



**PLANNING BOARD  
TOWN OF EAST KINGSTON  
New Hampshire**

2020-2021  
Joshua Bath, *Chairman*  
Tim Allen, *Vice Chairman*

**MINUTES**  
Zoom Meeting – October 15, 2020  
7:00 pm

The Town of East Kingston Planning Board met remotely through a video conference (Zoom) meeting, Thursday, October 15, 2020 at 7:00 PM. Due to COVID-19, and pursuant with NH Emergency Orders, no public meeting location was utilized.

**AGENDA:**

**Public Hearing for Home Occupation** for Stephanie McGaughey-Sullivan, 48 Sanborn Road, MBL 08-03-04 for a home office.

**Continued Public Hearing** for Subdivision application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) - Barry Gier / Jones and Beach

**Members Present:** Chairman Joshua Bath, Vice Chairman Tim Allen, Dr. Robert Marston, Bill Caswell and Ex-Officio Bob Nigrello.

**Advisors Present:** RPC Senior Planner Julie LaBranche.

**Also present:** Mr. Barry Gier PE / Jones and Beach representing the Wayne R. Ewald Revocable Trust; applicant Sal Ragonese, Atty Josh Lanzetta, East Kingston Police Chief Mike LePage, Town Engineer Dennis Quintal and various residents of the Town of East Kingston.

Chairman Bath made a statement regarding video bombing:

*If tonight's meeting is interrupted by outside sources, this meeting will be immediately terminated and public hearings will be continued and rescheduled to another date and time to be announced and published. We ask for understanding and patience for any technical difficulties that may occur during the meeting.*

Vice Chairman Allen noted if there are problems during the meeting connecting, to call him at the number he is providing so he would be informed that someone could not connect and either provide guidance to connecting or terminate the meeting as it a requirement the meeting be available to the public.

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

**Minutes:**

Mr. Bath asked for a **MOTION** to approve the September 17<sup>th</sup> minutes.

Mr. Allen had two amendments to the September minutes.

- Page 2 – ***Mr. Gier stated*** they have been working with DOT on the roadway connection to Rt. 107 and have received verbal approval. They anticipate driveway approval within the next couple of weeks; and
- Page 3 - Mr. Bath reviewed the board had accepted the yield plan at the May meeting “*with the caveat traffic safety issues at the intersection of the Tilton Lane Subdivision where it meets Route 107 are unresolved and must be mitigated to Planning Board satisfaction as the project moves forward to the cluster portion of the subdivision project.*”

Mr. Allen **MOVED** to approve the September 17<sup>th</sup> minutes with the noted amendments; second by Mr. Caswell. **Role call vote** - Mr. Bath – aye, Mr. Allen – aye, Mr. Caswell, Dr. Marston - aye, Mr. Nigrello – aye. Vote is unanimous.

**Public Hearing for Home Occupation for Stephanie McGaughey-Sullivan, MBL 08-03-04, 48 Sanborn Road, for a home office.**

As Ms. McGaughey-Sullivan was not in attendance at the start of the meeting, Mr. Bath opted to hear the second item on the agenda and then come back to the Home Occupation application.

**Continued Public Hearing for Subdivision application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) - Barry Gier / Jones and Beach**

Mr. Bath opened this public hearing.

Mr. Gier noted he, as representative for the applicant, applicant Sal Ragonese and Atty. Joshua Lanzetta were present for the meeting. Steve Pernaw, who conducted the traffic study for the applicant, was not available for tonight’s meeting but can attend the November meeting to answer questions.

Mr. Gier noted at the September meeting the board had indicated they did not have sufficient time to review the updated materials submitted for that meeting due to the short time between receiving and the meeting date. They were hoping to meet with the board tonight to answer any questions so they can return to the board with a comprehensive set of plans at the next meeting that includes any and all comments the board may have. They have received comments from the Town Engineer Dennis Quintal. Except for the comments regarding the Rt. 107 intersection, which may be better addressed when Mr. Pernaw is in attendance, the comments were minor in nature and will be resolved in the final plan set. Since the last meeting, updated plans were provided depicting the improvements suggested at the 107 intersection per Mr. Pernaw’s report.

