



**PLANNING BOARD**  
EAST KINGSTON, NEW HAMPSHIRE

2021-2022  
William Caswell, Chairman  
Tim Allen, Vice Chairman

**PLANNING BOARD**  
**Minutes – October 21, 2021**

The Town of East Kingston Planning Board met on October 21, 2021 at 7:00 pm at the Pound School, 41 Depot Road, East Kingston, NH. The following members, staff and public were present.

Planning Board: Chair Bill Caswell, Vice Chair Tim Allen, Josh Bath, Ex-Officio Joe Cacciatore, and Janet Smith-Alternate (arrived at 7:10pm)

Staff: Julie LaBranche, Planning Consultant; Dennis Quintal, Town Engineer and Chair, Conservation Commission

Public: Steven Tummino, David Cabral, Rachel Normington

**APPROVAL OF MINUTES:**

The Board acknowledged that the July minutes were approved at the August meeting.

Chairman Caswell requested the following revision to the August minutes: add “estimated' future building lots from large parcels at about 220” in the Growth Management discussion with Dennis Quintal (page 2).

Motion to approve by Josh Bath; seconded by Tim Allen; unanimously approved.

Chairman Caswell requested the following revision to the September minutes: add “Phone call with Caswell and Masone indicated Planning Board letter had not been received as of Sept. 14th but receipt pending” in the discussion about an update on the Light Industrial Park (page 1).

Motion to approve by Josh Bath; seconded by Tim Allen; unanimously approved.

**APPLICATIONS:**

Tummino/Root Rot LLC: The Board opened discussion of a Change in Tenant application at 14 Powwow River Road owned by Geraldine Capobianco by Steven Tummino to establish a plant and home décor shop in the greenhouse. Tummino clarified that all materials would be sourced externally, not grown on the site. He also stated that a pellet stove would be installed in the

greenhouse and the fish pond would be cleaned and kept operational. Tim Allen suggested the hours of operation be extended to 7am-7pm Monday through Sunday.

Motion to approve by Tim Allen with modification of hours of operation; seconded by Josh Bath; approved unanimously.

Rachel Normington/Twist of Fate Pottery: The Board opened discussion of a Change in Tenant application at 14 Powwow River Road owned by Geraldine Capobianco by Rachel Normington to establish a pottery studio and showroom. The Board suggested the hours of operation be extended to 7am-8pm Monday through Saturday. Josh Bath inquired about whether a kiln would be installed. Normington confirmed her plans to install a kiln and had left messages with the Building Inspector about proper permitting and inspections but to date had not heard back from the Building Inspector. The kiln would be electric powered and vented to the outside Normington also stated her goal to hold small instructional classes and workshops on the site and may at some later time add one employee. LaBranche noted that the space would have a maximum occupancy limit that the Fire Department would determine for her. The Board asked about water use and Normington assured the Board she reuses nearly all of her water on the site for pottery making and reuses the washed clay from the wastewater. Josh Bath asked whether pottery glazes would be stored on site and what they contained (e.g. chemicals) and requested an inventory of glazes to be stored on site. Tim Allen asked if a sprinkler system was needed and Normington replied she has a fire extinguisher in the event of a fire. Normington asked if she could place a sandwich-board type sign and a wall mounted placard near the entrance. The Board agreed these signs would be acceptable.

Motion to approve by Josh Bath with the following conditions: Change in hours of operation to 7am-8pm Monday through Saturday, inspection by the Fire Department and verification of the maximum capacity for classes/workshops, inventory of glazes to be stored on site, one additional future employee. Seconded by Vice Chair Allen; approved unanimously.

The Board also noted that the property owner Geraldine Capobianco needs to provide an update to the septic loading chart and a revised list of tenants with their assigned unit numbers, and provide an update on the management and maintenance of the stormwater detention area on the site. LaBranche will follow up with Capobianco to obtain this information.

Martel Home Occupation: The Board opened discussion of a Home Occupation Application submitted by Rebecca and Kimberly Martel located at 11 Forest Drive. The applicants were not present. The Board continued the application to the November meeting. LaBranche will contact the Martel's to let them know of this action by the Board and request their attendance at the November meeting.

