

TOWN OF EAST KINGSTON, NH
PLANNING BOARD MEETING MINUTES
December 2, 1997

FILE

WORK SESSION

Members attending: Richard A. Smith Sr. - Chairman, Edward C. Johnson - Vice Chairman, James Roby Day, Jr. - Ex-officio, and Alternate Robert Nigrello.

Absent: Dr. Robert Marston, Catherine George and Alternate Beverly Fillio.

Others attending: Sarah Campbell – RPC Circuit Rider.

Chairman Smith opened this December 2, 1997 Planning Board Work Session at 7:10 p.m. with the roll call. Chairman Smith then designated Alternate Robert Nigrello to participate in the voting process.

Capital Improvements Plan: The Board reviewed the CIP as presented and noted the following:

1. The department head request forms submitted for the CIP will be kept on file as a resource;
2. A new paragraph re: TIP will be placed on page 27;
3. All typographical errors will be corrected.

Although not required, the Board agreed to hold a public hearing to adopt the CIP.

Growth Control Ordinance: At this time the Board took up discussion on the GCO. The Board acknowledged GCO recommendations submitted by Town Counsel.

The Board discussed the proposed carry-over provision for building permits. It was noted that only a percentage of permits are recommended for carry-over. The majority of the Board was not convinced that a percentage should be carried over. It was stated that they were not sure how to calculate such a percentage.

Mr. Day noted the following NHMA recommendations for writing a GCO:

1. An up-to-date Master Plan and CIP;
2. The GCO refer to normal growth;
3. The GCO be adopted as a zoning ordinance; and
4. Implement a time limit mechanism for revision and updating purposes.

Mr. Day continued to say that the building permit carry-over provision defeats the growth control ordinance itself. If there is carry-over, then the growth control numbers are too high and should be revised as provided by the ordinance.

Mrs. Campbell stated that not carrying over the building permits will contradict the permitted growth outlined in the GCO. The Board will actually be regulating a smaller percentage of growth.

Further discussion resulted in the Board opting *not* to allow for the carry over of building permits in the GCO.

The Board then considered implementing a *defined duration* for the GCO. Mrs. Campbell stated that the GCO should be updated yearly.

Mr. Day offered an example of Brookline's GCO which went into effect 1994 to expire 1997.

Mrs. Campbell offered that the GCO can be updated and modified at the Board's discretion. She recommends every 1 to 2 years.

The Board agreed that a yearly review of the GCO to determine whether the number of building permits issued will be increased or decreased. This will allow the Board to accommodate the town's growth.

The Board noted that requests for leftover building permits, for any given year, must be submitted by December 31st of that year.

Zoning Amendments: The Board reviewed the following proposed amendments:

1. Aircraft take offs and landings...
2. Amend I VD.6 to correct inconsistency in ordinance;
3. The proposed amendment to 10.7 will be corrected at the authorization of the Planning Board as it is a typographical error to the existing ordinance.

Subdivision Regulations: The Board reviewed the following amendments to the subdivision regulations:

1. Update the Flood Boundary and Floodway maps;
2. Section IV – allowing for a 10ft. driveway setback;
3. Update new 90 day clock provisions pursuant to RSA 676 :I,(c)(1);
4. Clarification to test pits. The 4000K area must meet septic setbacks as well;
5. Boundary markers must be set at all corner points before the plan is signed;
6. Page 10 – delete 2nd sentence.

Site Plan Review Regulations: The Board reviewed the following amendments to the site plan review regulations:

1. I. Authority – to allow for change of tenants of SPR. The Planning Board must be notified in writing of the change of tenant. The Board will then determine whether a full site plan review is necessary.
2. Add Site Plan Review Design Standards (see attached).

The public hearing for subdivision amendments #'s 4 and 5, and site plan review amendments # 2 to be held January 15, 1998. Mrs. Campbell will generate the legal notice.

November 20, 1997 Planning Board Minutes : Mr. Day noted typographical errors to the 11/20/97 minutes.

MOTION: Mr. Day motioned to approve the November 20, 1997 Planning Board meeting minutes as corrected. Mr. Johnson second. The motion passed 4-0.

E. Michael Jr. & Dawn Young Case: The Board acknowledged a letter from the Young's attorney requesting a copy of the 11/20/97 Planning Board minutes as well as a written response explaining the recommendations of the Board to the Selectmen, and the final decision of the Selectmen regarding the home occupation application for 140 Depot Road.

The Board directed a letter be forwarded to the Young's attorney stating the Planning Board recommends the Selectmen deny the application. The attorney should also be informed that the Selectmen's final decision will take place on December 8, 1997. This letter is to be signed by Chairman Smith.

Light Industrial Park : Chairman Smith stated that he was not comfortable with the advice given to Mr. Charlie Marden regarding the change of tenancy at the lumber mill. All business' located in the light industrial park should be on file with the Planning Board. This information will allow the Board to regulate the development and all changes in the park.

The Board directed a letter be forwarded to Mr. Marden outlining the proposed site plan review amendments for informational purposes.

Denis Plante – Den's Auto Body: Chairman Smith stated that the Selectmen recently allowed Mr. Plante to add another business to his parcel. He continued to say that this was a Planning Board decision and not the Selectmen's. Mr. Plante was originally restricted to have only 5 or 6 cars on his lot at a time. He now has 20.

Mr. Day responded that the Selectmen researched the Plante file and found no restrictions. If errors were created, the Selectmen can go back and correct them.

Chairman Smith stated that the addition of used car sales to the auto body shop should have gone through the site plan review process. All site plans must be approved by the *Planning Board*.

Master Plan: The Board acknowledged the approximate cost to publish the Master Plan (\$.04 a page and \$.15 for hardcover. Binding will be additional.) At these figures, the Board agreed to send the work out v. putting them together in the Selectmen's office.

Mr. Day stated that he will ask the Selectmen to increase the Planning Board budget to accommodate the expense of publishing the Master Plan.

Mrs. Campbell will submit a contract to write the Future Land Use Chapter of the Master Plan. There is \$3,000 in the 1997 budget and \$600 in the 1998 budget for this purpose.

Commercial Zone: Mr. Day stated that the FLUAC has passed on to the Planning Board the proposal to create another commercial zone in town. This zone would be located approximately from the easterly boundary of the video store to the westerly corner of Levis', all along route 107. This would include all of Foss-Wasson, the Kennerly property, the Davis' and the Madej's.

Mr. Day inquired if this would be sponsored by the Planning Board or if it should be submitted as a petitioned article.

The general census of the Board was that the proposed commercial zone be submitted as a petitioned article by the FLUAC. It may be better accepted by the town. The Board noted a December 10th deadline for such a petition. They also recommended early publicity of this article.

Chip Dodge Home Occupation Proposal: The Board discussed Mr. Dodge's recent proposal to purchase an abutting parcel to his residence for the purpose of building a workshop for his carpentry business.

Board members stated that if the abutting parcel remains separate from Mr. Dodge's residence, a home occupation permit would not be recommended. The ordinance states that the *resident* of the property must operate the business. Mr. Dodge does not reside on this lot. Should Mr. Dodge elect to join the 2 parcels, a permit would be considered.

MOTION: Mr. Johnson motioned to adjourn. Mr. Nigrello second. The motion passed 4-0 and this December 2, 1997 planning board work session ended at 10:05 p.m.

Respectfully submitted,

Catherine Belcher
Secretary

Minutes completed and on file December 8, 1997.