Mr. Bath asked the board members if the newest traffic study report by Mr. Pernaw satisfied their safety concerns with the intersection with Rt. 107. Mr. Caswell stated his concerns were not entirely satisfied. He felt some of the questions the board had could be best answered by Mr. Pernaw at the next meeting.

Mr. Allen noted he still had the same concerns as he has had all along. He re-reviewed the TEPP safety study and the Pernaw safety study. There are a number of items called out in the TEPP study that appear to have been dismissed in the Pernaw study. There is more data background in the Pernaw study than the TEPP study, but the recommendation in the TEPP study states that that section of the road is already unsafe. The board has said the same thing all along. That section of the road is already dangerous and adding another intersection to it exacerbates that.

The Pernaw study states that “this intersection will be reasonably safe”. Mr. Allen is not clear what that means as stated by Mr. Pernaw. He is left to make his own decision as one traffic study says that something should be done at the proposed intersection and the other study says not much has to be done other than opening up the throat. His concerns are not satisfied.

Dr. Marston is not satisfied. He does not think any intersection on that road should be considered. He noted that information from the former Police Chief also corroborates that fact it is a very unsafe road particularly in that section of the road and to add anything to it would be disastrous.

Mr. Nigrello is also not satisfied that an intersection on Rt. 107 would be safe. He opines that the actual number of accidents has not been used in the Pernaw study, and estimates were used. The TEPP study points to the road being unsafe.

Mr. Caswell, in looking at traffic safety data from the Police Chief and other residents of the town, noted that the accident number is approximately twice the stated average. This is a treacherous stretch of road.

Ms. LaBranche asked if Chief LePage could corroborate that not all the accidents reported were accidents but some were cars sliding off the road into snowbanks, but not involved with another vehicle.

Chief LePage noted there have been 27 crashes in the last 10 years. Because of the geometry of the road as it exists today, the way the corners bank and the cantilevers to the road, during the wintertime a lot of vehicles slide off the road. He has personally slid off the road in both his personal vehicle and the cruiser. It is a very slippery and treacherous road in the wintertime. If East Road was not closed (in the winter) as often as it has been during the winter months, there would be more crashes than the 27.

Mr. Bath noted the board has been voicing their concerns for safety with the proposed intersection since the first meeting. There is testimony by the police chief and the road agent attesting to their concerns. The TEPP traffic study says *"the proposed intersection has safety concerns that exist on the section of Rt. 107 without the proposed intersection relating to the road geometry, snow and ice that exists without the proposed intersection, and will be exacerbated with any proposed intersection at that junction."* The planning board is not trying to stop the applicant from developing this parcel, but it seems there are other options to developing the site, although perhaps not to the extent that is proposed.

The approval of the yield plan was contingent upon the ability to satisfy the board's safety concerns for the proposed intersection, and although the proposal has tentatively increased the throat and radius of the entrance with road signage for west and east approaches, it is essentially the same plan the board has consistently voiced concerns over.

The contention of the board is that if you are going for the maximum density based on the yield plan, then you should adhere to all the town's rules and regulations without waivers from our requirements, especially if reducing the number of lots would allow for other options to address the board's concerns for the Rt. 107 intersection.

The board is not comfortable with the proposed intersection despite the fact there is tentative approval from NH-DOT. Even though DOT feels it is the logical and safest place for that road to come out onto Rt. 107, that does not necessarily mean the town and the planning board need to accept the recommendation that is the ideal spot for the road intersection.

Mr. Gier understands where the board is coming from. The applicant acknowledges there was a study conducted by TEPP with input from the Town and staff members. The applicant paid for a second study with no input. They took the suggestions per the Pernaw study and put those on the plans. DOT is looking at all the information. From the applicant's standpoint, there are two competing traffic studies. They would like the DOT to be the arbitrator.

