

PLANNING BOARD

October 17, 1990

Members in attendance: Richard Smith, Sr., Chairman; William DiProfio, Catherine George, Mel Keddy and Robert Marston (7:43)

Others in attendance: Sarah Campbell, Rockingham Planning Commission, Joe Conti, Building Inspector

The meeting was called to order at 7:35pm by Mr. Smith.

WORK SESSION

Mr. Smith reviewed incoming mail. Several workshop offers were received. New inserts to the handbooks were distributed. The State will hold a workshop if 25-30 members from surrounding interested communities show interest on reviewing the Master Plan.

Joe Conti will attend the Barrington workshop and bring information back to the Board.

Mr. DiProfio will check with Bob Fairbanks regarding attending the chemical risk workshop offered (\$30.00).

Correspondence from State Planning News; Environmental Services News. Rockingham Planning Commission Chair, Larry Smith-letter advising cost of \$.80 per capita would be same as last two years. The cost to East Kingston will be \$971.00.

Sarah Campbell, RPC, sent a copy of her letter to the Selectmen regarding Andrews Lane.

Ruth Kaste, Administrative Assistant reminded the Board to sign up for use of the Town Hall.

Rockingham Planning Commission calendar for submission of zoning articles/amendments was received.

Richard Cook Mr. Cook asked for a preliminary discussion with the Board on Site Plan Review. He stated he wants to add another 24 x 36 ft. building to house his business. He currently has a Home Occupation permit and operates from an existing building and his basement. He noted that upon asking Mr. Conti for a Building Permit he was advised that he would need to come to the Board for a clarification of need for a Site Plan Review.

Mr. Cook stated he will use less space than the total now used.

Mr. DiProfio advised Mr. Conti to issue the Building Permit on the basis that Mr. Cook will be using no more space than present to conduct his business.

Mr. DiProfio motioned to find that the Home Occupation of Mr. Cook falls within the privy of the Building Inspector.

Mr. Smith asked if he were using more than 25% of his building.

The answer was no.

Mr. Keddy second the motion.

The motion passed 5-0.

Mr. Jacques Mr. Jacques addressed the Board regarding subdivision.

Mr. Jacques stated he wished to subdivide his property with frontage along Route 108 to give a lot to his son, Dennis. Mr. Jacques has 60 ft. on Route 108.

Mr. DiProfio stated that he would have to have 200 ft. frontage on a road or go to the Board of Adjustment for a variance. He noted that the Board of Adjustment would have to vary the frontage requirement. Another alternative suggested was to use this 60 ft. ROW as the driveway and use the wet frontage on North Road to fit the requirement.

Zoning Changes Proposed Mr. DiProfio motioned the Board accept the changes to the Zoning Ordinances as he presented, post for a Public Hearing and go to the Town Meeting in March.

Ms. Campbell suggested the price noted in the Article should be the same rate as for a Subdivision hearing regarding Home Occupations.

Mr. Smith and Mr. Keddy expressed concerns with deleting the Article on Cluster development.

Mr. DiProfio suggested getting rid of the defective Article and trying a new approach next year.

Ms. Campbell distributed a letter from Ann Thompson, Town Counsel. A new Ordinance was drafted to overcome the problem addressed.

Article X - HOME OCCUPATIONS, 10.6 will now read "Signs for Home Occupations: Signs for Home Occupations may be erected and maintained only when in compliance with Article IV-General Provisions and the following provisions."

There was much discussion about the definitions of mobile homes, pre-site built homes and manufactured housing; parks versus individual lots and the allowance of mobile home sitings.

Mr. DiProfio was opposed to either one regarding clustering. He feels the Ordinance was written to mean regular stick-built homes utilizing small areas for placement of the homes and preserving open space.

Mr. Donald disagreed with the elimination of pre-site built homes.

Mr. DiProfio stated he would not have a problem with it, if it complied with the intent of the Cluster Ordinance as it was originally intended.

Mr. Conti noted the State wants low income housing.

Mr. DiProfio stated that pre-Cluster housing in East Kingston would withstand a court test because East Kingston always allowed low income housing.

Mr. Conti stated they should make the footprint of houses larger in the requirements for Cluster.

Ms. Campbell stated other towns have Cluster and had no problems such as that experienced in East Kingston.

Mr. DiProfio amended his motion to accept the changes submitted by Ms. Campbell with pre-site homes not allowed.

Mr. Keddy asked if this would include homes such as built by Westville Homes.

Mr. Donald suggested they phase it, "pre-site which gives the appearance of manufactured housing".

