

October 18, 1989

Members present: Richard Smith, Chairman; William D'Proffo, Selectman; Kathy George, and Dr. Robert Marston

Others: Larry Smith, Conservation Comm. (arrived late); Joe Conti, Building Inspector and Sarah Campbell, Rockingham Planning Commission

Mr. Smith called the meeting to order at 7:30pm.

PUBLIC HEARING-HOME OCCUPATIONS Mr. D'Proffo told the Board that the Selectmen have requested that the Planning Board act on the Home Occupation Permit applications from Catherine Gilman, and Keri Marshall/Richard Tucker. He suggested a Public Hearing be scheduled for the next meeting. Mr. D'Proffo submitted a letter to be sent with a check-list of items. He stated that the Board of Selectmen have made a decision that the \$50.00 fee will be non-refundable if a Public Hearing is held. Mrs. Marden will obtain the list of abutters to the property in question and notify them via certified mail. Notifications will be posted in the Exeter Newsletter, the Post Office and Town Hall.

The Board agreed to these suggestions and a Public Hearing will be scheduled for these applications on November 15, 1989 unless the Planning Board is notified prior to 2:00pm, Friday, October 27, 1989.

MINUTES-SEPTEMBER 20, 1989 Mr. Smith motioned to accept the minutes of September 20, 1989 as written. Dr. Marston objected and wished to correct the minutes pertaining to the FMR Discussion. On page 6, paragraph 3; the correct statement should be: "The motion carried 3-1. Dr. Marston dissented."

The motion was restated to accept the minutes of September 20, 1989 as corrected.

Ms. George second.

The motion passed 4-0.

CORRESPONDENCE Mr. Smith read correspondence that was received:

1. 1989 Natural Resources Lecture Series.
2. Rockingham Planning Comm. sent the population figures as prepared by the Office of State Planning.
3. Rockingham Planning Newsletter.
4. Notice of Rockingham Planning dues for 1990.
5. Rockingham Planning calendar to be used to for "timeframing" events between now and Town Meeting.
6. Circuit Rider Program. The Board agreed they would fund this for another year and they will be working with Sarah Campbell to put together a contract for these services.

DENNIS QUINTAL-CONSERVATION COMMISSION At this time Mr. Smith recognized Mr. Quintal regarding the Conservation Comm. findings on the FMR Hydrology Study.

Mr. Quintal stated that he had some questions and has tried to contact FMR or their engineers but has not been able to obtain answers. He submitted a report to the Board and stated this was the results of information gathered so far. He suggested the Board get a copy of drainage calculations prior to approval. Mr. Quintal felt the report was not clear and not complete to the satisfaction of the Conservation Comm. He further said that he did not feel there were any critical items, but felt there were some differences in the information supplied. Mr. Quintal or Mr. Larry Smith will review the explanations if the engineers or FMR would get the information back to them regarding the drainage calculations, etc.

PUBLIC HEARING-PROPOSED AMENDMENTS TO ZONING ORDINANCE Mr. Smith opened the Public Hearing at 8:00pm. He outlined the East Kingston Zoning Ordinance Amendments as proposed and asked Sarah Campbell, RPC, if she would like to address the issues for clarification purposes.

Ms. Campbell gave a brief explanation of each amendment proposed:

1. This was an error that is now changed to clarify the intent.
2. This is a refiguring of the open space calculations to a smaller dimension. Change is from 20,000 sf to 15,000 sf.
3. This is how to calculate the number of allowable units.

Mr. DiProfio stated that he doesn't see what is wrong with using 20,000 sf.

Ms. Campbell explained that this would allieviate problems with clusters that have interior lot lines and she has had input from Jim Hayden about this matter.

Mr. Joseph Conti also stated that he favored the 20,000 sf.

There was brief discussion from other Board members.

Mr. DiProfio motioned to accept the Zoning Ordinance amendments as submitted.

Dr. Marston second.

The motion passed 4-0.

The Public Hearing was closed at 8:13pm.

EBEN MELVIN BOWLEY Mr. Bowley explained to the Board that he desires to change some items on his plan submitted during the spring for property located just off Route 108.

Mr. Bowley stated that he has brought back the easement from the Telephone Company. He now wishes to delete the lines showing this easement from his plan.

Dr. Marston requested to hear the description of the deed before acting on this request.