In addition, the applicant did provide multiple options for planning board review based upon their concerns we heard early on. There was a consensus that the DOT and I think Chief LePage said it was the safe option. The board said they would not support it because it required one waiver. The project we are bringing before the board has no wetland impacts and no buffer impacts. We feel if you are going to deny a waiver based on arbitrability in lieu of safety, then we are going to move forward with the project they brought before the board.

Ms. LaBranche noted when the applicant brought forward 3-4 alternative designs for the Planning Board to review and comment on, at no time did he actually put forward a design for the planning board to act on for any waiver request. It was an informal non-binding discussion, and never submitted as an actual proposal.

Mr. Gier stated that was not the request the board had made to the applicant. The board asked the applicant to come back with some options for the board to review so we could find a way forward; something that would be acceptable to both the board and the applicant. There was a straw pole and comments by the board indicated they would not support a waiver.

Ms. LaBranche noted a formal proposal for consideration by the board would come with a letter presenting evidence why a waiver would be justified. That information was never given to the board to adjudicate. That process never fully unfolded. To say the Planning Board refused any alternatives or to grant waivers of any kind is a false statement as it never got to that point. The Planning Board was never presented with information to support an alternative proposal with a waiver.

Mr. Allen stated he was the one who was not in support of waivers primarily because the conceptual plan they were given for the cul-de-sac style. The maximum density was set with the yield plan. It was paper legal but not necessarily approvable because of the safety concerns regarding the intersection on Rt. 107. The alternative proposal, after the board voiced they were unhappy with the Rt 107 intersection, required a 250% waiver to the town cul-de-sac length. There was never a formal proposal for a waiver. A 250% waiver is something he would never vote for. There are alternatives to that much closer to the town lengths which would perhaps yield fewer lots.

Mr. Gier noted that point was never made clear. The point of the cul-de-sac length requirement is a safety concern for access for fire/rescue access to the proposed houses. The proposal in front of the board does not have that issue as there will be two accesses for emergency vehicles. To throw out the waiver because it is 2 ½ times the requirement without looking at what the point of the requirement is does not leave the applicant a lot of wiggle room.

The existing road is almost at the maximum length for an allowable cul-de-sac. The board never stated if the cul-de-sac needed a 50%-100% waiver for the length they would allow that. That was never a discussion although it was the point of bringing the alternative concepts to the board.

The applicant has spent 10's of thousands of dollars and more than 9 months with the board trying to come to a resolution on the project. We are not going to bring forth a proposal that the board has already indicated they are not going to support which our alternative would have been after he has already gone forward. And there is no resolution with the board. You are leaving the applicant in the position to have no other choice but to move forward.

Mr. Bath noted that three of those continuances were requested by the applicant and reminded Mr. Gier they have also been in a Covid situation. The board has been given some proposals but has constantly brought up their concerns about the Rt. 107 intersection. And the yield plan was conditional on the board's satisfaction the safety concerns would be met.

Atty. Lanzetta referred to Ms. LaBranche's points that the applicant brought forth multiple ideas in good faith to try to find the path of least resistance and the most palatable project approach for the planning board. It is a great miscategorization to say those ideas to be formally tabled although it was not part of the application. It is common to come before a board with a set of plans and an idea, ask for suggestions and revise accordingly. That was done in good faith at Mr. Ragonese's expense.

Mr. Lanzetta is hearing a lot of references to the TEPP study. He thinks both engineers are good traffic engineers and has worked with both of them. He is hearing the board only relying on the TEPP study not on an objectively drafted empirical study provided by Mr. Pernaw. He does not think its correct to only reference one study. If what we have right now is a situation where you keep referencing two studies with different positions, he agrees with Mr. Gier that the DOT should be the decider.

The applicant feels they have provided an objectively drafted study with no input. An engineer was hired at the applicant's expense who evaluated the plan. We do not care if the TEPP study had input from the board or not, we just want to be able to balance the findings of both.

