

EAST KINGSTON PLANNING BOARD

October 21, 1993

Attending: Richard Smith, Sr., Chairman, Cathy George, Robert Marston, Joe Cacciatore, and Amanda Rossi

Others Attending: Peter Dow, RPC Circuit Rider; and Larry Smith, Conservation Commission, Joe Conti, Building Inspector

The meeting was called to order at 7:37pm by Chairman Smith.

Mr. Dow handed out two copies of the 1988 Subdivision Review with memo noting corrections/additions to the issue. He also handed out two copies of the Handbook on Impact Fees.

Mapping Mr. Dow displayed copies of maps, including the GIS base map. There was a brief discussion about the overlay features and the timeframe for including the overlay information is November or December 1993.

Mr. Larry Smith will be working with Mr. Dow to insure the best map possible.

Public Hearing - Home Occupation Application - Marie Robie The Public Hearing for Ms. Robie was opened at 7:55pm. Ms. Robie explained that she wants to open her barn to sell crafts, antiques and collectibles.

Mr. Smith asked the questions on the Home Occupation Checklist and each was answered favorably. The following statements are taken from the original checklist compiled by the secretary and a copy of the checklist is attached to these minutes:

1. Agreed not to place any items outside of the building.
2. Barn size is 20 ft. x 40 ft. -will use 100%.
3. There will be no non-residents employed. Has a partner only.
4. No commercial vehicles.
5. Estimated parking area for 6-8 vehicles.
6. No chemicals will be used on sight for crafts.
7. Currently holds a kennel license - breeds and sells a couple of litters every year or so.
8. Will be open three days per week, Friday, Saturday & Sunday from 10am to 4pm or by appointment.
9. Dogs will not interfere with the craft/antique business.

One abutter, Craig Scholpp was present and stated that he has no objection to the business.

Amanda Rossi motioned to accept the application for recommendation for approval to the Board of Selectmen.

Dr. Marston second.

The motion passed 5-0.

Ms. Robie was made aware that this action only recommends approval to the Board of Selectmen.

The Public Hearing ended at 8:00pm.

Public Hearing - Subdivision Application - Clint Furnald The Public Hearing for Clint Furnald was opened at 8:07pm. Mr. Furnald explained that he is creating two lots, each which will be in excess of 5 acres thus he needs no State Subdivision approvals. He noted that the line goes from one stone wall to another and stated he does not want to have to set concrete bounds. The mylar shows that drill hole as set.

Mr. Dow explained that the ZO requires concrete bounds. The subdivision proposed does create a new tax map parcel and it will be saleable. It is now in Current Use and the use will not be changing. Because it is contiguous to land of the same owner all will remain in Current Use. He noted that the Board could waive the need for concrete bounds.

subdivision regulations

*Changes made
& accepted
at 11-18-93 PK
mtg - jym*

Mr. Conti stated he feels any drill holes should be accompanied by a visible marker.

Ms. Rossi stated she is agreeable to waiving the concrete bound requirement.

Ms. Rossi motioned to approve the subdivision without the concrete bounds.

Mr. Cacciatore second.

The motion carried 5-0.

The Public Hearing closed at 8:30pm.

Suggested Zoning Ordinance Changes for 1994:

Planning Board Rules of Procedure Mr. Dow passed out copies of the Rules of Procedure which were accepted by the Board in 1991. He noted that certain items, such as the day of meeting and wording referring to "Executive Session" be changed to "Non-Public Session".

Another change suggested was to allow the Chairman to sign plans after the approval has been given by the majority of the Board.

James Davis, Deputy Fire Chief arrived at this time, 8:34pm.

Mr. Dow will draft the language for the Board's consideration next month. It was noted that many towns do business this way and plans do not have to be signed at a Public Meeting.

Mr. Richard Smith suggested language to require that a list of changes accompany the mylar when the developer is seeking a "signature - in the field".

Another way suggested was to bring the mylar, once ready for signature, to the Town Offices with the list of changes which then could be checked out prior to signing.

The Board seemed to be in agreement with the suggestions.

Changes have to be posted, and Mr. Dow will work with Mrs. Marden to accomplish this procedure.

Mr. Smith posed the question about safeguards to insure that monuments are actually set once the plans are signed.

Mr. Dow noted that once the plans are signed, the surveyor is certifying that if so stated on the plan, the bounds are set. The Town can require that a monument be certified.