## **DISCUSSION:**

### Status of correspondence about Light Industrial Park property compliance

A letter/email signed on October 10, 2021 by Paul Masone was received at the Town Offices on October 15, 2021 in response to the Planning Board's request for compliance letter to Masone dated September 14, 2021. In his letter, Masone detailed an inventory of materials and conditions outlined in the Planning Board compliance letter of September 14, 2021, noting actions that have been taken to date and others that are underway or planned to comply with requirements for site compliance. The Masone letter closes with the statement "...as a property owner I will do my due

diligence to gain full compliance going forward.” The Planning Board issued a follow up letter dated October 25, 2021 acknowledging the work completed to date and requesting that the discarded materials and items cited in their September 14, 2021 letter (inventory) be removed by November 12, 2021. The Board agreed to schedule a follow up site visit to document conditions on the site and improvements made. LaBranche suggested the Planning Board draft a “best practices memo” to be issued to Masone and all existing and new tenants at the Light Industrial Park.

## **BOARD BUSINESS:**

### Zoning Ordinance Amendments (Tim Allen and Julie LaBranche)

The following zoning amendments were discussed:

1. Article XIV Sludge Facilities – The Board discussed whether to prohibit creation of new such facilities and/or limit expansion of existing facilities. Vice Chairman Allen offered support for prohibiting new facilities and continuance of existing grandfathered facilities without expansion. Discussion on this matter will be continued. The Board agreed to modify Section B to reflect no new facilities would be allowed.
2. Zoning Ordinance Article XVII (page 72, Section A.2) –The Board had previously suggested the Building Inspector review the definition and make suggested revisions if necessary. LaBranche contacted the Building Inspector for his opinion on amendments to this section of the Building Code section. She has since received a follow up email which will be discussed by the Board at the November meeting.
3. Zoning Ordinance Article VIII.G.g Accessory Dwelling Units (p. 23-24) – Review and discuss requirements for septic facilities (e.g. inspections, replacement plans). Discussion on this matter will be continued. Pending comments from Tim Allen and Dennis Quintal to discuss at the November meeting.

### Master Plan / Growth Management

Chair Bill Caswell gave a brief overview of 2020 Census data obtained from the RPC which shows an increase in growth for East Kingston compared with the growth rate for adjacent Kensington; however there seems to be no correlation between growth and population. Caswell would like to advance the discussion about Growth Management based on the Census data and compare with population projections from the state including future development trends, changes in population in the region and changes in technology that may influence both of these parameters. Discussion on this matter will be continued at the November meeting.

### Update on Tilton Lane Subdivision appeal case (Bill Caswell)

Chairman Bill Caswell offered a brief review of the current status of the Tilton Lane subdivision appeal case. The Superior Court decision detailed findings by the Planning Board in their opinion and ultimately upheld the Planning Board’s denial of the Tilton Lane subdivision application. Bill Caswell offered whether a separate public hearing date could be schedule in the event the property owner submits a new application. Josh Bath disagreed with this approach and offered that perhaps setting time limits on presentations by applications and setting a firm closure time for meetings would help move things along. He also noted that timely submission of new or revised information between meetings would also help the Board with time management at meetings. Dennis Quintal offered that other towns have adopted these practices. Tim Allen suggested the Board review it’s Rules of Procedures to consider such amendments. Discussion and review of the Rules and Procedures will continue at the November meeting.

Addyson Lane Subdivision: Dennis Quintal reported that the reviewing engineer Christian Smith completed an inspection of the new road. Quintal noted a gap in the guardrail so he installed a “chevron” sign alerting vehicles of the road geometry and directing them to the left and right following the road and driveway entrances for the two lots.

Other Matters:

Vice Chairman Tim Allen reviewed the current status of staffing for the Planning Office to support both the Planning Board and Zoning Board of Adjustment. Allen noted that the Selectmen approved the administrative support contract for Julie LaBranche to help establish the new PB/ZBA Office and a candidate for the Secretary position had been interviewed. An update will be provided at the November meeting.

The Board briefly discussed revisiting impact fees, their purpose and benefit to the town, and what an impact fee study entails and might cost. Tim Allen asked Julie LaBranche to provide the Board with an estimate or two of the cost of an impact fee study.

Motion to adjourn by Janet Smith. Seconded by Tim Allen. The Planning Board adjourned at 8:55pm.

Submitted by:  
Julie LaBranche  
Planning Consultant

**Minutes approved by the Planning Board on November 21, 2021.**