It has been represented to the applicant over and over again by the DOT that this is the safest point of access and that is what they are approving. In Mr. Lanzetta's opinion, ultimately the DOT ruling is the law of the land. We would like a balance between the two studies. We received the questions yesterday and plan to have Mr. Pernaw attend the November meeting. They will also have him draft responses to all the questions provided to them.

Chief LePage noted he does not think the board is basing their opinion solely on the traffic studies. He believes they are taking into account (the testimony of) people, himself being one of those people, who are actually standing on Rt 107 in the dead of winter pushing cars out of snowbanks and waiting for wreckers, having crashes happen and having to shut down that section of East Road multiple times a winter because of how treacherous it gets. The police cruisers have also been stuck trying to get up the "S" curves.

Mr. Allen would like the record to reflect that he does not think any member of the board is disregarding the Pernaw study. The board specifically took the month to review it all. Mr. Allen made reference in his initial comments that after reviewing both studies, he noted there is a conflict between the two. To say the board is only referencing one traffic study is inappropriate. Also for the record, the insinuation that the board had input to the TEPP study is also inappropriate. For the TEPP study, all parties were invited to the meetings as well as to the site walk. Whereas the Pernaw study came out of thin air; the board did not even know it was happening. There has never been any collusion; the TEPP study was about as forthcoming as you could be. Both studies are being given equal weight at this point.

Mr. Caswell noted there was a lot of good discussion with the emphasis on safety. Echoing Chief LePage, the traffic studies are looking at accidents. The Chief is listing all the accidents, not just the ones with injuries; also ones that have all manner of results. Trying to come up with an accident rate is more than just a traffic study. Other things are being taken into consideration. Once the neighborhood is laid out in that manner, there are a lot of results that could happen due to the entrance and exit. There is a wider risk assessment than just accidents.

Mr. LaBranche noted the two studies looked at the traffic safety in a very different manner. The Pernaw study is relying on the crash data and traffic volume. It is more the road geometry and the turning movement that will be required if there is a new intersection at that location on that hill. Anecdotal information from people who would actually have to ensure the safety of the public at that location was weighed in.

Mr. Gier, Mr. Ragonese, the road agent and others were at the site when Mr. Hazvartian was walking the site. The TEPP study was not saying traffic volume was the problem. The interest the town has is local; the DOT does not take that criteria into consideration when issuing a driveway permit. The Road Agent had concerns about getting stuck taking a left into the subdivision in the winter to plow; also cars coming down the hill around the curve trying to make the right-hand turn. It's the traffic movement and safety of those future movements that will happen as a result of that road intersection. Ms. LaBranche opines it is sad that they don't take those things into consideration. It requires someone to get seriously injured for a major improvement to a bad intersection to happen. The town is trying to avoid that situation and any liability that would go along with it. The collective comments from the board are supporting that position. And not relying on the DOT to be the arbitrator in this case because they are not taking into consideration the local concerns.

Mr. Lanzetta stated they understand the concerns and are trying to create the safest access to this property and the proposed development as possible, but ultimately the engineering is what has to stand; the engineering and the law. There is a set of regulations in the state that the applicant is complying with and the parameters provided by DOT have to be taken into account. They have to get a DOT approval; is it permissible or not?

It's not that they are not taking those items into concern, but they need to factor in the math and the engineering to design the turning lane and a curb cut into a property. The plan reflects a legal entrance point. He encouraged the board to look at the regulations and what has been provided on the plans to see they are in compliance with the state's requirements for this sort of access point.

Mr. Bath opined the board concerns trump the DOT in this instance as they are looking for the welfare and safety of the town residents. We are the planning board looking out in the future at what could happen. We do not want to see unnecessary accidents happening in a place they have been told by residents, the Police Chief, and one of the traffic safety reports is unsafe. They are trying to be as careful and deliberate about our concerns as we can. Also for the record, that section of Rt. 107 is the last section for the North Hampton DOT shed therefore it does not get the same amount of attention as a section at the beginning or middle of their route. As a consequence, it gets slippery to a point where the road has to be closed down. The board is trying to be prudent about the safety and well-being of the town residents.

