

TOWN OF EAST KINGSTON, NH  
PLANNING BOARD MEETING MINUTES  
October 12, 2000

WORK SESSION

Members attending: Richard A. Smith Sr. - Chairman, Edward C. Johnson (7:06 p.m.), John L. Fillio - Ex-officio, Dr. Robert Marston, and Alternate David Morse.

Absent: Beverly Fillio and Alternates Robert Nigrello and Peter Riley.

Others attending: Sarah Campbell – RPC Planner, and Dick Cook.

Chairman Smith opened this October 12, 2000 Planning Board Work Session at 7:03 p.m. Noting the absence of Mrs. Fillio, he designated alternate member Mr. Morse to participate in any voting matters that come before the board.

Elderly Housing Ordinance: Over the past few Planning Board meetings it was brought to the board's attention that portions of the Elderly Housing Ordinance were insufficient in encouraging and promoting its usage— there were not enough incentives to encourage this type of alternative land use. The board decided that amendments to the ordinance could be considered, thus the reason for this work session.

When comparing the Elderly Housing Ordinance to the Cluster Housing Ordinance, it was noted that density bonuses are offered in cluster developments but not in elderly housing developments. The Elderly Housing Ordinance, however, is exempt from the building permit restrictions in the Growth Control Ordinance. Permits issued for elderly housing do not affect the total permits allotted in town under the Growth Control Ordinance – nor does it affect how many permits can be issued to any one entity. The fact that an elderly housing community would not place a burden on the school system was the main reason it was originally drafted to be exempt from the Growth Control Ordinance. Despite this exemption, some members felt there was still not enough incentive for a developer to build an elderly housing community instead of conventional housing or a cluster housing development.

It was noted that the Elderly Housing Ordinance basically doubles the density allowed in conventional housing. (e.g. conventional housing allows one home per two acres which calculates to 1/2 acre of uplands needed per four bedrooms. Elderly housing allows four bedrooms per acre with up to 60% of the use of poorly drained – that's 40% upland which calculates to only 1/3 of an acre needed per four bedrooms.) Furthermore bonuses were intended to preserve the fields and rural character not to encourage more houses.

It was recommended that a paragraph be written and placed at the beginning of the Elderly Housing Ordinance listing its advantages over conventional housing. It was also noted that elderly housing developments that qualify as nonprofit organization could be exempt from paying property taxes – only the federal government requires nonprofit status for their federal granted projects. Bonuses for septic design were also suggested.

In further review of the ordinance it was agreed that the placement criteria could be changed or even removed as buildings sizes could be limited and the number of bedrooms is calculated by the lot size and soil types. State regulations will monitor the well and septic requirements under the municipal water supply provisions. It was agreed that open space should be encouraged.

Dick Cook gave a brief explanation of what he envisions for his 35-acre parcel located on Haverhill Road. He stated his plans were only conceptual, as no professional drawings have been designed. He is looking to develop about 15 of the 35 acres, leaving 20 acres open. The model home would be a single floor one or two bedroom unit located in a quad design plus individual cottage-style units, all single floor in different cottage styles and shapes. He noted that Mr. Morse does not have the land to spread his development out like he (Cook) does. His plans are to develop a community type block neighborhood with front and back doors, carports, back yards and a recreation hall. Estimated costs of such a development are in the one million to 1.75 million dollar area just to get the project off the ground. Units could be sold for \$150,000 to \$175,000 each. Once over the \$200,000 price tag, the units would be too hard to sell.

He continued to say that he does not want trailers or a motel type design. He has to consider the economics of the project, the area, the town issues, and then determine what would be the best design. This is a good alternative to developing the light industrial park although he still believes the town will need one. Since no one in town has ever developed an elderly housing project, this is a good opportunity for the planning board to learn as they go along. He stated that he still has to contend with the powerlines and gaslines but he believes a solution can be worked out.

Mr. Morse stated that he wants the same return on an elderly housing project as he would get on a conventional development. He said he would prefer to build an elderly housing development on his property but he needs to consider the profit margin. The cheapest, fastest way to make money is to put in conventional houses. He stated that the planning board should allow more bonuses to bring up the profit margin.

Mr. Filio stated that the planning board will not be specifically accommodating to any particular project – the board needs to look at the ordinance for the town as a whole.

Members stated that they would think that the return on elderly housing would be close to conventional housing especially where more bedrooms are allowed. If the return is not close then the board should consider increasing it. It was questioned whether elderly housing could be reverted back to conventional housing sometime in the future. It was stated that there are no guarantees, however, it is up to the town to enforce the ordinance – plus the design of the units could help. Other successful adult communities noted were Pine and Pond in Epping and Sherwood Forest in Exeter.

