

**KENSINGTON PLANNING BOARD
TOWN OF KENSINGTON, N.H.
KENSINGTON ELEMENTARY SCHOOL LIBRARY
TUESDAY, JANUARY 15, 2013
7:30 PM
Meeting Minutes
APPROVED- February 19, 2013**

In Attendance: Kate Mignone, Chairman; Peter Merrill, Vice Chairman; Jim Thompson; Michael Schwotzer; Bob Solomon; Joan Whitney; Dylan Smith, Rockingham Planning Commission Representative.

Kate Mignone the Chairman called the meeting to order at: 7:41pm and recused for the first public hearing on 4 Cottage Road because she is an abutter.

Public Hearing

The Kensington Planning Board will hold a Public Hearing on Tuesday, January 15, 2013 at 7:30 p.m. at the Kensington Elementary School Library to hear the following proposals:

KENSINGTON INVESTMENT COMPANY LOT LINE ADJUSTMENT-

Application for a Lot Line Adjustment for Kensington Investment Co., at 4 Cottage Road, M6 L9; they are proposing to add 5.95 acres to the M6 L17 parcel and take 5.95 acres from M6 L9 parcel. This will allow M6 L17 to contain 34.08 acres and M6 L9 to contain 2.03 acres.

Kate recused herself because she is an abutter to the property. Peter Merrill, Vice Chairman will run this section of the meeting. Bruce Cilley will be representing the Kensington Investment Co. Peter explained to the board that the survey expressed that two lot lines will be abandoned. Michael asked if there was an easement on the deed to give the town rights to the fire hydrants located on the property on Cottage Road as well as the property on Beaver Dam Road. Mr. Cilley did not believe that there were easements, but he will check into it and get back to the board. The Town does maintain the Cottage Road hydrant, but doesn't maintain the Beaver Dam Road hydrant. Peter opened the meeting for public comment at 7:56pm. There were no public comments, so he closed the meeting to public comment. The board went through the checklist for the Lot Line Adjustment.

Conditions:

Check about easement on deed for the hydrant

Define residential/ agricultural on plan

Certification of monuments

Mike approve with the 3 conditions, Joan seconded and all in favor.

KENSINGTON INVESTMENT COMPANY LOT LINE ADJUSTMENT-

Application for a Lot Line Adjustment for Kensington Investment Co., at 58 Cottage Road, M8 L40; they are proposing to add 3.04 acres to the M5 L24 parcel and take 3.04 acres from M8 L40 parcel. This will allow M5 L24 to contain 6.74 acres and M8 L40 to contain 2.11 acres.

Kate read the legal notice to all present and opened the meeting to the public at 8:07pm.

She then read the recommendations made by Rockingham Planning Commission on the proposed Lot Line Adjustment.

Kate asked Bruce Cilley the representative to explain the lot line adjustment to the board. Mr. Cilley stated that the owners would like to merge the middle land with the other abutting lot.

Kate asked about the hydrant on the Beaver Dam Road, Bruce informed the board that the fire hydrant was a condition of a previous approval and has not been checked by the fire department in a while. Kate opened the lot line adjustment open to the public. One abutter was present and did not have any questions. The board discussed the application and Kate closed the meeting to public comment.

Jim asked why the owners want to do this. Mr. Cilley explained that they own the homes and would like to sell the houses with 2 acres. This is the only one that will go to Lewis Realty Trust.

Conditions:

Easement for Fire Hydrants

Residential/Agricultural indication on the plan.

Certification of Monuments

Mike made a motion with the 2 conditions Peter seconded all in favor.

Peter asked Bruce to approach the fire department if there are not easements for the fire hydrants on the property to work out some sort of agreement for the hydrants. If the wording doesn't exist they would like it noted on the plan. Joan expressed that it would be to get the liability off of the land owner. The town does use the hydrant on Cottage Road regularly.

Public Hearing-**THELMA LYON LOT LINE ADJUSTMENT-**

Application for a Lot Line Adjustment for Thelma Lyon at 270 North Haverhill Road, Map 13 Lot 2-3; she is proposing to add .65 acres to Map 13 Lot 2-3 to make the total acreage 8.27 acres and Map 13 Lot 2-4 to contain 2 acres.

Kate opened the 3rd hearing of the night for the Lyon's Lot Line adjustment at 8:17pm.

She read The Rockingham Planning Commissions comments to all present.

Steve Ferguson approached the board and explained to them that he is the representative for Thelma Lyon and the reason for the Lot Line Adjustment is that the driveway is located on both lots.