Mr. Lanzetta acknowledges that. They want it to be safe as well. As an applicant coming into any town, they have to look at local and state regulations and provide an application that complies with both. That is how any development is permitted. Our job is to follow the criteria as closely as we can.

Mr. Caswell noted some mitigations have been offered as improvements - i.e. throat widening and wider turning radius, as well as maintaining the lines of sight. He is not sure the board can know how much effect those mitigations will have, and when they are compounded with weather conditions. Would the road get DOT approval without those mitigations? Would they be required? Those are questions for the board.

Dr. Marston reviewed there has been talk about cars going off the road and they are not really accidents or collisions. If they lost control of the car when someone was coming out or going into (the intersection), like a school bus, that would be more likely to be a collision.

Ms. LaBranche answered Mr. Lanzetta's comments. Yes, an applicant adheres to local regulations and the subdivision regulations, however it is the Planning Board's purview and responsibility to uphold the intent of their subdivision regulations. If you read through section 3.A-F, clearly brings up public safety and transportation system in the purpose and intent. That's what the Planning Board relies upon to evaluate. Sometime it's an objective opinion if an applicant meets the purpose and intent as stated in the subdivision regulations. The Planning Board has quite a bit of latitude to have this discussion with the applicant under their own regulations.

Mr. Quintal opined that state rules and regulations are put into place, but doesn't think they address all the concerns. He opines local evaluations are something to take into consideration. Yes, it is a state road and yes, they have to maintain it, and that's what they look at; maintenance of their road and statistics put together from traffic studies. The traffic studies have a lot of statistical data that talk about an intersection like a "T" shaped intersection; the statistics are just numbers that are evaluating "T" type intersections. And it does not really say that "T" type intersection is on a sloping curve to a degree that this is. I saw nothing in either study that says the number of vehicles, i.e. potential accidents, are based on an intersection such as this that's on a steep curve, and on a steep slope.

In looking at the statistics presented, I find it hard to even accept those statistics. They are possibly based on "T" intersections that are on flat terrain on a straightaway, and not on a steep sloping curve. I am siding with the town with the potential problems that exist now versus what the potential problems are for more hazardous accidents that could happen. I understand the applicant trying to get their subdivision approved; to take the time to come up with concepts and put them before the town. I think there are other options here. The town is not here to design the project for you. I don't believe the options you presented are the only options possible. Looking at health and safety issues far outweigh any concerns for trying to get as many houses on that property as possible.

Mr. Quintal would like to see his his comments are addressed by the applicant.

In answer to Mr. Bath's suggestion to go over the board's questions at this time, Mr. Gier opined it would be better to wait until the November meeting when Mr. Pernaw would be present to answer those questions. They were hoping to address any other questions the board might have tonight.

Mr. Bath asked Mr. Quintal to present his engineering review of the most recent plan to the board. Mr. Quintal stated his comments for the board from his report. He noted that a number of his previous comments have been addressed and deleted from this report, but there are still some that he is not sure have been addressed. They include: existing conditions of Tilton Lane; if the proposed intersection will be an improvement over existing hazardous conditions; there needs to be clarification on drainage calculations; they need to modify 4K areas or add additional test pits; there is a question on site distance with snowbanks; he recommends sheet H-1 be reviewed by FD or engineer specializing in Fire Codes and requirements; still need all required stamps on the plans; all permits listed on Title Sheet CS to be obtained prior to final approval; the Stormwater Mgmt Operation and Maintenance Manual should be recorded with the final plans; recommendations were added for the road construction bond and reduction worksheet a-f; dates need to be corrected in revised sheets; sheet C3 is difficult to read because of the small scale; Sheet P2 rip rap dimensions pipe 203 do not match the calculations; and he offered a correction to Mr. Pernaw's survey reference.