At this time Mr. Bowley read the deed in its entirety and Board members were able to view the complete document.

Mr. Bowley then stated that he wishes to remove the bond on the Franklin Park and described an area to be hot topped as agreed prior. He will hot top the area of road (Old Route 108) from Route 108 to the Franklin Park Road (as shown on the plan) and approximately 10 ft. into the Franklin Park Road.

Mr. Bowley will add the proper nomenclature for the Zone as it is now. The plan will now read: "Residential/Light Industrial".

Mr. Bowley wants to put on a binder coat before cold weather. He also requested permission to place a sign at the intersection of Route 108 and Old Route 108 stating that the Industrial Zone is located up this road.

Mr. DiPofio stated that he may erect this sign, however, it must adhere to all signage regulations of East Kingston.

Mr. Bowley stated that according to his old deed he owns to the centerline of the river. He would like to deed a portion of this area, with access road to the town if needed for recreational purposes. This proposed area was pencil drawn to denote the area he is offering.

It was suggested that Mr. Bowley talk to the Conservation Commission regarding this donation of land by the river.

Mr. Bowley was allowed to take the mylar (that has been signed by the Board) in order to make the above mentioned changes only.

HENRY LEWANDOWSKI, SR. Mr. Henry Lewandowski, Sr. presented his mylar for the proposed Lot Line Adjustment. The plan shows Lot 15 changing from 6.38 acres to 2.62 acres, and Lot 14, changing from 2.02 acres to 5.80 acres. This is shown on Tax Map 10-3.

This mylar was signed by the Board members.

FMR, INC. DISCUSSION Mr. Marshall Decker addressed the Board in order to bring them up-to-date regarding the State's requirement for a gravel road to the pump area outside the paved radius area. He also stated that the engineer is working on a plan to keep the pattern of traffic from bothering the abutters across the street from the access area.

Ms. Debra Whalen stated that she had spoken to Alan Garland of the State Highway Dept. concerning the potential safety problem with traffic exiting opposite her driveway.

There was discussion between Ms. Whalen and Mr. Decker concerning the conflicting State personnel's opinions as to where the safest exit from Brandywine Lane would be. Both sides seemed to be striving to agree upon a satisfactory solution to this problem.

Mr. Decker stated that the permit from the State shows where the street intersects with Depot Road. He clarified that the permit did expire and has been renewed for an additional year.

Mr. Decker reminded that the State and Town Ordinance states that there will be a 90 degree entrance wherever possible. He stated that if the Board were agreeable he would be accommodating to Ms. Whalen's request to angle the entrance.

Mr. Decker stated that he has no objection to coming for a final hearing in November.

Mr. Smith reminded Mr. Decker that the Board had previously agreed to the gravel road to his pump house, however they do want a gate at the end of the temporary cul-de-sac.

Mr. David Conti, Fire Chief, stated that 30,000 gals. of usable water is required year-round. 750 GPM to the extreme ends of the development must be demonstrated. A certified engineer's letter, with a valid New Hampshire stamp must be submitted stating the above requirements can be met and all calculations used to arrive at these figures must be shown.

Mr. Decker stated that no Wetlands Dredge and Fill Permits have been received by him yet. He requested the Board to approve and hold his plans pending receipt of these permits if they are not in hand.

Mr. Smith stated that the Road Bond still has to be obtained from the Engineer, Civil Consultants of Benwick, ME, and a set of plans will be required for their consultation.

It was noted that the plan needs:

1. A signature block.
2. To show the fire pond on the cover sheet.
3. Need DOT Approvals.
4. Need State Subdivision Approvals.
5. Wetlands Dredge & Fill Permits to be received.
6. Report for Fire Chief's request.
7. Articles of Association.

Mr. DiProffio brought up the ownership of the road and that this point has to be decided. He stated it could be determined that ownership could be of the Town or of the Association. He stated that he will bring this question before the Board of Selectmen on Monday, October 23, for discussion.

Mr. Decker asked Ms. Campbell for the model of Articles of Association. Ms. Campbell stated that she had reviewed two models and found they were not as well written as she'd expected, however, she will forward them to Mr. Decker with a caution that they are not good models to follow.

Mr. DiProffio motioned to adjourn the meeting.

Dr. Marston second.

The meeting was adjourned at 9:12pm.

Respectfully submitted.

Nancy J. Marden, Secretary/Clerk