



PLANNING BOARD  
TOWN OF EAST KINGSTON  
New Hampshire

2011-2012  
**Peter Gilligan**, Chairman  
Ed Warren, Vice Chairman

**MINUTES**

Regular Meeting 18 August 2011  
7:00 pm

**AGENDA:**

- ◆ **Call to Order**
- ◆ **Approval** of Minutes
- ◆ **Public Hearing** –Site Plan for Cheryl Doucette/Robert Ahern, 174 North Road for a proposed business at 14 Main Street (MBL 09-08-11) EK PB 11-OB
- ◆ **Discuss** revisions to Site Plan Review regulations due to law changes.
- ◆ **Discuss** revisions to Telecommunications chapter due to law changes.

**CALL TO ORDER:** This meeting of the East Kingston Planning Board was called to order at 7:10 pm.

**ROLL CALL:** Mrs. White called the roll.

**Members:** Mr. P. Gilligan, Mr. E. Warren. Members Dr. R. Marston and Mr. J. Cacciatore were not in attendance. Ex-officio Mr. M. Cook was not in attendance for the 2nd month in a row.

**Advisors:** Rockingham Planning Commission Planner Ms. Julie LaBranche and East Kingston Building Inspector Ray Donald.

**Also Present:** Abutter Mr. Paul Cuneo

**Board Business**

The Board could review the regulation and ordinance changes with Ms. LaBranche, but could make no decisions without a quorum.

**Minutes** - The minutes could not be approved, as there was not a quorum present,

**Public Hearing on a Site Plan for Cheryl Doucette/Robert Ahern, 174 North Road for a proposed business at 14 Main Street (MBL 09-08-11) EK PB 11-OB**

Chairman Gilligan explained to the abutters present that the applicant had withdrawn her application due to financing problems, and the public hearing would not take place.

Mr. Donald reported that 14 Main Street had not had a failed system; there had been no problems. He noted that some questions asked by the RPC were only questions and not necessarily regulations for the Board to follow.

As Chairman, Mr. Gilligan made the decision to refund Mrs. Doucette's application fee minus the costs for newspaper and abutter noticing. If and when the financing problems were rectified, she could come back before the Board with her application and would only need to pay the noticing portions of the application fee.

### **Site Plan Review Regulations**

Ms. LaBranche distributed a revised Stormwater Management section of the site plan regulations and reviewed the changes with the board.

Previously, a suggestion had been made to make the *Erosion and Sedimentation Control* section part of the *Post-Construction Stormwater Management Controls* instead of a separate section. Ms. LaBranche had reviewed the information and determined that combining the two items could be confusing for applicants and left them as separate sections. Ms. LaBranche had added a section to cover minimally-disturbed areas.

Mr. Donald noted there was no information pertaining to the Shoreland Protection Act anywhere in the site plan regulations, and requested there be some information included, especially so subsequent Building Inspectors would have some official document to back up the regulations they needed to follow.

Ms. LaBranche noted that the Comprehensive Shoreland Protection Act was a State mandate, but will review the regulations and see where the reference would best fit in. She also reminded the Board although they could not withhold approval for lack of any state or federal permit, they could make it a condition of approval.

Preliminary discussion noted it might fit best in the Building Code section as paragraph e, but determination would need to be made as to who was responsible for making changes to the Building Code section of the regulation book.

Ms. LaBranche made some adjustments to the reviewed sections and will send a completely revised version to Mrs. White for distribution to the Board at their September meeting. Ms. LaBranche noted that a motion by a quorum of the Board was necessary to bring the revisions to a Public Hearing for approval.

There was a question as to whether the Town Engineer reviewed all aspects of a site plan, or only the road construction and drainage sections. Mrs. White will touch base with Jay Stephens and report back to the Board. This information is needed to ascertain if any additional consultants could be needed for review.

### **Telecommunications Ordinance**

The Board reviewed the Telecommunications Ordinance changes with Ms. LaBranche.

Ms. LaBranche reviewed only the Processing Record and the Application Checklist with the Board members since there was not a quorum present. She will wait for comprehensive review for the September meeting, when hopefully there will be a quorum.

Ms. LaBranche had compiled the Processing Record to aid in keeping to the short (30-day) timeframe to ensure an application is complete. The Board consensus was to utilize both Mrs. White and Ms. LaBranche to review the application to make sure every mandatory item was included, but could not make a firm decision for lack of a quorum. Any costs for review charges for completeness by the RPC would be borne by the applicant.

There was discussion if the Town Engineer would be the person to review an application pertaining to telecommunications or if a special consultant would need to be contracted. Mr. White will contact the Town Engineer and see if he is comfortable reviewing this type of application and report the answer at next month's meeting.

Ms. LaBranche impressed upon the Board the importance of making sure the application was complete before acceptance, as once it was accepted as complete, the Board would not be able to go back and ask for additional information. They could ask for additional studies, but could not duplicate any that had already been asked for by another Board.

**Red Iguana**

Mrs. White reported that the Building Inspector had spoken to Mr. Herrera and had determined the sign size and installation location to him as requested by the Board. The restaurant was due to open as soon as the State health inspection is conducted.

**RPC Planner Contract.**

Mrs. White reported the Selectmen were in receipt of the Board's letter of request for renewal and have signed the RPC contact.

**LGC Conference**

Mrs. White noted there will be an LGC Conference on November 16 & 17th, but the schedule will not be published until mid-September.

**Sign for Pound School**

Mrs. White noted she had been in contact with the Library about the sign, but there were some costs issues she needed to discuss with the Selectmen.

**Sustainable Communities Initiative Grant Application Letter**

A letter had been sent to the Selectmen and the Planning Board requesting a letter of support for their Sustainable Communities Initiative Grant Application. In anticipation of approval, Mrs. White had prepared a letter for the Planning Board to send to the RPC by the required deadline of August 23rd. Since there is not a quorum, the Board will be unable to provide that letter of support to the RPC. Mrs. White will let them know the Board is unable to send the letter.

**Energy Technical Assistance Program**

Ms. LaBranche reported she had met with the Selectmen and would be conducting an energy inventory of all the Town Buildings. Engineers will be assessing each building as to the efficiency of windows, lighting, insulation, boilers, etc. and a final report will be submitted to the Town.

Ms. LaBranche wanted to know if the Board had any interest in including an energy chapter in the Master Plan, but that question will need to be posed to the entire Board.

**ADJOURNMENT**

Mr. Gilligan closed the meeting at 8:50 pm.

The next Planning Board meeting will be on September 15th.

Respectfully submitted,

*Barbara White*

Barbara A. White  
Recording Secretary

Peter Gilligan  
Chairman

Minutes approved \_\_\_\_\_