Ms. LaBranche asked if the construction bond included all the stormwater management structures including roadside drainage, all the detention areas and the cistern. Mr. Quintal will double check to make sure they are all included.

Ms. LaBranche has a question for Mr. Gier; roadside drainage is key to the entire drainage system in conveying water from off the road and into the detention areas. Is the developer intending to install all the culverts for the driveways to ensure the proper flow exists or will it be the responsibility of the individual lot owners?

Mr. Gier answered that the culverts will be installed when the driveways are constructed; the applicant is a builder and will most likely be building most of the houses. Mr. Quintal also noted that although the plan shows where the driveway can be located, driveway locations might change. Ms. LaBranche asked if there a recommendation for the size of the culverts? Mr. Gier opined the driveway regulations would dictate that. Mr. Quintal will check to make sure it complies for the lower lots.

Mr. Quintal has lived on Rt 107 all his life and knows how the traffic has increased through the years. He completely understands the towns' concerns regarding the intersection and if it should be approved.

Ms. LaBranche noted since the board met last month there has been a project of regional impact proposed in Kingston which potentially could bring much more traffic on Rt. 107 through East Kingston on the way to Rt. 95. Therefore, she suggested the traffic study should be re-evaluated to take this into consideration. Mr. Lanzetta disagreed that any new information from the Kingston project should be taken into consideration for this applicant's subdivision at this time.

Mr. Lanzetta wanted to know if you are asking the applicant to re-evaluate their traffic study based on new developments that are potentially happening? Mr. Bath noted that if a major distribution hub of over 800,000 sf will be using East Kingston roads to get to the main interstate highways, it does have impact. Even if it's potential, it is still something the Planning Board needs to plan for. Mr. Lanzetta does not dispute it might have impact on the town, but does not agree it should be considered for this application.

Mr. Lanzetta is confused between the number of buildable lots and the roadway intersection. When he hears the number of buildable lots directly equated to the safety of an intersection, he is very confused what we are talking about. Are we talking about too many buildable lots that is a factor to consider, or are we talking about the engineering of an intersection based on roadway regulations provided by the state of NH?

He thinks they are starting to muddle the two issues together, and opined one has nothing to do with the other. We're talking about the design of an intersection; that's what we're talking about with traffic. He understands there's a distribution hub in Kingston but it has nothing to do with this application and does not think it should be factored in in any way.

Mr. Caswell opined the configuration of the development involves an intersection coming out somewhere which is a safety concern. A possible question for Mr. Pernaw is what reasonable worst case went into the study? Some will be future traffic growth and the height of the snowbank. Worst case is a fair way to consider this.

Mr. Allen clarified number of lots vs the intersection. It was more along the lines of the town is not trying to preclude a development there. The access to Rt. 107 is a requirement of how many lots they are trying to fit on this one parcel. There are alternatives to develop this parcel without the safety concerns of that intersection, albeit it will be fewer lots and will most likely have to be off the end of Tilton Lane. I think the point he was making was that the subdivision only has to exit onto Rt. 107 because the applicant is trying to maximize the number lots in the subdivision.

The plans for the subdivision are well done. Barry and his team have been wonderful about fixing, adjusting and addressing the town's concerns for the smaller details. The one massive elephant in the room is the entrance onto Rt 107. Every board member has expressed from day one that that entry and exit point is an utmost safety concern to them. The town officials have all expressed the same thing. We did a safety study that expressed the same thing. Everyone associated with this project has been free to participate and invited.

There was a second safety study done that has been taken into account. It just keeps coming back to the intersection. Mr. Quintal was trying to get the point across that this land is developable; but perhaps not to the extent of 17 lots. If it was smaller and didn't need to exit onto 107, this concern wouldn't be here and we would be down into the smaller nuts and bolts of the details of the plan and moving forward. For the record, the concepts that we were presented were not officially given to us to vote on in any way, shape or form. And 3,500' of roadway that requires a waiver 3 ½ times the current regulations.

