



**PLANNING BOARD**  
EAST KINGSTON, NEW HAMPSHIRE

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

**PLANNING BOARD**  
**Approved Minutes – November 18, 2021**

The Town of East Kingston Planning Board met on November 18, 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, Dr. Marston, Ex-Officio Joe Cacciatore, and Janet Smith-Alternate (arrived at 7:10pm)

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

Public: Tim Bodwell, Rebecca Martell

**PUBLIC HEARINGS AND APPLICATIONS:**

**Public Hearing - Bodwell:** Application for a Lot Line Adjustment submitted by Timothy and Judith Bodwell residing at 96 North Road in East Kingston. The proposal is an exchange of equal land area between properties owned by the Bodwells: Map/Block 15-3 Lot 17 at 96 North Road in East Kingston with Map/Block 15-3 Lot 5 at 102 North Road in East Kingston. The application is available for public review at the East Kingston Town Offices located at 24 Depot Road, East Kingston, NH 03827

Consultant Dennis Quintal presented the Lot Line Adjustment proposal explaining that the lot line adjustment would result in an equal land area exchange between Lot 17 and Lot 5 both of which are owned by the Bodwells. Quintal reviewed and showed on the site plan the required setbacks for the new structure/barn to be installed. Josh Bath asked if the new lot configurations for Lot 17 and Lot 5 complied with the minimum lot width requirement [refer to Subdivision Regulations Section VII.A]. Tim Allen confirmed the minimum lot width is 125 feet and asked if the upland requirement for both lots was met and if all applications fees had been paid. Quintal replied that the upland requirements were met but was unsure if all application fees had been paid. Bill Caswell inquired about the need for setting new lot bounds. Quintal replied that 1 lot corner was existing and 3 additional lot bounds would be set and a Certificate of Monumentation would be filed.

Motion by Josh Bath to approve the Bodwell Lot Line Adjustment for Map/Block 15-3 Lot 17 at 96 North Road in East Kingston with Map/Block 15-3 Lot 5 at 102 North Road in East Kingston.

Seconded by Tim Allen conditioned on all application fees paid in full and filing of a Certificate of Monumentation. Motion approved unanimously.

**Home Occupation - Martel:** Application for a Home Occupation under Zoning Ordinance Article XVI by Rebecca and Kimberly Martel located at 11 Forest Drive to establish a telehealth business.

Tim Allen asked whether patients would be serviced at the residents. Rebecca Martell replied that all services would be provided via telephone or online with no patients serviced at the residents. Allen asked whether the business would employ other employees. Martel replied that a potential future employee may be hired but they would work remotely and not at the residence. Josh Bath summarized that the Martel business would be an invisible Home Occupation with no sign and Martell confirmed this.

Motion by Tim Allen to approve the Martel Home Occupation located at 11 Forest Drive to establish a telehealth business conditioned on clarification of the application that delivery of medications would be to patients' homes and not to the residence and a future name change for the business to Lixir, PLLC. Seconded by Josh Bath. Motion approved unanimously.

#### **BOARD BUSINESS:**

**Conservation Commission's Natural Resource Inventory:** Bill Caswell congratulated Dennis Quintal and the Conservation Commission in completion of the update to the town's NRI noting that the Planning Board will review the NRI's recommendations and offer comments. Julie LaBranche recommended that the NRI be adopted as part of the Master Plan as an Appendix.

**Update on Light Industrial Park:** Bill Caswell noted that the follow up compliance letter was mailed (and emailed) to the property owner and that his drive-through of the site showed that removal of materials was in progress. The follow up compliance letter requested a response by November 12<sup>th</sup> and compliance with the items outlined in the original compliance letter. No response was received by the November 12<sup>th</sup> date. Caswell noted that another follow up letter will be necessary to document the current compliance status of the property. Caswell and LaBranche will follow up on the matter.

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

The following zoning amendments were discussed:

1. Article XIV Sludge Facilities – The Board agreed to modify Section B to reflect no new facilities would be allowed and Josh Bath noted that section B.b.2 should be moved under section B.b.1.
2. Zoning Ordinance Article XVII (page 72, Section A.2) and Building Code–The Board continued review and discussion about several items such as the \$1,000 “trigger” for a building permit. The Building Inspector recommended deleting this requirement and instead rely on the state/national building code to dictate what level of improvement required a building permit. Board members were not comfortable with this approach. Josh Bath suggested replacing the \$1,000 threshold with a statement such as “consult with the Building Inspector for guidance about what site improvements require a building permit”. Tim Allen replied that the Building Inspector should not have the sole authority to determine when and if a building permit is needed. Julie LaBranche offered to obtain an example of Exeter's process and a list of improvements that do/do not require a building permit. Dennis Quintal noted that building

permits provide information to the town for updates to property assessments. Tim Allen suggested tabling this zoning amendment to the following year to allow more time for discussion.

3. Zoning Ordinance Article VIII.G.g Accessory Dwelling Units (p. 23-24) – Continued review and discuss requirements for septic facilities (e.g. inspections, replacement plans). Edit to section g and addition of ZBA Special Exception approval conditioned on approval of the replacement septic plan by the NHDES.
4. Article XI Conservation Subdivision Development– Continued review and discussion of revisions. Dennis Quintal offered a technical reference and chart for the High Intensity Soil Survey lot sizing criteria and parameters. All agreed to either copy the chart into the ordinance or Append to the Zoning Ordinance depending on its length. Julie LaBranche will follow up with Quintal to obtain the new lot sizing chart and reference.
5. Article XIII Growth Management: Bill Caswell gave a brief overview of 2020 Census data and the past and recent building permit data for town. Members discussed the current methodology for rounding up/down for a building permit and the annual 20% limit per builder. Caswell notes that East Kingston growth tracks closely with the neighboring towns of South Hampton and Brentwood. Caswell asked to continue discussion on this matter to the December meeting.

#### **DISCUSSION ITEMS:**

Bill Caswell noted that during Budget Committee and Department Heads meetings, he requested a new \$500 line item for the Planning Board to use for items such as Master Planning. The new line item was accepted.

Bill Caswell offered information about mutual efforts between neighboring communities noting that Fire Chief Warren is involved in a “fire explorers” program to train and educate youth about firefighting through the Explorer Scouts Fire Fighters in Training Program. Caswell offered that the Board explore mutual efforts as a way to expand capacity and offer more/improved services.

#### **APPROVAL OF MINUTES:**

Approval of minutes for July 2021. Motion to approve by Josh Bath. Seconded by Joe Cacciatore.

Approval of minutes for October 2021. A correction was made on the motion and second for the Rachel Normington Change in Tenant Application – Motion by Josh Bath and second by Tim Allen. Motion to approve with correction by Josh Bath. Seconded by Tim Allen.

#### **ADJOURNMENT:**

Motion to adjourn by Mr. Marston. Seconded by Josh Bath. The Planning Board adjourned at 8:25 pm.

Submitted by:  
Julie LaBranche  
Planning Consultant

Minutes Approved on December 16, 2021