Kate asked if he would be applying the surveyors' stamps on this plan. Mr. Ferguson explained that he intentionally leaves them off until the plan is finalized to have less confusion. The board asked if there are any wetlands on the property. Mr. Ferguson expressed that the pond is not wetlands from what he had been previously told. He also stated that the septic approvals did not indicate any wetlands areas. Joan asked if the intent was to put more of the driveway with the house. Mr. Ferguson expressed that is the intent. Since the Lyons bought the property they changed the driveway and put the utilities underground. The owners will be doing two easements for the driveway and one more for the generator. One of the lots will still be a non-conforming lot, as far as the frontage goes, but it is an existing lot of record. Mr. Ferguson explained that the monumentation won't be done until the plan is done and stamped. Joan asked Mr. Ferguson to relay to the land owner to make sure that note 6 is included.

Kate asked if there were any other comments from the board or the public.

Conditions:

Revise the locus map Kimball to Hobbs; correction to Moulton Ridge Road.

Monuments conditioned

Land surveyor stamp on the final set of the plan.

Mike made a motion to approve the Lot Line Adjustments with conditions listed. Joan seconded all in favor 9:00pm.

NEW ARTICLE FOR SELECTMEN AUTHORITY-

To add article 12; which will clarify the Selectmen's administration of zoning ordinances and application approval penalties. See attachment for full text.

Kate opened the Public Hearing for the Selectmen's Authority to the public for their comments. The board reviewed the text and the public had no comments.

Kate closed the public hearing 8:58pm. There were no comments from the planning board either.

Joan moved that the board move the article forward to the selectmen for their approval to be placed on the ballot for March of 2013; Mike seconded all in favor.

New Business:

Driveway Permit- none

NFIP- (National Flood Insurance Program)-will discuss next meeting.

Seabrook Update- discussion on Mall process in Seabrook-

Joan had an update for the board on the Seabrook project. The major issue will be the safety and congestion of the 150 and 107 intersections. The town will be sent a memorandum from Rockingham Planning Commission and it will ask the town for a proposal. She stated that we can't really propose anything until we have a traffic count. Every two years they do look at the 10 year plan. The Planning Board could get a letter of interest from the Selectmen stating that they are interested in having something done there. They are looking to solve the problem with a traffic circle rather than a traffic light at the 107

and 150 intersections. We need to wait and see the impact when the project is done, they have discussed that a majority of the traffic will be coming off of I-95. Peter expressed that the town was looking to expand the west side of 107 on route 1. This is the future project that was discussed. The board will keep up with the progress and keep in touch with Seabrook on this project and future ones.

Gas Line Emergency Response- just a pamphlet, will be emailed to the board. No discussion, just informational.

Hudson Heights- discussion; update-

Kate expressed to the board that the residents of Hudson Heights have now gotten signatures for a warrant article for Hudson Heights to be accepted at the next Town Meeting as a town road. The road manager, fire chief and the town engineer have all accepted the road at this point. Kate recused herself for the discussion. Peter asked Kate why the Police chief has not accepted the road, and she was told that it is because of the 400 foot sight distance that is needed. Mike expressed that the driveway was accepted by the State of NH Department of Transportation. The Board discussed that the subdivision was approved by the Planning Board. The conditions of the subdivision have been met. The board discussed that there were traffic studies done on this project. Kate expressed that the police chief is meeting with the District Coordinator to discuss the road. The process was followed by the Planning Board and the Town Engineer. The state originally approved the curb cut. There is a pull off lane that was recommended by the Planning Board. Mike expressed the Planning Board is finished with it, there is nothing that the board can do, except state that the plan was followed.

OLD BUSINESS:

Capital Improvement Program- 2006-2012- discussion

Michael Sielicki submitted his thoughts on the Capital Improvement plan for the board. The Police department is in need of computer upgrades that he would like to have included in the CIP for his department. The current network that they use is outdated and they will need to update that soon as well. Sydnee Goddard also requested that the board keep in mind that the town is in need for a code enforcement officer.

OTHER BUSINESS:

Approval of December 18, 2012 meeting minutes. Joan made a motion to accept the December Meeting Minutes as presented; Mike seconded; one abstained. All others in favor.

Peter made a motion to adjourn at 9:25pm; Mike seconded, with all in favor.

Next Meeting –February 19, 2013

Respectfully Submitted,

Kathleen T Felch, Planning Board Clerk