

**KENSINGTON PLANNING BOARD  
TOWN OF KENSINGTON, N.H.  
KENSINGTON ELEMENTARY SCHOOL LIBRARY  
TUESDAY, June 18, 2013  
7:30 PM  
MEETING MINUTES  
APPROVED-JULY 16, 2013**

**Members in Attendance:** Kate Mignone; Scott Lowell, Selectmen's Representative; Dylan Smith, Rockingham Planning Commission; Bob Solomon; Jim Thompson; Joan Whitney, Vice Chairman; Glen Ritter; Peter Merrill; Chairman arrived 7:37pm

Joan Whitney the Vice Chairman called the meeting called to order at 7:35pm.

**New Business:**

Joan informed the board and people in attendance that she will be changing the agenda order.

**National Flood Insurance Program:**

Resident Concern- Leslie Artigliere came to the board to see what she could do to be removed from the Flood Zone in town and if there was an easier way to do it. She also explained she understood that the town was going to join the National Flood Insurance Program and wanted to know when that might be. Joan indicated that a certificate of elevation could be used to be removed from the zone, so that she would not be required to obtain flood insurance. She also explained that the only company that they know about for flood insurance would be Lloyds of London, and it is costly. The board is looking in to joining the NFIP so that there will be other options for residents in the flood zone. Ms. Artigliere explained that there are not any other companies for Flood insurance besides Lloyds of London and she is currently going through her insurance agent and they are having difficulty getting in touch with them. Joan did inform Ms. Artigliere that the FEMA rates were projected to increase and it might be a good idea to be removed from the zone. The Town will still have to vote on the program in March of 2014. Joan indicated that there are roughly 6 residents in the projected area that would be affected by the NFIP. Dylan reminded the board and people in attendance that the FEMA Flood Zone maps are estimate zoning they are plus or minus because of overlay but it gives you a rough idea of what properties are in the approximate zone. Ms. Artigliere asked what people can do.

Dylan explained that the Planning Board is in the process of adopting the NFIP which will allow for the residents in the zone to obtain less costly flood insurance. There will also be regulations that will be presented and will have to go before the town at a March election. Peter explained that the Planning Board has not had this issue come up before so we did not look to options of belonging before now. Ms. Artigliere explained that she is having difficulty with the fact that she has not had any problems with this ever, and now she is unable to refinance due to not having flood insurance. Bob explained that the banks didn't enforce this before. Joan explained that she has had people that had to get the Certificate of Elevation in order to sell.

Robert Gustafson explained that the town can have FEMA come to the town and redo the maps, but it will be done for a cost to the town. Ms. Artigliere indicated that the insurance company said that she is not in the flood zone but the bank states that if any part of the property is in the zone then the whole parcel is in the zone. Bob suggested that Ms. Artigliere look into the process for being removed versus the insurance, because being removed from the zone might be less costly than having to obtain flood insurance yearly. The board explained that they are in the process of accepting the NFIP, but it will not be put to the voters until March of 2014, if all the public hearings are done before then. Charlie LeBlanc suggested that the residents petition the Selectmen for a special election. Peter indicated that that is possible, but it is expensive for the town, and all the other steps would have to be implemented first. Ms. Artigliere asked what happens if someone tries to sell a home in the flood zone before the town accepts this NFIP. The board responded that they would have a difficult time doing so without insurance, or they would have to get a Letter of Map Amendment to be removed from the flood zone. Dylan indicated that the price for insurance without the town belonging to the NFIP is substantially more than if we belonged. The

Selectmen will have to start the process with the application. Peter suggested that Ms. Artigliere ask the lending institutions if the Letter of Map Amendment would be accepted and if so that would be her fastest course of action. The process for the town accepting this is out to at least March of 2014, and that is if the town votes to be part of the NFIP.

Dylan went over the steps that the Planning Board will have to do in order to accept the NFIP. He indicated that the Selectmen will have to do the first two steps. Kathy indicated that the Selectmen are looking for more information on the NFIP and suggested to see if Jennifer Gilbert would be able to attend their next meeting to answer questions that they might have on the program. Dylan thought a Planning Board member or an affected resident might be beneficial to have at the next meeting. He also expressed that the board should make sure that the Selectmen are on board with the NFIP before they adopt any regulations. Scott Lowell asked how the program will affect the other 700 houses in town. He is uncomfortable with passing something that is affecting 6-7 houses, and can possibly affect the rest of the town.

The board of Selectmen wants to know what the affects will be and how the ordinances will affect the whole community. Peter indicated that there would be no impact on the rest of the town; the ordinances will affect the flood zone properties. The Board of Selectmen want to know what upgrades will be to the ordinances and building permits. Scott explained that the NFIP is in debt and that makes him nervous, for what will be coming to those involved in the NFIP. He is concerned that they will be increasing the prices of the insurance to cover the debt. Peter would hate to delay the process and miss out on the opportunity to have the NFIP included on the March 2014 Warrant. Peter would like the Selectmen to get their questions together and see if Jennifer Gilbert can answer some of them before their next meeting. Kate indicated that this is not a new thing; it has been discussed for about a year now.

Scott reminded the board that it doesn't cost the town anything, but it will change the zoning ordinances. Peter expressed that this is the only recourse for the residents affected, and if the rates increase that is the nature of insurance. Robert Gustafson has done a lot of research on this and will be attending the next Selectmen's meeting. He was involved with the Hazard Mitigation and that is what brought this whole NFIP subject up. He indicated that people in town are at risk of not being able to obtain financing or selling their homes if they are in the flood zone, and we as a town need to help them.