Discussion on renaming the ordinance transpired. It was noted that calling a project “elderly housing” could create an issue with the state and federal government. The name alone could qualify the project to meet federal guidelines. It was also noted that once you place assisted living on the parcel the use changes from residential to commercial. At this time the board is only looking to offer adult independent living within the Elderly Housing Ordinance.

Further discussion resulted in the board’s agreement to limit the number of units allowed in any one building, as they needed to consider the aesthetics of the project. Though the board wished to encourage this type of development, it also needs to be cautious of “bad” developers who care nothing for the town or community and are only interested in making as large a profit as possible. It was agreed that two-story buildings could promote more open space. Different buffer suggestions were noted (if more than 15 units were allowed in a building than a larger buffer could be required).

The board agreed to propose the rephrasing of paragraph 12.2.3 to state that the total number of bedrooms on a site shall be calculated as follows: 1) total site acreage times 4 bedrooms notwithstanding the following wetland limitations; a) no very poorly drained soils may be used to satisfy the total acres and 3) poorly drained soils may be used to calculate the total number of bedrooms as long as it is not more than 60% of the total acres.

In lieu of restricting the number of units that could be placed in any one building, the board opted to limit the footprint size of any building not including carports, decks, etc. It was agreed that no footprint for elderly housing should exceed 5,000 square feet. This requirement would be placed in Article 12.2.4.

At this time Mr. Johnson was excused from the meeting (8:40 p.m.).

More discussion ensued over the density bonus issue. It was agreed that the total number of bedrooms allowed would be determined by the total acreage of the parcel – including the roadway or driveway. Mrs. Campbell would prepare these amendments in draft form for the next meeting to be held on October 19<sup>th</sup>.

**Growth Control Ordinance:** The annual November review for the Growth Control Ordinance would be placed on the November agenda.

**Colanton:** Noting the Kingston Planning Board’s public hearing scheduled for next week regarding the Kingston Fairways Golf Course, Chairman Smith requested at least one board member attend. Both Mr. Filio and Mr. Morse stated they would attend the meeting on behalf of the board. Members briefly reviewed the golf course plans submitted by Colanton. The East Kingston Planning Board is scheduled to hold a public hearing for the East Kingston portion of the golf course’s expansion next week. It was noted that the Kingston Planning Board minutes indicate East Kingston abutters as being concerned with the runoff of lawn chemicals used by the golf course. A copy of these minutes is in the members’ information packages distributed tonight.

**Clay Pond Development Corp.:** The board acknowledged a wetlands application and plans for property located in East Kingston and Kingston off of Route 111. The intent of the project is to “create a nine building, 33 two bedroom residential multi-family condominium community. The units are to be located on a 103-acre tract located off of Route 111 in the town of Kingston and East Kingston. Each building is to be served by shared leachfields and a community well. Access will be provided by a 60’ wide right-of-way commencing at an existing entrance at Route 111 and running southerly 1,000’ +/- into the property where it terminates at a cul-de-sac. From that cul-de-sac, a loop driveway provides access into the proposed units. All of the buildings will be located in the

Town of Kingston and the leachfields will be located in East Kingston. Acceptance and approval of this proposal shall supersede the current commercial use of this site as a spring water company (Pine Brook Springwater Company.”

**Waldron:** Members reviewed a plan submitted by Monique Waldron to subdivide land in Kensington and East Kingston. It was noted that an eight or nine foot lot line adjustment would be needed in East Kingston to satisfy the frontage requirements in Kensington. It was also noted that Ms. Waldron also plans to construct a 22-stall horse barn in East Kingston instead of Kensington where it was previously planned. Ms. Waldron indicated to the recording secretary that Kensington has given her such a difficult time with this proposal that she will relocate the barn into East Kingston. Members noted that the plan needs to show the entire parcel in both towns. The Kensington plan would suffice to show the total Kensington parcel in addition to the plan already submitted.

**Tuck:** Members were advised of Gary and Kathy Tuck’s plans to subdivide property on Forest Drive. Doucette Survey indicated to the recording secretary that complete subdivision plans would be forthcoming.

With no further business,

**MOTION:** Dr. Marston motioned to adjourn. Mr. Fillio seconded. The motion passed 4-0 and this October 12, 2000 Planning Board Work Session ended at 9:24 p.m.

Catherine Belcher  
Secretary

Minutes completed and on file October 15, 2000.

Approved: Oct 19, 2000