

**KENSINGTON PLANNING BOARD
TOWN OF KENSINGTON, N.H.
KENSINGTON ELEMENTARY SCHOOL LIBRARY
TUESDAY, MAY 21, 2013
7:30 PM**

Meeting Minutes-Approved 6-18-2013

In Attendance: Joan Whitney, Vice Chairman; Glenn Ritter, Bob Solomon, Peter Merrill, Chairman arrived at 7:33pm; Dylan Smith, RPC Representative.

Joan called the meeting to order at 7:31pm.

New Business:

Bruce Pacy- 275 South Road- Consultation- Tree Trimming Business

Bruce Pacy was present to ask the board about the housing of his trucks on the property. He does plan to eventually move the whole business to that address. Scott asked how many trucks will be parked there and Mr. Pacy explained that there would be 5 trucks, 2 chippers and storing of wood on the property eventually. The board agreed that it was a good use and would like Mr. Pacy to come before them at the next meeting with a site plan for them to review. This would include, but not limited to, employees, where the septic and well are, storage sites for material, truck storage areas, shop area, if any impervious surfaces will be added to site and where they are located now. Plans for the existing cellar hole, and water that comes on to the site needs to stay on the site, no run off. Most likely the plan will have to be done by a surveyor.

Joan suggested that he look into the tax implications of joining the two lots together, but that if he did that he would not be able to revert back to the current lots, as one is non-conforming in size.

New Business:

Driveway Permit- none presented

NFIP- (National Flood Insurance Program)-Presentation from Jennifer Gilbert

The board started the presentation from Jennifer Gilbert at 7:47pm.

Jennifer gave a brief overview of the NFIP for the new members. The adoption of the NFIP will enable residents to obtain flood insurance at a lower rate than what is offered now. We currently do not belong and residents have to obtain insurance from foreign agents. FEMA has flood insurance that residents/home owners would be able to purchase if the town joins the program regardless if they are in the flood plain or not. There is FEMA funds that are not currently available to the town or home owners because we don't belong to this program.

Ms. Gilbert explained to the board that there is a 4 step process to adopt the program.

Application signed by the Selectmen; Resolution of Intent signed by the Selectmen; amendment of the towns Subdivision and Site Plan Review Regulations to add the NFIP required language; Adopt at least the minimum NFIP regulations; the last two as well as a map will need to be put on the warrant and adopted by the town before submission to Ms. Gilbert.

People who put the homes up for sale that are in the flood zone are having a hard time selling because the banks/lending agents are now requiring that if you are in the flood zone you have to have flood insurance and they are not lending to people who don't purchase the flood insurance. This is proving to be costly to home owners.

If you wish to be taken out of the flood zone you may file a Letter of Map Amendment to remove your property from the zone requiring the insurance. We have gotten notice in the last year of two home owners removing themselves from the zone with the letter.

There will be adjustments made to the building permits in that area as well. The home owners will have specifications on how high the first floor must be to comply with the NFIP. Some will not be able to have basements in that area, others will have to be 1-2 feet above lowest adjacent plain with a section under the home for the water to travel through. Other homes outside of the zone will be able to build as usual.

The town has all Zone A flood areas and that means that they have not been studied, so the town will have to go by the lowest adjacent plain, because there is no base foot elevation. These homes will have to build structures at a minimum of 2 feet above the highest adjacent plain.

Ms. Gilbert supplied the board with Plan B, which is a model for town's with Zone A flood areas.

There are only 21 communities that are not participating in the NFIP and Kensington is the only one in Rockingham County.

Bob asked if it is considered a basement if there is no heating equipment in them, and Ms. Gilbert explained that if it has grades on all four sides it is a basement.

Joan Skewes asked what constitutes a flood, Mr. Gilbert replied that it would be considered a flood if it affected 2 or more properties or 2 acres of land.

Tape of the meeting started at 8:10pm was not started prior.

Kate asked if there is a reason that Mr. Gilbert can think of to be more restrictive and she suggested maybe just to say that the critical facilities not be in the flood zone, because if there is a flood, you need to be able to access the facility.

Joan Whitney made a motion to proceed with the process and put it before the voters in March, Kate seconded.

Discussion followed.

Glenn stated he was not in favor of the NFIP and is worried that the flood plain could expand. He would like to know how many people in this area have had flood damage in the last 50 years. He is afraid that the people in this area will not be able to afford the added insurance that will be required. Kate explained that they could hire a surveyor or engineer to help with the paperwork to be taken out of the flood plain.

