



PLANNING BOARD
TOWN OF EAST KINGSTON
New Hampshire

2018-2019
Joe Cacciatore, *Chairman*
Dr. Robert Marston, *Vice Chairman*

MINUTES
Regular Meeting December 20, 2018
7:00 pm

AGENDA:

- ◆ Call to Order

Board Business.

- Public Hearing for amendments to Zoning Ordinance Article XVI Home Occupations.
- Continued discussion regarding draft Non-Conforming Use Survey
- Review of 213 Haverhill Road cleanup

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

Members Present: Chairman Joe Cacciatore, Vice Chairman Dr. Robert Marston, Josh Bath, Bill Caswell, Tim Allen, Ron Morales, and ex-officio Richard Poeleart.

Advisors Present: RPC Senior Planner Julie LaBranche, East Kingston Building Inspector John Moreau, East Kingston Assistant Building Inspector Tom Welch.

Also Present: Resident Benjamin Darby.

Minutes: Mr. Cacciatore asked for a **MOTION** to approve the November Minutes.

Mr. Bath **MOVED** to approve the November Minutes as presented; second by Mr. Morales with a unanimous vote.

Board Business

Public Hearing for amendments to Zoning Ordinance Article XVI Home Occupations

Mr. Cacciatore opened this public hearing.

Ms. LaBranche distributed clean copies of the revised home occupation ordinance to the Board members. Some definitions have been revised in the Definition section A. to make them clearer, and grandfathered nonconforming use has been added.

Administrative support for invisible home occupations was added under section D, and a new section H. has been added with reference to the Annual Home Occupation Application and Grandfathered Non-Conforming Use Survey.

Ms. LaBranche noted that if there were any additional changes made this evening, the Board would need to hold a special meeting in January before the regular monthly meeting to comply with noticing timeframes.

The Board had discussed the changes to the ordinance at the November meeting and were satisfied with it as presented; there were no additional changes. It will be presented as a Warrant Article for the March town election

Mr. Cacciatore asked for a **MOTION** to present the amendments to Zoning Ordinance Article XVI Home Occupations as a Warrant Article at the town election in March 2019.

Mr. Bath **MOVED** to accept the proposed amendments to Zoning Ordinance Article XVI - Home Occupations and present Zoning Ordinance Article XVI as a Warrant Article at the town election in March 2019; second by Mr. Morales with a unanimous vote.

Mr. Cacciatore closed this public hearing.

Resident Benjamin Darby

Resident Benjamin Darby was present to ask the board some questions regarding a home occupation he was contemplating and if what he wanted to do would be allowed.

He wants to be a financier of boats for sale and would like to use his home address as the address for his license, but the actual location where the boats would be stored/repaired/sold from would be in Vermont. He would have no boats at his East Kingston address, only his home office and would like to apply for an invisible home occupation.

Mrs. White had spoken to him previously and provided him with the procedures to apply for a Home Occupation, an application form and the schedule of submission of material dates. It was noted that on the 2019 schedule, the submission date was the following Monday.

Upon review, it was noted since the Home Occupation Mr. Darby was applying for was for a home office, there would be no need to notify abutters and the submission time could be extended beyond the scheduled date.

One of the questions Mr. Darby needed answered was if the town would provide him with a letter to the State documenting he complied with all local zoning and regulatory requirements so he could receive his license as a boat dealer/boat repair dealer.

After he explained what he wanted to do, the Board encouraged him to submit his application and explained what the procedure would be after they gave their recommendation to the Selectmen.

Mr. Darby thanked the Board for their time and would submit his application to the Selectmen's Office next week.

Continued discussion regarding Grandfathered Non-Conforming Use Survey

Mr. Allen had revised the Use Survey based on discussion at the November meeting. Ms. LaBranche distributed copies of the amended survey.

The Board had realized they would need more information regarding the grandfathered uses in town in order to make suitable decisions in instances of transfer of properties and uses. Mr. Allen has compiled a new questionnaire which will be distributed to those existing grandfathered businesses in order to help the Board in establishing a baseline for future decisions. This form will be distributed when the permits are renewed. This will be a one-time questionnaire; the Board reviewed the questionnaire and made a few changes. Mr. Allen will update and distribute to the members at next month's meeting.

They also recognized the need for a follow-up report that is not so in-depth on a yearly basis going forward. Mr. Allen also put together the additional annual report form; there were a few changes during the meeting. Mr. Allen will distribute the amended survey to the members next month.

Mr. Poeleart asked what the ramifications would be if the form was not returned; Ms. LaBranche noted then their permit would not be renewed.

The Board had some discussion regarding the instances under which a grandfathered use could expand, which consists of natural expansion.

Mr. Cacciatore asked for a **MOTION** to approve the revised Home Occupation Application Form and the Grandfathered Non-Conforming Use Questionnaire with the changes discussed.

Mr. Bath **MOVED** to approve the revised Home Occupation application and the Grandfathered Non-Conforming Use Questionnaire with the changes discussed; second by Mr. Caswell with a unanimous vote.

The board also discussed having the information compiled in chart form so the yearly information could easily be compared for any changes.

Review of 213 Haverhill Road Clean-up

Mrs. White had emailed to the Board the letter and photos from the Industrial Park owner updating on the clean-up of the site. Mr. Quintal could not attend tonight, but reported he is working on the Dredge and Fill application to the State.

Mr. Poeleart noted he had driven into the park in the last couple of weeks and has observed several areas looked better and certain items have been removed. The Board is going to conduct a site walk in the spring.

The Board decided Mr. Quintal should check on the two fill areas at the rear of the property, the area where the pad is going to be built, and the two wetland areas to see what the progress has been so far.

The Board also discussed the sandblasting operation reference indicated in Mr. Masone's letter, and could not remember any time they had approved sandblasting. This will be checked on.

The question of the underground oil tanks / permits for them came up again; Ms. LaBranche will check with NH DES if they have any information regarding the tanks and get back to the Board.

Ms. LaBranche will format a follow-up letter to Mr. Masone.

Handouts

- Growth Management Ordinance / Elderly Housing Ordinance replacement pages
- 2019 Public Hearing Dates calendar

Adjournment

Dr. Marston made a **MOTION** to adjourn. Mr. Bath seconded, with a unanimous vote.

Mr. Cacciatore closed the meeting at 8:15 pm.

The next Planning Board meeting will be on January 17.

Respectfully submitted,

Barbara White

Planning Board Secretary

Joseph Cacciatore

Chairman

Minutes approved January 17, 2019