Mr. Smith stated the Town needs smaller houses that people can afford to buy.

Mr. Conti suggested making the lot sizes larger.

Mr. DiProfio stated it is a bad ordinance, he wishes to re-draft and re-submit it to meet the Master Plan.

Mr. Donald asked the Board to assume if they make a motion and it carried, hold a Public Hearing, and if there would be no substantial changes, they could then come up with better wording, do a second hearing and change the first. This would effect an immediate zoning change as an interim stop gap measure.

Mr. Keddy motioned to accept the changes as outlined by items 1, 2, and 3 on Mr. DiProfio's handout.

Mr. DiProfio second.

There was no further discussion.

The motion carried 5-0.

Mr. DiProfio stated that Ms. Campbell will address the issue of "Cluster" and propose an ordinance change. He would like to see set backs and lot lines required as well as a reasonable minimum lot size.

Mr. Donald stated they need to address the septage problems.

Mr. Smith described reducing the width of roads in cluster sites. He wants to see narrower roads which would result in lots being clustered in "circles" or "elbows".

Mr. Conti suggested they mandate "no straight roads".

Septic Lagoons Mr. Donald reported that several complaints have been received regarding the spreading of septage waste off Giles Road. He noted that he will call the State tomorrow and have a Public Hearing to explain what residents can do to monitor and/or control the spreading which results in obnoxious smells.

Mr. Smith stated they are spreading on hayfields now. He noted they are spreading more and bringing in septage.

Mr. Donald stated they need to find out what the State is doing to control the problem. It was reported that one individual of the area is recording the operation on camcorder.

Ms. Campbell looked up the State regulations and read them to the Board regarding spreading. They are too little and ineffective. She noted the Town needs to write regulations for themselves.

Ms. Campbell was asked to write an ordinance to be considered.

Mr. Donald stated he will go to the State.

Mr. DiProfio stated the Board of Selectmen will request Town Counsel for a cease and desist order regarding the Ordinance on odor, nuisance and refuse matter violations.

Mr. Donald stated he wants the State to come to the Public Hearing and explain how they can help.

Bodwell/Dingman Mr. Vernon Dingman, Engineer for Daniel Bodwell was present for a preliminary discussion regarding a subdivision proposal. Mr. Bodwell desires to create two lots to be given to his children. This is classified as a bona-fide gift. The lots will be in excess of five acres each and the remaining land will be in excess of five acres also. There will be a common drive. The lot frontages will be 300 and 200 ft. respectively.

Mr. Dingman is requesting to show topo information on the proposed lots only. He stated the minimum high and dry areas on each lot will be 3 acres.

The proposed septic area, test pit areas, proposed well area and proposed dwelling area will be shown on the plan.

Ms. Campbell stated that the information should be recorded on the mylar, not the topographical sheets.

High Intensity Soils Tests were done on the property lots.

Mr. DiProfio suggested Mr. Dingman check with the Fire Department and Conservation Commission for their suggestions.

Mr. Dingman attempted to submit the application this evening.

Mr. Smith said that he would have to obtain the new lot numbers from Mrs. Kaste, at the Town Offices.

Seacoast Collaborative School Mr. Smith stated he had a call from Seacoast Collaborative School regarding their interest in buying Grace Bible Church. The School would use the house for offices and the church would be renovated for classrooms.

Mr. Keddy asked what the traffic impact would be.

Mr. Smith stated they want to meet with the regulations of the Town and are willing to do what is necessary to comply with Ordinances, etc.

Mr. Smith said the School will repair buses on site. They wish to convert the existing shed into a three bay garage for such. They have approximately 50 buses.

Mr. Keddy suggested they be asked to come to the Board and talk to them.

Miscellaneous Mr. DiProf'io asked Mr. Smith if he would like to reconsider moving the Planning Board meetings into the second floor Town Office meeting area.

The Board decided to remain at the Town Hall for their meetings.

Ms. Campbell distributed copies of the Bylaws and Growth Control Ordinance proposals.

Of the items 6-8, 13 and 14 were singled out. #6 was most important.

Mr. DiProfio motioned to accept the wording for 7, 8, 13 and 14 for a hearing at the next meeting.

Mr. Keddy second.

The motion passed with no discussion, 5-0.

There was discussion about the percentage of Building Permits which would be specified for mobile homes.

Austin Carter will be attending Board meetings representing the Fire Dept.

The meeting was adjourned at 9:40pm.

Respectfully submitted,

Nancy J. Marden, Secretary

Typed: October 25, 1990