

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
November 8, 2001

FILE

AGENDA

- 7:05 Amendments and CIP – Public Hearing
- 7:15 Wayne Ewald – Minor lot line adjustment – Public Hearing
- 7:45 Wayne Day – 2-lot Subdivision – Continued Public Hearing
- 8:15 Lewis Builders– Site plan review – Continued Public Hearing

Members attending: Richard A. Smith, Sr. – Chairman, John L. Fillio – Ex-officio, David G. Morse, and Alternate J. Roby Day, Jr.

Absent: Beverly A. Fillio – Vice-chairman and Dr. Robert Marston.

Others attending: Maura Carriel – RPC Planner, Kent Shepherd – Building Inspector, Dennis Quintal– Conservation Commission, Peter Lewis, Wayne Ewald, Walter Zwearcan, LLS, Wayne Day, Greg Buck, LLS, Marjorie and Bill Anderson, Richard Borque, and other members of the public who did not address their concerns.

Chairman Smith opened this November 8, 2001 meeting at 7:02 p.m. with the roll call. Noting the absence of Vice-chairman Beverly A. Fillio and Dr. Marston, he designated Alternate Roby Day to participate in voting matters before the board.

The Planning Board minutes from September 21, 2001 were reviewed.

Motion: Mr. Fillio motioned to approve. Mr. Day seconded. Motion carried 4-0.

The Planning Board minutes from October 11, 2001 and October 18, 2001 were reviewed.

Motion: Mr. Fillio motioned to approve. Mr. Day seconded. Motion carried 4-0.

Incoming Correspondence: Chairman Smith acknowledged the following incoming correspondence:

1. Letter from Atty. Rattigan – request to continue the applications for the Residents of Maplevale (subdivision and 2 site plan reviews) to the December meeting as engineering would not be completed in time for the scheduled November 15th meeting.

Motion: Mr. Fillio motioned to continue the public hearings for the Residents of Maplevale to December as requested. Mr. Day seconded. With no further discussion, the motion carried 4-0.

2. OSP Bulletin on outside lighting.
3. Civil Consultants invoice re: Cricket Hill (Morse) subdivision.

Discussion was held on the overpayment of the Morse application fees regarding his original site plan review, which has since been withdrawn and reapplied for by another party. The Planning Board agreed that an \$800 credit is owed to Mr. Morse and it is up to the Board of Selectmen's Office to decide on how they choose to disburse the overpayment.

AMMENDMENTS & ADOPTIONS: -Chairman Smith opened the public hearing on proposed amendments to the Zoning Ordinance, the Subdivision Regulations, the Site Plan Review Regulations, and the adoption of revisions to the Capital Improvements Plan (CIP) at 7:15 pm.

Zoning Amendments: (see attached)

Amendment #1: - Amend Article III-A – Growth Control
- D. Allocation of Permits

Amendment #2: - Amend Article XVIII
-to clarify its intent

Amendment #3 - Amend Article XII – Elderly Housing
- assurance of age restriction

Motion: Mr. Fillo motioned to accept the Zoning Amendments as written and to place them on the March 2002 Zoning Ballot. Mr. Day seconded. With no further discussion, the motion carried 4-0.

Subdivision Regulations: (see attached)

Amendment #1: - Amend Subdivision Regulations SECTION I – AUTHORITY
- Application

Amendment #2: - Amend Subdivision Regulations SECTION XII
- add section outlining the process for the granting of waivers as Section XII, and renumber the existing Section XII and XIII accordingly

Motion: Mr. Fillo motioned to adopt the Subdivision Regulations as corrected. Mr. Day seconded. The motion carried 4-0.

Site Plan Amendments: (see attached)

Amendment #1: - Amend Site Plan Review Regulations SECTION VII
- add section outlining process for the granting of waivers

Motion: Mr. Fillo motioned to adopt the Site Plan Review Regulations as corrected. Mr. Day seconded. Motion carried 4-0.

Capital Improvements Plan: (see attached)

Members reviewed the revisions and the updated figures of the CIP through 2007.

Motion: Mr. Fillo motioned to adopt the updates to the CIP as presented for the years 2002 -2007. Mr. Day seconded. Motion carried 4-0.