Joan Skewes commented that if they don't go forward with the program then if the home owners renovate or remortgage then they will be required to get insurance and will have to do so through a private company that charges a lot more than FEMA. Joan Whitney commented that there was a recent sale in the flood area where the home owner did the steps to remove the parcel from the flood zone in order to secure the sale.

This was possible with the Letter of Map Amendment. Without this plan the town buildings will not be eligible for FEMA funds during a flood.

Bob called the question-

One abstaining; One Against; rest of the board was for continuing the process of adopting the NFIP.

Code Enforcement Officer-

Joan Skewes and Sydnee Goddard were in attendance representing the Conservation Commission.

Joan Skewes would like to see the town retain a Code Enforcement Officer. The Planning Board was for this but it is not something that can go into the Capital Improvement Plan.

Joan Skewes believes that the Special Exceptions that she gives as a Zoning Board of Adjustments member are unenforceable and to have the burden on the Selectmen is not effective and inefficient. She would like to see the town seriously pursue the idea of retaining a Code Enforcement Officer for the coming year.

There was talk of asking the Selectmen to put it in the Budget, just like a Police Officer goes into the budget.

Hampton Falls was brought up stating that they now have a part-time officer there that is also the building inspector. Joan Skewes asked the board to look into what is being spent on attorney fees on the zoning issues and weigh that against obtaining a code enforcement officer.

It was decided that one representative from each department should go to the Selectmen's meeting on the 3rd of June to discuss the matter further.

Joan Whitney moved that Peter would be the representative for the Planning Board to discuss the Code Enforcement Officer with the Selectmen at their next meeting. Kate seconded, all in favor.

Capital Improvement Program- 2006-2012- discussion- Conservation Commission

Sydnee Goddard was wondering what the board is looking for. Joan Whitney suggested possibly wetland mapping and trail mapping, Sydnee commented that there are restrictions on the trails on some of the Conservation Land, so that would not be possible. But setting money aside for land acquisition would be a possibility. Sydnee was afraid that it would take too long to raise the money that way, but Dylan reminded everyone that there are sometimes matching funds available. Joan Skewes talked about all the costs involved with purchasing land, the Conservation Commission was lucky to have Rockingham Planning Commission able to help with the last couple of Grants that were written, but that might be an expense in

the future. Kate suggested that if they had a map with a plan on what the prime properties in town are it might help people to understand what the Conservation Commission is trying to do. Sydnee and Joan Skewes are unsure of putting parcel names and locations on paper, but they know what ones they are, they will think about it. The board would like them to come back to the next meeting with some sort of number to present to them and they will also be at the next Selectmen's meeting to discuss the Code Enforcement Officer.

OLD BUSINESS:

None.

OTHER BUSINESS:**Internet Access at the Elementary School-**

Internet access was denied at the elementary school. The board discussed using cell phones, but the reception is poor in the building so they will not be able to use the 4G capability either.

Commercial Set Backs-

Joan Whitney asked if you have a residence in the Commercial District should you adhere to the commercial setbacks or the residential setbacks. Commercial setbacks are on page 38 of the current zoning book. The section looks to be unclear to the board and will be looked into this year. Joan Whitney would like to see any building residential/agricultural or commercial adhere to the commercial setbacks in the commercial district. Dylan informed the board that they will be looking at the recodification at the next meeting.

Joan Whitney also informed the board that she talked with the Representative for the Farm Stand on Amesbury Road M3 L30, and was informed that they have a Commercial septic design and a Commercial State Driveway permit.

Joan Whitney would like to contact the DOT and see if the board can enter into a Memorandum of Understanding and be consulted on any highway cuts on the Town's State Roads; Amesbury Road, South Road, North Haverhill Road and a portion of North Road.

Approval of April 16, 2013 meeting minutes-

Joan made a motion to accept the meeting minutes, Glenn seconded, all in favor.

Culverts Clogged-80 Wild Pasture Road

Glenn Ritter received a call that the culvert on Wild Pasture Road is clogged and was wondering what could be done. The Road Manager David Buxton is who would see to the cleanup. Kathy will contact him tomorrow.

Next Meeting –June 18, 2013

Joan Whitney made a motion to adjourn at 9:33pm seconded by Bob, all in favor.

Respectfully submitted,

Kathleen T Felch, Planning Board Clerk