opined they might consider adding a special exception for detached accessory apartments only in the instance that site configuration would not allow it to be attached in the conventional way.

The Board discussed whether to allow detached accessory dwelling units. After lengthy discussion, it was the consensus of the Board to have applications only for attached units at this time. There was the option to change the ordinance to allow detached accessory dwelling units in the future.

The Board added that inspection of the existing system showing it was adequate to support both the principal dwelling and the accessory dwelling unit would be required in the form of a report from a licensed septic designer. This report would need to accompany any application to the Zoning Board of Appeals for special exception for an accessory dwelling unit. In addition to this report, an approved septic system *replacement* plan prepared by a State of New Hampshire licensed septic system designer and approved by the State will also need to accompany any application for building permit.

Mr. Moreau also asked that Article VII - General Provisions, paragraph VII - General Provisions A.1. be changed to read: 1. Minimum size of septic tank shall be 1,250 gallons for up to 4 bedrooms. Over 4 bedrooms, the septic tank shall be 1,500 gallons.

There was some discussion on whether to allow a 2nd driveway for the accessory apartment. The decision was to keep it at one. Also discussed was who would be responsible for denoting addresses of such units; 911? Or would they have the same address and be identified with "A" for the address?

Mr. Bath **MOVED** to limit accessory dwelling units to attached units only; Dr. Marston seconded. The vote was unanimous.

The Board will review the rewritten ordinance in November and have a public hearing in December..

Signs

Ms. LaBranche has provided a handout - DOs and DON'Ts for signs. There will be further discussion on this in November. She noted East Kingston's sign ordinance was pretty good, but will need some changes to comply with the new law.

Content neutral, size, placement, provisions for public safety. Can't limit amount of signs, or what they put on the signs.

Other Business

- Mrs. White informed the Board that 108 Truck and Auto is applying to the state as a retail auto dealer. The Board approved his business in May - this is a routine request for a business to be licensed by the state. She usually sends a letter to the Selectmen asking them to sign the form and return to the state. Would they like her to do this? The Board agreed to submit the letter to the Selectmen.

- Mrs. White noted V-8 Shop home occupation has not renewed their home occupation permit. There have been several reminder emails and letters from the Selectmen's Office and they have not responded. She asked if she should send a letter letting them know their home occupation permit is revoked and they should not continue to operate this business, and if they want to they will need to start the process all over again? The Board agreed to send the letter to V-8 Shop.
- Titan Services tried to register business trucks. We have no such business in Town. Mrs. White wanted to know if she should send a letter? The Board agreed a letter should be sent.
- Mrs. White noted potential home buyers may be coming to the Board next month for a home occupation before they purchases a piece of property in Town.
- Mrs. White corroborated with Mr. Moreau there had been only 3 new houses built in Town for 2016. He verified that number. She was beginning to work on the Growth Management report for the year.

Adjournment

MOTION: Dr. Marston **MOVED** the Planning Board adjourn; Mr. Bath seconded. The motion passed unanimously.

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

The next Planning Board meeting will be on November 17, 2016.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved November 17, 2016