

**KENSINGTON PLANNING BOARD  
TOWN OF KENSINGTON, N.H.  
KENSINGTON ELEMENTARY SCHOOL LIBRARY  
TUESDAY, DECEMBER 18, 2012  
7:30 PM  
Meeting Minutes  
APPROVED 1-15-2013**

**In Attendance:** Kate Mignone, Chairman; Joan Whitney; Michael Schwotzer; Kevin Rosencrantz, Selectmen's Representative; Peter Merrill, Vice Chairman; Jim Thompson; Dylan Smith, Rockingham Planning Commission Representative

Kate Mignone, Chairman opened the meeting at 7:39pm and read the public hearing notifications as follows:

**Public Hearing**

Pursuant to NH RSA 674:4, 675:6 and 675:7, notice is hereby given of a public hearing to be held by the Kensington Planning Board on Tuesday, December 18, 2012, beginning at 7:30 p.m. at the Kensington Elementary School Library, 122 Amesbury Road, Kensington, NH. The purpose of the hearing is the following:

**Continuation of discussion to:**

1. Define and amend the official zoning map of Kensington by clearly delineating and describing the location of the commercial district in town

**COMMERCIAL DISTRICT DEFINITION-**

The Commercial and Industrial Use District (CI District) is outlined on the Official Town Zoning Map and are defined below using 2012 property tax map and parcel numbers. All properties not listed below, or depicted on the Official Zoning Map as part of the CI District shall be considered to be located within the Residential and Agricultural use District (RA District).

A. Description

The Commercial and Industrial District (CI District) is defined using 2012 Property Tax Map and Parcel numbers for each property located within this district. The following is a list of properties, or parts thereof located within said district: Tax Map 3 Lots 12, 13, 13-1, 13-2, 15, 16, 17, 17-1, 17-2, 18, 19, 21, 21-1, 22, 22-1, 22-2, 22-1-2, 23, 23-1, 24, 25, 26, 27, 28 and 34. The CI district also includes part of Tax Map 3 Lot 30 closest to Route 150 (Amesbury Road) from the frontage corner property bound at Route 150 (Amesbury Road) and South Road, which runs approximately two hundred and thirty feet (230') west along the property boundary of Tax Map 3 Lot 30 with South Road. From the end of that distance the CI district boundary line extends north to a pin set one hundred and twelve feet (112') from the frontage property boundary on Route 150 (Amesbury Road) between Tax Map 3 Lot 29 and Lot 30 to the back corner property boundary of Tax Map 3 Lot 29 and Lot 30.

Kate opened the meeting to the public for comments. Mike explained to Mr. Pacy of 275 South Road about the taxation of Commercial and Residential properties in the Commercial District. That if there is a residence in the commercial district and it is used for a residence it will be taxed as a residence, the properties within the district are taxed by the use. If someone in the commercial district wanted to do a commercial business they would still have to come before the planning board, but it would be a permitted use within that district. Mr. Pacy explained that he is in the tree business and his thoughts down the road would be to house the trucks on the property. Mike explained that if you have employees and they come and pick up a work truck then it is a commercial venture, and you would still have to come before the board. Kate asked if there were any other comments from the public, no comments were made, so she closed the public hearing.

***Mike made a motion to advance the definition as is, and the amended map to the Selectmen for inclusion on the March 2013 Warrant. Joan seconded, all in favor.***

**New Business:**

**NFIP- (National Flood Insurance Program)**-Residences affected by the FEMA Flood Maps.- The board reviewed the map and distinguished that there are 4 properties that will fall within the district. According to the map produced from Rockingham Planning Commission in December of 2012. The board discussed where the roads have flooded before in town and where the properties are located in relation to them. A copy of the map is available for review at the Town Offices during business hours. Dylan has been working with Bob Gustafson as part of the Hazard Mitigation Program and Kimball Road will eventually need some culverts. He also explained that if the town takes part in the NFIP they will be eligible for flood mitigation grants to help with road issues within the town. It will also make residents eligible to obtain flood insurance at a less expensive rate. It was also discussed that if you want to opt out of the zone you can do the Map Amendment process to remove your property from the zone.

*Jim Thompson arrived 7:56pm.*

Kevin asked how does the NFIP work with FEMA. If residents are not in the flood zone will FEMA still come in and help them out. Dylan explained that it depends on the declaration that is made. Jim asked where the map came from, and Dylan got the information from Granit, because they have the data base. Dylan indicated that Kensington is the only Seacoast town not in the program.

***Mike made a motion to continue with the process of becoming part of the NFIP, Jim seconded, all in favor.***

Dylan explained that we can't do it this year, but we can work on it this spring. We will have to change the regulations to mimic the wording of the NFIP, but Jen had stated that our regulations shouldn't need to be changed much. Kate will email Jen, because she indicated that she will help the board, and Dylan and Kathy will be cc'd.

### **OLD BUSINESS:**

**Draft letter for yearly approvals by Zoning and Planning Boards-selectmen's thoughts-**  
Letters can now go out for the Special Exceptions and Home Occupations.

**Review of Town Applications and examples from other towns- discussion and review-**  
We can't update the driveway permit until the article that was put to the Selectmen is approved at town meeting in March of 2013. No other permits were looked at.

**Regulations for Selectmen to have more jurisdictions over violations-selectmen's thoughts-**  
Kate went to the selectmen and asked them to clarify the selectmen's thoughts on the proposed amendment. Kate expressed to Kevin that the board wanted to hold the public hearing on the 15<sup>th</sup> of January. Dylan suggested that the board move forward with the public hearing and if the Selectmen have any concerns they can hold it off at the public hearing stage, because it is a pretty standard amendment. Kate asked if the board had any comments. Kevin doesn't recall a decision from the Selectmen. Kathy let the board know that when she had talked to Lynne that morning she indicated that the Selectmen had not come to a decision.

***Mike made a motion to hold the Public Hearing on the Selectmen's Amendment in January 2013. Joan seconded; one abstaining.***

**Capital Improvement Program- 2006-2012- discussion-**  
The board would like to see a few department heads in January and some in February to get the project started. Kathy will contact the department heads again to request they attend the meeting.

### **Letter to Seabrook-**

The board discussed the current construction in Seabrook and what the impact will be on the intersection of 150 and 107. Kevin informed the board the Chief Sielicki suggested that a letter be sent to see if Kensington was included in the impact area. Joan informed the board that she will be speaking with the Chief on keeping track of the traffic and the impact of the construction on Kensington.

Joan informed the board that the DOT (Department of Transportation) had a second traffic survey done on the 107 and 150 intersections. Seabrook had determined that the majority of the traffic will be coming off of 95. Dylan suggested that the board see if the plans were done in phases, or if there will be any new construction taking place. He suggested that the board send a letter and see where Seabrook is in the planning process, and to ask about the water issues.

**OTHER BUSINESS:**

**Approval of November 20, 2012 meeting minutes**

***Motion to approve the meeting minutes, as presented, from November 20, 2012 made by Peter Seconded by Joan; one abstaining***

**Next Meeting –January 15, 2013- Public Hearing for Lot Line Adjustments and Selectmen’s Authority Amendment**

***Motion was made to adjourn at 8:42pm by Mike, seconded by Joan, with all in favor.***

Respectfully submitted,

Kathleen T Felch, Planning Board Clerk

APPROVED