Dr. Marston stated that previously, the Town used to make sure the monuments were set prior to signing the plans. He feels the bounds should be set before signature.

The Board motioned and agreed unanimously that this would occur.

Monuments on a new road would be bonded along with the road, until they can be permanently set.

The surveyor is to set the bound, not the landowner.

FEMA The Board will prepare for the new requirement for Flood Insurance participation and will include in the ordinances the definition of recreational vehicles in the flood plain.

Mr. Dow will prepare the language to be used.

Septic Inspections Mr. Conti addressed that Mrs. Rosemary Benjamin wants to be called on perc tests pit inspections and septic installations. She also wants to be paid for her inspections.

Mr. Smith said that originally the Board set up a fee of \$15. with distribution to: Building Inspector -\$5.00; Health Officer - \$5.00; and Planning Board Member - \$5.00.

Everyone agreed this takes time and all concerned should be compensated. This may need to be added to the Zoning Ordinances.

Mr. Cacciatore will bring this to the attention of the Board of Selectmen.

Mr. Conti then inquired what the fee would be to review and sign the prints. He also noted there is no fee charged now for bed bottom inspections.

Mr. Dow suggested they set a fee schedule to be referenced in the Zoning Ordinance. The fee schedule should be in the Selectmen's control to eliminate the need to change the ordinance each time the fee needed to be changed.

Mr. Conti also suggested a fee be attached when adding a fence to pools.

Mr. Conti brought it to the Board's attention that it has been an ongoing problem when residents do work on their homes, but declare they need no permit under \$1000 and the job is not that amount. He cited instances where residents do work incrementally and make statements that each is not valuable enough to warrant a building permit.

Dr. Marston brought up the use of native lumber in light of the recent problems in Lebanon. He motioned to allow the use of native lumber and wants to amend the BOCA codes to allow the use of native lumber in East Kingston.

Mr. Conti stated he currently allows the use of native lumber, pine, spruce, hemlock, etc. if it meets the strength of the required stresses.

Dr. Marston wants to amend BOCA code to allow the use of native lumber in East Kingston.

Ms. Rossi second.

Mr. Dow suggested a language sample be drafted to minimize the exposure for possible liability.

Mr. Conti stated he now allows its use, but it must meet the strength factors.

The motion passed 5-0.

Mr. Dow will draft the sample language.

MDR-Buffer mowing Mr. Bud Post of MDR was mowing within the 100 ft. buffer at Brandywine. He was to request the front part get mowed and plant more trees. The trees will be planted this spring with a better chance of survival. Mr. Conti stated that he will tag the trees of choice at the nursery before he goes to Florida, and they will be planted in the spring. These will be spruce trees, about 10 ft. tall. The ordinance states MDR cannot mow within the buffer and Mr. Conti has issued a cease and desist letter.

Mr. Smith feels Mr. Post will have to go to the ZBA for a variance.

Mr. Dow felt after reading the Zoning Ordinance, the Mr. Post should come to the Planning Board for landscaping within the buffer zone. Under the landscaping buffer section, it does not state it must be kept in the natural state.

The plans will be checked to see what language might appear there regarding the buffer.

Fire Cisterns-Jim Davis/Ed Smith Mr. Davis discussed the cistern installation for Mr. Ed Smith's development. Mr. Smith has purchased the fiberglass tank, and will install it on the lot which was recently developed. This is not according to the plans per the Board. The approvals needed for this change and who does the approving were discussed.

Mr. Davis left specs for the Flynn Family Development's fire cistern installations.

Corespondence Received:

The 1994 Budget Worksheet was received. Mr. Smith will submit to the Selectmen.

Minutes

Dr. Marston motioned to accept the minutes of July 15, as printed.

Mrs. George second.

The motion passed - all in favor.

Capital Improvement Plan Mr. Dow stated that he will be continuing work on the CIP as he is able to incorporate this work under the RPC-Circuit Rider dues fees. This is due to the relative low volume of work that RPC has for the Town because of the low recent developments.

Mr. Dow noted that he has met with Mr. Rossi and will be preparing a draft outlining the results for the Board.

The meeting was adjourned at 9:45pm.

Respectfully submitted,

Nancy J. Marden, Administrative Assistant

Typed: Oct. 25, 1993