



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

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

MINUTES
Regular Meeting 17 December 2015
7:00 pm

AGENDA:

- ◆ **Call to Order**
- ◆ **PUBLIC HEARING** - for an East Kingston Zoning Ordinance proposal to adopt the following proposed amendments:
 - Article II Definitions - replace the definition of frontage; delete the definition of street.
 - Article VIII Uses Permitted, section F.2. Accessory Dwelling Units - amend the section by increasing the allowable maximum square footage for an accessory dwelling unit from 500 sf to 900 sf.
 - Article IX.F Lot, Area and Yard Requirements - delete Section F regarding non-conforming lots.
 - Article XXI. Non-Conforming Lots, Structures and Uses - delete existing Article XXI and replace with new sections A- Non-Conforming Lots, B-Non-Conforming Structures, and C-Non-Conforming Uses.
- ◆ **PUBLIC HEARING** - for proposed amendments to East Kingston Subdivision Regulations:
 - Section VII.B. - General Requirements of the Subdivision of Land - delete a portion of the existing paragraph and add a new paragraph regarding continuation of streets.

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 November Planning Board minutes as presented; Mr. Bath seconded. Motion passed unanimously.

PUBLIC HEARING - for an East Kingston Zoning Ordinance proposal to adopt the following proposed amendments:

- Article II Definitions - replace the definition of frontage; delete the definition of street.
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- Article IX.F Lot, Area and Yard Requirements - delete Section F regarding non-conforming lots.

- Article XXI. Non-Conforming Lots, Structures and Uses - delete existing Article XXI and replace with new sections A- Non-Conforming Lots, B-Non-Conforming Structures, and C-Non-Conforming Uses.

Dr. Marston opened this public hearing and asked if the Board had any further discussion or changes to the proposal as presented. There being none, he asked for a **MOTION**.

MOTION: Mr. Morales **MOVED** the Planning Board place the proposed changes to the East Kingston Zoning Ordinance Article II; Article VIII., Section F.2; Article IX.F ; and Article XXI for inclusion on the Town Warrant for 2016; Mr. Bath seconded. The Motion passed unanimously.

Dr. Marston closed this public hearing.

PUBLIC HEARING - for proposed amendments to East Kingston Subdivision Regulations Section VII.B.

Dr, Marston opened this public hearing and asked if the Board had any further discussion or changes to the proposal as presented.

Ms. LaBranche explained the rationale for the change to this regulation. There had been a contrary interpretation of what section B regarding connecting existing streets to adjacent undeveloped land meant and what the context was. The ZBA had interpreted the set-aside extension as being an extension of the actual street for the subdivision. This was not the intent; the intent was to create a reserve piece of land where in the future the street could potentially be extended into the adjacent undeveloped piece of land.

The existing section B reads as follows:

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.

The proposed change would delete the phrase “...and shall be of a width at least as great as that of such existing connecting streets.” from the existing sentence in section B and add the following text to section B: “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 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.”

New Proposed 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.~~ 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 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.”

MOTION: Mr. Bath **MOVED** the Planning Board place the proposed change to East Kingston Subdivision Regulation Section VII.B for inclusion on the Town Warrant for 2016; Mr. Morales seconded. The Motion passed unanimously.

Dr. Marston closed this public hearing.

Other Board Business

Growth Management Ordinance

Ms. LaBranche noted that the previously discussed updates to the Growth Management Ordinance needed to be approved. The updates were to Table 1 which now includes 2015 information and updating of the % change column, Table 2 which now includes up-to-date school population information (which indicates a slight decrease in population), and Table 3 has been updated.

There was discussion of where the numbers came from; Mr. Moreau opined it was Occupancy Permits but Mrs. White noted she took her information from the number of building permits issued and not the occupancy permits. It was noted there was a typo in the notation under Table 3; it will be corrected.

Mr. Warren inquired about E.11 in the Growth Management section noting it stated if less than the maximum number of permits were issued in one year, the number would roll over to the following year. To his understanding, that meant potentially double the number of permits could be issued in that year. There was discussion and several Board members opined that this paragraph had been removed previously. The Board had discussion and came to consensus without objection that paragraph E.11. should be removed as the growth rate is covered in paragraph E.4. Ms. LaBranche noted it would need to be noticed on the agenda in January.

Mr. Morales **MOVED** to accept the updates to the Growth Management Ordinance as presented with the changes noted by the Board; remove paragraph E.11; and place on the agenda for a public hearing in January; Mr. Bath seconded. Motion passed unanimously.

Handouts for Home Occupation Ordinance

Mrs. White noted she had distributed copies of home occupation ordinances from adjoining towns Mr. Bath had acquired. The Board had decided to review what other towns were using to see if they could clarify their own a bit more. Members will review and discuss at the January and February meetings with any suggestions they have for changes.

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

In addition to the previously-discussed changes, Chief Warren had found some additional language changes he wanted to include pertaining to compliance with State Fire Code. He and Ms. LaBranche will work on the wording and will come for Public Hearing in February.

Tim's Heavy Equipment

Chief Warren reported he had been asked to investigate if a tenant was living in one of the rental units of the light industrial park. He had investigated unannounced and found no evidence that anyone was living there. As they do plowing in the winter, there was a couch where a driver could nap between shifts but were no cooking facilities or shower and no clothing to indicate anyone was staying there on a full-time basis.

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

Dr. Marston closed the meeting at 7:45 pm. The next Planning Board meeting will be on January 21, 2016.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved January 21, 2016

EAST KINGSTON, NEW HAMPSHIRE

BUILDING CODE

1. Title Section 100.1 (Amended 03/2004)

Any construction, alteration, repair, renovation or maintenance of a building or structure shall comply with the provisions as follows:

- a. The New Hampshire State building code as defined in NH RSA 155-A:1,IV, which includes the International Building Code 2000, the International Plumbing Code 2000, the International Mechanical Code 2000, the International Energy Conservation Code 2000, as published by the International Code Council, and the National Electric Code 2002; with respect to each of the foregoing, as amended from time to time.
- b. The International Residential Building Code, 2003 Edition, and as amended;
- c. The enforcement mechanism for the State building code shall be that which is already in place for the enforcement of the Town Building Code, with the Building Inspector administering and enforcing the same. The Zoning Board of Adjustment shall act as the Building Code Board of Appeals.
- d. All newly constructed dwelling units, and additions or renovations to existing dwelling units in which a building permit is required, shall install heat detectors in unfinished attic spaces and in integral or attached garages in accordance with NFPA 72 *National Fire Alarm Code*. If a multiple station alarm system exists, newly installed detectors must be interconnected with the existing system. The Fire Chief shall approve said installation. **(Amended 10/16/08)**
- e. **The Town of East Kingston recognizes the latest version of the NFPA fire code along with the appropriate Town ordinances and regulations.**
- f. **Standby generators are required to be on a concrete pad.**
- g. **Fire Code requires combination smoke / CO detectors.**
- h. **Propane systems are mandated to be pressure tested for 24 hours.**