



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2015-2016
Joe Cacciatore, *Chairman*
Dr. Robert Marston, *Vice Chairman*

MINUTES
Regular Meeting 19 November 2015
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **Review** of proposed updates/changes to the regulations and ordinances.

CALL TO ORDER: This meeting of the East Kingston Planning Board was called to order at 7:00 pm.

ROLL CALL: Mrs. White called the roll.

Members Present: Vice Chairman Dr. R. Marston , Mr. J. Bath, Mr. C. Delling , Mr. B.Caswell, and Ex-Officio Mr. R. Morales. Chairman Joe Cacciatore was excused.

Advisors present: Rockingham Planning Commission (RPC) Senior Planner Ms. J. LaBranche, East Kingston Building Inspector John Moreau and East Kingston Fire Chief Mr. E. Warren.

Board Business

Dr. Marston opened the meeting at 7:00.

Minutes

Mr. Morales **MOVED** to accept the October Planning Board minutes as presented; Mr. Bath seconded. Motion passed unanimously.

Resident Comment

East Kingston resident Betsy Dolan was present and asked to speak to the Board. She thanked the Board for their work, acknowledging that they are all volunteers to the Town, but expressed concern in some of the recent decisions that have been made in the approval of home occupations. She asked if the Board would consider going back and looking at the Master Plan that speaks to a community that is rural, residential and agricultural as they look forward in some of the decisions that they are about to put in place.

She would hope they would ask the community for input of what the future should be before changing the Master Plan. Although she realizes that progress is defined by industry and certain other types of businesses, she hoped for community buy-in in the process. She believes the best way for this to happen is to look at what the Master Plan is and updating it with community perspective.

Ms. LaBranche informed Ms. Dolan that updating of the Vision chapter and Existing and Future Land Use chapters of the Master Plan is on the agenda for the coming months. It will require a public input session/ workshop for the vision chapter, a community survey and perhaps a series of meetings to talk about land use

and uses that are in keeping with the spirit and the goals of the Master Plan. Everything will be open for public discussion and input and will be widely publicized.

A survey will probably be on Survey Monkey and on paper and widely distributed and posted on the website. There will be outreach materials explaining the schedule for the process so people will know what's coming and when to expect notices for different types of meetings.

Ms. Dolan noted that sometime outcomes can be influenced by the wording of a survey, and asked that the Board consider how those questions will be worded and ensure they are open-ended. Ms. LaBranche noted that there will most likely be a survey committee; Ms. Dolan offered to be a part of that committee.

Ms. Dolan thanked the Board for their time. The Board thanked Ms. Dolan for her input.

Review of proposed updates/changes to the Ordinances

Non-Conforming Uses and Structures

Ms. LaBranche distributed proposed changes to the regulations and members as previously discussed by the Board members and vetted by the Town Attorney.

The most extensive change was the proposed replacement of the existing *Article XXI - Structure or Land Use Conformance* with a replacement title of Non-Conforming Uses and Structures which includes explanations of what constitutes a non-conforming lot, structure, and non-conforming uses.

There was extensive discussion on this and with the exception of a few minor changes; the word ordinance to article, eliminating a waiver phrase, replacing the term bulk with footprint and square footage, and elimination of paragraph C.5., the Board declared the new article to be clearer and more easily understood. This new version will be brought forward in a public hearing format for December. A copy of the new article is attached to these minutes.

Article II - Definitions

The existing definition of frontage: "*Shall mean that portion of a lot bordering on a highway, street or right-of-way. Newly created frontage does not affect pre-existing setbacks*" is proposed to be deleted and replaced with the following: "*Shall mean the length of a lot bordering on a town or state maintained highway or street (road) approved and constructed in accordance with the standards established by the town, excepting limited access highways.*" The Board agreed this was a more clear definition.

Article VIII - Uses Permitted

The Board made a change to the square footage allowed for an accessory apartment in *Section F.2. Accessory Dwelling Units*. The Board had had previous discussion on this subject and all decided the square footage needed to be increased. After discussion, the Board agreed to propose increasing the number to 900 sf, keeping the stipulation that is still could only be comprised one bedroom, one bathroom and one kitchen/living area.

Article IX - Lot Area and Yard Requirements

Paragraph F is proposed to be deleted as it is covered by the new Non-Conforming Uses and Structures article. All following paragraphs will be renumbered sequentially.

Proposed Amendments to the Subdivision Regulations

Section VII- General Requirements for the Subdivision of Land

The following phrase is proposed to be struck from Section B.

B. The arrangement of streets in the subdivision shall provide for the continuation of the principle streets in adjoining subdivisions or for their proper projection when adjoining property is not subdivided, ~~and shall be of a width at least as great as that of such existing connecting streets.~~

and replaced with:

"Such continuation of streets shall be provided through the creation of a separate parcel, deeded to the Town at the time of subdivision, which shall be of a width of at least as great as that of such existing connecting streets. Creation of such parcel shall not establish a street or public way at the time of subdivision [and shall be labeled as a "reserve parcel" on the approved subdivision plat]."

Ms. LaBranche reminded the Board there needed to be a motion to bring these proposed changes to public hearing in December.

Mr. Bath **MOVED** to place the reviewed changes/additions to Article II - Definitions, Article VIII - Uses Permitted, F.2, Article IX - Lot Area and Yard Requirements, F. and Article XXI - Structure or Land Use Conformance of the Zoning Ordinances on the agenda for public hearing on December 17th; seconded by Mr. Morales. Motion passed unanimously.

Chief Warren's proposed changes to the ordinance for compliance with State Fire Code

Chief Warren would like to following clarification to be added to the regulations.

- Standby generators are required to be on a concrete pad.
- Fire Code requires combination smoke / CO detectors.
- Propane systems are mandated to be pressure tested for 24 hours.

After discussion the Board decided this information would be added to the Building Code section. They will be added as paragraphs E, F and G.

Chief Warren suggested adding the following wording in the regulations: "The Town of East Kingston recognizes the latest version of the NFPA fire code along with the appropriate Town ordinances and regulations."

Mr. Bath **MOVED** to place additions to the Building Code section that standby generators are required to be on a concrete pad; Fire Code requires combination smoke / CO detectors; propane systems are mandated to be pressure tested for 24 hours; and that the Town recognizes NFPA fire code; seconded by Mr. Morales. Motion passed unanimously.

Report on Non-Compliance at 17 Haverhill Road

Mr. Moreau reported that this business has eliminated the overage and now has only the approved allowable number of cars on the premises.

Report on Power Sports Business

Mr. Moreau reported this business is now storing all the vehicles inside at the close of business.

Home Occupation Ordinance

There has been much discussion on this subject in the past months, and the Board agreed to wait for changes at this time to allow them more time for research and to put together a list of exceptions for the categories and perhaps offer it on a warrant article for 2017.

Mr. Bath had acquired examples of neighboring towns' home occupation ordinances to help in the effort. Mrs. White will make copies for everyone for review and discuss in the coming months.

MOTION: Mr. Bath **MOVED** the Planning Board adjourn, Mr. Morales seconded.

Dr. Marston closed the meeting at 9:10 pm. The next Planning Board meeting will be on December 17, 2015.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved December 17, 2015