Mr. Bath noted they do believe this is a developable parcel and would like to see this project go forward. The elephant in the room is the Rt. 107 entrance.

Ms. LaBranche noted the revised Sheet D2 the new plans show a 50' ROW being set aside for the adjacent property (presently a golf course). Mr. Bath noted Mr. Gier had stated it was prudent planning to have additional ROW to a developable parcel. Potentially this could allow even more traffic at this intersection.

Mr. Gier stated if you do not include the ROW you can preclude it. That area is open space in perpetuity. Why not make the prudent planning decision to include it? An application for additional access could be evaluated at that time. Ms. LaBranche stated the ROW would be owned by the town; Mr. Gier stated they can make it be owned by the association.

Mr. Bath opened the floor to abutters.

**Mr. Michael Jacques, 2 Tilton Lane – abutter** – takes exception to the word prudent in referring to the ROW. As an abutter and the sole resident on Tilton Lane, along with Gordon Powers, why would he want something that would add more traffic? Why would we want approval for something that has nothing to do with this subdivision? He is concerned with the ROW. Prudent doesn't muster the concerns of the neighbors.

**Ms. Gail Anderson, 45 East Road** – has lived on the road for 30 years and has seen many accidents on the that turn. Driving traffic does not stay within the lanes. It is very dangerous and she cannot imagine another intersection there. Now driving her sedan instead of an SUV, she has trouble getting into her driveway at the top of the hill.



Mr. Gier asked to continue until the November 19<sup>th</sup> meeting when they can have Mr. Pernaw present to talk about his traffic review and answer questions.

Mr. Bath **MOVED** to continue the public hearing application for the Wayne R. Ewald Revocable Trust, 14 Tilton Lane (MBL 14-03-12) and Pamela A. Ewald, 2 North Road (MBL 14-03-07) for a 17-lot cluster subdivision (Tilton Village Estates, LLC) to the next Planning Board meeting on November 19, 2020; second by Mr. Allen.

**Roll Call vote** - Mr. Bath – aye, Mr. Allen – aye, Dr. Marston – aye, Mr. Caswell - aye, Mr. Nigrello – aye. Vote is unanimous.

The Home Occupation applicant has not joined the meeting, so Mr. Bath **MOVED** to continue the public hearing for Stephanie McGaughey-Sullivan, 48 Sanborn Road, MBL 08-03-04 for a home office to the next Planning Board meeting on November 19, 2020; second by Mr. Caswell.

**Roll Call vote** - Mr. Bath – aye, Mr. Allen – aye, Dr. Marston – aye, Mr. Caswell - aye, Mr. Nigrello – aye. Vote is unanimous.

***Other Board Business***

- Mr. Nigrello asked Ms. LaBranche about a notification the Selectmen received for the Kingston project. What should the Selectmen’s office be doing with the proposed Kingston development of the distribution center? Ms. LaBranche will request copies of the application and the traffic study from Kingston and summarize the main points, making them available for everyone on line.
- The Selectmen have also been contacted by a person re: a regional planning commission study on how towns handle curb cuts. They are asking who the official person is, the mechanism for appeals, and what are road excavation requirements and fees. The Selectmen are not sure if this is regional planning or not. Ms. LaBranche noted entries onto state highways would require state permits. For other roads the towns’ driveway regulations would come into play.
- Mr. Bath asked if the RPC contact had been finalized for the PB. Mr. Nigrello noted it had been signed shortly after receipt.

Mr. Bath thanked Mr. Quintal and Chief LePage for joining the meeting this evening as their presence was very helpful.

***November Meeting*** – Mrs. White noted the annual Growth Management review will be on the agenda.

**Adjournment**

Dr. Marston motioned to adjourn; Mr. Allen seconded. Motion was unanimous.  
The meeting was adjourned at 8:39 pm.

The next Planning Board meeting will be on November 19<sup>th</sup>.

Respectfully submitted,

*Barbara White*

Planning Board Secretary

Joshua Bath

Chairman

Minutes approved 11/19/20