Scott asked how much it would cost for a resident to be removed from the zone. Kate Mignone indicated that the engineering costs would be around \$5,000, for the elevations to be done for the Letter of Map Amendment. Scott will ask the Selectmen to formulate questions that they might have and see if they can get answered before the next meeting. Joan will plan on attending the next meeting as well to answer questions that the board may still have.

The question was asked that if the regulation are adopted what is the estimated cost increase to a homeowner building in the flood zone. Glenn responded that if you are starting from phase one it will be roughly a 10% increase to the overall cost. It was also discussed that you will also be losing 100 square feet from the first floor, because there will not be able to be basements in the flood zone area. In the flood zone any new construction would not be able to have a basement.

Scott asked what the next step is and it would be up to the selectmen to complete the first two steps of the process before the Planning Board can move on.

### **OLD BUSINESS:**

Joan turned the meeting over to Peter Merrill the chairman.

### **Capital Improvement Program- 2006-2012- discussion- Conservation Commission & Fire Dept.**

**Conservation Commission-** in attendance: Sydnee Goddard, Robert Gustafson, and Joan Skewes

The Conservation Commission talked about putting part of the budget put away each year for conservation and they looked at what a minimum amount would be. They would like to put away around \$15,000 (fifteen thousand dollars) to help to pay for the process of accepting land. The land owners would like to donate land, but it is expensive to do so. The board would like to pay the costs associated with accepting land for the land owners. This money set aside each year could build and be used to obtain donated land. The Sydnee Goddard went over various costs that they commission has incurred with the conservation of property over the last few years and they ranged from \$7,000 to \$16,000. The amount that they are asking for is not an average it is a sum to be able to pay cost incurred due to the surveying, legal fees and writing

of the easements. Sydnee indicated that this would be in addition to the Land Use Change Tax portion that they still receive when land is taken out of current use. Their current portion of the CUTL is 25%. The Conservation Commission would not want the language to specify that it is limited to the costs/legal fees in case the money accrued and they were able to use it for another issue associated with conserving land.

**Fire Department-** in attendance: Charlie LeBlanc

Jim Farley was unable to make the meeting but Charlie handed in what Jim had prepared for the board. There were three different projects proposed. The air packs would be the highest priority according to Charlie.

**1) SCBA's**

The first CIP project would be the SCBA's that the department uses. They are 10-20 years old and need to be updated. They are using low pressure, and all other departments in the area have transitioned to the high pressure in the last 12 years. Charlie explained that the department tries to buy 3 each year and they are all now different, the technology changes each year so you need to know how to work all the different ones.

**2) Ambulance replacement-**

The second on the list would be the Ambulance Replacement. Charlie explained that they do have an ambulance fund that will help with the cost of the ambulance. It is established and has a good amount in the account already, but the replacement cost for the Ambulance is \$120,000 (One hundred Twenty thousand dollars). The current ambulance is a 1996 model. The total cost for one just replaced this year in Stratham was \$160,000.

**3) Engine 24E1-**

This one would still be kept by the town to be used around town for wires down, road blocks ect. The Fire department is looking to replace it with a lot cost tanker for \$200,000 (two hundred thousand dollars). They indicated that the replacement should happen within the next 5 years.

Peter passed the proposed projects around to the board for them to review.

Scott Lowell asked how many miles are on the ambulance now. Charlie indicated that there are now 18,000 miles on the ambulance, but that is not the engine hours. When the ambulance is on scene it is constantly running at a high idle to be able to have the equipment in the back charged. There is not an hour meter on this model, but the new ones have them.

Joan asked if Charlie had to go to the selectmen for smaller items that would be exceeding the budget, but he indicated they have been staying within the budget.

Charlie indicated that the department would be needing to look into a Safety complex of some kind in the future, the building that they have now is getting old and has a lot of add-ons that are getting old. They have to get special ordered apparatus because of the building configurations.

Peter expressed that there has been no discussions with the Planning Board on a need for a town complex yet. He indicated to warrant that a study would have to be done. Dylan suggested that the study could be included in the CIP.

**Draft of the Zoning Book-** Dylan

Dylan passed out examples for the board to review. He did not want to go through the whole book tonight, just wanted them to go through it and see how it reads and we will review it next meeting. He has made notes in the margins for the board to see, there were questions on some of the zoning and how it was passed.

He shortened the number of pages because it has the regulations not the ordinances. Dylan explained that the different sections will be color coded for ease in finding the different areas needed. He also stated that the In-Law Apartment might want to be changed to an Accessory Dwelling unit special exception. Dylan will send out the PDF for the board to review.

**OTHER BUSINESS:**

**Rockingham Planning Commission-** Request for appointment of town representative

Joan explained to the board the responsibilities of being a representative for the town.

She explained the opportunities of meeting other community planning board members and selectmen from our region. Peter expressed interest in becoming a member.

**Motion: Joan makes a motion to present Peter to the selectmen for the Rockingham Planning Commission. Seconded by Jim; all in favor.**

***Approval of May 21st, 2013 meeting minutes.***

Joan made a suggestion that the last names be added to the meeting minutes because there were people speaking with the same first names.

**Joan moves to accept the meeting minutes with amendments, Bob seconded; all in favor.**

**Next Meeting –August 20<sup>th</sup>, 2013**

NFIP-Continued-

Peter expressed how important he thinks that the NFIP is and that the CIP is as well but the board should be working on the NFIP first. The board continued the earlier discussion on the NFIP and they did indicate that you can go against the FEMA maps and prove that you are not in the zone.

**Motion to adjourn at 9:46pm by Joan, seconded by Jim with all in favor.**

**This meeting was taped, the electronic version will be available until the board approves these meeting minutes.**

Respectfully Submitted,

Kathleen T Felch