

Town of East Kingston Planning Board

FILE

October 19, 1995

**Attending:** Chairman Richard Smith Sr., Andrew Berridge, J. Roby Day, Catherine George, Dr. Robert Marston.

**Others Attending:** Sarah Campbell-RPC Circuit Rider, Glenn Clark-Building Inspector, and Lawrence Smith-Conservation Commission Chairman.

This meeting convened at 7:30 PM.

**Continuation of Joseph Conti-Public Hearing of two lot Subdivision:** Mr. Conti presented his plans to the board members, but did not have the mylar. He would have a mylar drawn after this meeting to include any conditions requested.

Mrs. Campbell asked Mr. Conti to have his house location added to the mylar plans. Mrs. Campbell referred to the prior meeting's discussion, and asked what Mr. Conti was going to do about the bounds. Mr. Conti suggested putting three pipes when the ground/ice is frozen along the brook. Mr. Berridge suggested putting two markers, reference for one. Mr. Berridge also noted the bounds "to be set". Mr. Conti agreed to change the "bounds as found" on the mylar.

Mrs. Campbell noted the plans should show the symbol for iron pipe (IP) found.

Mr. Richard Smith asked Mr. Conti if he had done a soil test. Mr. Conti said it was done in 1989. Mr. Berridge asked that the location of the test pit be added to the Mylar.

Mr. Berridge asked if a driveway approval was needed. There was discussion on whether a state driveway permit was necessary. Since the driveway has been used since 1942, and had two culverts, and the driveway is currently being used, the board felt at least the location of the driveway should be noted on the mylar.

Mrs. Campbell noted the new lot parcel number was missing on the map, and felt it should also be noted.

**Motion:** Mr. Roby Day motioned to accept and grant conditional approval for the subdivision with the following provisions:

- A. 12 boundary markers to be designated by symbol for "bound found".
- B. Identification of test pit location.
- C. Show location of Conti house and driveway, and location of Donald residence.
- D. Include parcel numbers for both (new and existing) subdivided lots, and all abutters.
- E. Show location of existing culvert on the new lot.

Mrs. George second. The motion passed with four votes in favor. Dr. Marston abstained.

This public hearing closed at 8:17 PM.

**Mr. Kenneth Terry Sr. - Preliminary Discussion on Home Occupation:** It was noted that Mr. Terry had provided an informational package which had been forwarded to all members prior to this meeting. Mr. Terry was seeking advise from the board, whether to purchase the Poole property on Willow Road, allowing his family to continue their business in their home.

Mr. Terry stated it is his primary business, which is calibration, service and repair. His request is also two fold, that his sons would need property to build homes on, and Mr. Terry needed a place to get his business out of the house, and indicated they would like to put the office in the barn.

Mr. Terry added that the next issue under consideration would be the ability to subdivide, setting aside a lot for each son, allowing for ample frontage to the right and left side, with the use of a common driveway. Mr. Terry noted there is wetlands to the left of the house, forcing them to consider putting a home to the back of the lot. Mr. Terry noted that the property had not been surveyed for some time, and noted that he could not make the map match the deed description (insufficient information). The deed description referenced a cedar tree next to the road, but failed to identify the road.

Mr. Richard Smith recalled that property may have been subdivided (maybe in the late 60's or early 70's) by a prior owner (Elmer Bridges), and thought something should be in the records showing the land as surveyed. Mrs. Campbell suggested going to the Registry of Deeds in Exeter to research getting a good deed, under Grantor-Bridges.

The issue of subdivision did not appear to present any problems. It was noted the property is in current use, and Mr. Terry was informed when he pulls the property out of current use, he should be aware that he would be subject to a penalty equal to 10% of market value.

Regarding the issue of Home Occupation, the ordinance does state no more than two non-resident employees. There was some discussion that 75-80 % of their work is done on the road, and whether a sales representative would also be considered an employee. If this is a problem, Mr. Terry would have to apply to the Zoning Board of Appeals for a variance.

Mr. Terry thanked the board members for their time, and indicated that he was just making sure there were no problems, and whether the doors were open, regarding the home business, and subdivision possibilities before deciding to move to East Kingston.

**Mr. Jim Bioteau - Preliminary discussion on 2 Lot Line Adjustments:** Mr. Bioteau presented plans to the board members, and explained that he wanted to straighten out his driveway. Mr. Bioteau identified on the map where his properties were located together with the recent purchase of 5 3/4 acres (Hart).

The first lot line adjustment through the culvert in the driveway, was intended to straighten the driveway. The adjustment will change the frontage of 200' on each side to be 230' on the left, and 167' to the right. This will preserve the 200' frontage requirements for the middle lot, adjacent to the lot recently purchased from Mr. Robert Hart.

The second lot line adjustment is regarding the old town road where Joe Conti and Bob Hart each got half. Mr. Conti now wants Mr. Hart's half, and since Mr. Bioteau recently purchased the lot, agreed to give to 1/8 of an acre back to Mr. Conti.

Mr. Bioteau offered to put in an iron pipe flush with the ground as a property marker, and will include it in the deed where the pin is set.

Mr. Bioteau will make a formal application for the lot line adjustments with the Board.

**Other business:**

Mel Keddy's death resolution (three copies) was signed by all board members. In addition to the copy intended for the family, one signed copy will be hung in the Town Hall, and one copy will be given to the Police Department.

Mrs. Campbell will have zoning and subdivision amendment changes to be discussed at the next Planning Board meeting. This encouraged discussion on the home occupation ordinance, that this would be a good time to review the ordinance as it is currently written. A suggestion was made to seriously discuss this at a later date, at a work session. The board agreed, and a date was set for Thursday, November 2, 1995, at the Town Office, 7:30 PM, together with the Master Plan Meeting.

Mr. Richard Smith reviewed the incoming correspondence.


With respect to the prior Planning Board meeting minutes (September 21, 1995), a few corrections were noted.

Motion: Mrs. George motioned to accept the September 21, 1995 minutes with corrections made. Dr. Marston second. The motion passed unanimously.

Motion: Dr. Marston motioned to adjourn. Mrs. George second. The motion passed unanimously.

This meeting was adjourned at 9:59PM.

Respectfully submitted,

  
Administrative Assistant