Wayne Ewald – Minor Lot Line Adjustment – Public Hearing: Chairman Smith opened the public hearing for Wayne Ewald's minor lot line adjustment plan at 7:40 p.m. This plan proposed to convey .54 acres from MBL# 14-3-12 to MBL# 14-3-1. Walter Zwearcan presented the plan. It was explained that the .54 acres is actually the right-of-way between two properties owned by Alan and Linda Resnick and that they (Resnick's) wish to purchase it. The lot would still have frontage on Tilton Lane. Discussion about an easement to the property transpired which resulted in it being a matter between the landowners and not the Planning Board. The board also reviewed the comments submitted by Ms. Carriel and noted that each item of concern was addressed to the satisfaction of the board. Abutter comments were addressed.

Motion: Mr. Morse motioned to invoke jurisdiction on the minor lot line adjustment plan presented for MBL# 14-3-12 and 14-3-1. Mr. Fillo seconded. The motion carried 4-0.

Motion: Mr. Day motioned to GRANT CONDITIONAL APPROVAL of the minor lot line adjustment as presented with the following conditions:

1. Certification of Monumentation form be submitted and bounds be approved by the Building Inspector.

Mr. Fillo seconded. With no further discussion, the motion carried 4-0.

Wayne Day – 2-Lot Subdivision – Continued Public Hearing: Chairman Smith opened the public hearing for Wayne Day's proposal at 7:57 p.m. –Representing the applicant, Greg Buck, LLS stated that Mr. Day proposes to subdivide a 7.08-acre parcel into 2 lots located at 64 Depot Road.

The board reviewed the items needing to be completed from the October 18th meeting. They noted that each item had been addressed to the satisfaction of the board. Dennis Quintal presenting comments from the Conservation Commission stated that the Commission's results were the same as the submitted results – insignificant runoff generated by this proposal. Concerns of well radius and water runoff were expressed by abutters Marjorie and Bill Anderson. The distance from the hydrant to the proposed house was also noted – 750 feet.

Motion: Mr. Day motioned to GRANT CONDITIONAL APPROVAL of the subdivision plan for MBL# 8-1-3 as presented with the following conditions:

1. Certification of Monumentation form be submitted and bounds be approved by the Building Inspector; and
2. The NH DOT permit number for the driveway be noted on the plan.

Mr. Filio seconded. With no further discussion, the motion carried 4-0.

Lewis Builders – Site plan review – Continued Public Hearing: Chairman Smith opened the public hearing for Lewis Builders at 8:15 pm. Mr. Peter Lewis came before the Board and stated that he does not have any updated plans tonight. He also stated that he was in agreement with the board that he could not use the 1.7 acres of the roadway toward the bedroom calculations. He stated that he is not sure what to do and asked the Board for a continuance to next month. The board directed Mr. Lewis to submit a written request for continuation. It was decided that he would be placed on the December 6, 2001 agenda at 7:15 p.m.

December Agenda: Discussion was held and the Board deemed it necessary to hold two meetings for the month of December. The first meeting will be held December 6, 2001 with the following agenda:

- 7:15 Lewis Builders – continued hearing for site plan review
- 8:00 Jeff Caley – public hearing for site plan review
- 8:45 Growth Control Ordinance – public hearing on its annual review

The second meeting will be held December 20, 2001 with the following agenda:

- 7:10 Theresa Walker – RPC Presentation
- 7:30 Residents of Maplevale – continued public hearing on subdivision
- 8:00 Maplevale Woods – continued public hearing on site plan review
- 8:30 Maplevale Farms – continued public hearing on site plan review.

The board was in agreement that the Maplevale project applicants would renotify their abutters at the expense of the applicant.

Other Business: Discussion on the Impact Fee Ordinance transpired and the modifications suggested by Town Counsel were reviewed. Mr. Day indicated that he was making good progress on the methodology schedule. He said he would like to hold a public hearing on the fee schedule as soon as it is complete so that it can be in effect when the ordinance is adopted at Town Meeting.

With no further business before the board,

Motion: - Mr. Filio motioned to adjourn. Mr. Day seconded. With no further discussion, the motion carried 4-0 and this November 8, 2001 Planning Board Meeting ended at 9:06 p.m.

Respectfully submitted,

Kathy Gonet, Secretary

Minutes completed and on file November 14, 2001.

Approved on: 11-15-01