

**KENSINGTON PLANNING BOARD
TOWN OF KENSINGTON, N.H.
KENSINGTON ELEMENTARY SCHOOL LIBRARY
TUESDAY, AUGUST 20, 2013
7:30 PM**

Meeting Minutes

Approved September 17, 2013; with corrections

In Attendance: Peter Merrill, Chairman; Joan Whitney, Vice Chairman; Jim Thompson; Glenn Ritter; Dylan Smith, Rockingham Planning Commission Representative; Scott Lowell, Selectmen's Representative.

The Planning Board meeting was called to order by the Vice Chairman Joan Whitney at 7:30pm.

PUBLIC HEARING

Pacy, Bruce-

Application for Site Plan Review in the Commercial District –Bruce Pacy was present- M3 L22 as well as 2 abutters.

Joan read the legal notice to the people in attendance. Peter Merrill arrived at 7:35pm and took over the hearing at that time.

Mr. Pacy approached the board with the new plan that was created after the meeting last month. He has added the board's suggestions to the plan, by putting the dimensions for the driveway as well as the buildings. The existing well is now delineated on the plan and the storage for the solid waste will be in the building. He has moved the sign further down the property and the hours of operations are included on the plan as well. Dylan let the board know that he met with the surveyor and went over the plan.

There was not a waiver request for the Septic Prevision, and the conditional use permit for the Aquifer Protection will need to be addressed. The board viewed the plan and Kathy read the Noise Ordinance that states the hours of 10pm to 7am. Joan indicated that she was looking to see the hours that the employees would be present at the property. Peter explained the hours of operation are in keeping with the current noise ordinance, and the only thing missing from the suggested list of items is the septic waiver for Chapter IV, Article 7 H, and the board will have to go through the conditional use permit for the Aquifer Protection. Joan reminded Mr. Pacy that the town has the right for biannual inspections to be done of the property. Peter opened the meeting to the public, there was no public comment.

He then asked the board if they had any questions. Jim asked if Mr. Pacy was familiar with AFIS and expressed that they are concerned with the spreading of wood boring insects and the transfer of them through logging operations. Mr. Pacy expressed his training and knowledge about the species that are transferred though the logging process and that he was certified in how to detect the insects in the wood. The board continued with the process and will go through the checklist that is found in the Aquifer Ordinance. The board felt that Mr. Pacy complied with the criteria listed and did not see a need for the hydrological study to be conducted. There will be no Hazardous Toxic Material stored on the property, according to the definition in the Aquifer Ordinance.

***Hazardous Toxic Materials:** Includes but is not limited to volatile organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalies, pesticides, herbicides, solvents and thinners, and such other substances as defined in N.H. Water Supply and Pollution Control Rules, Section Ws 410.04(1), in N.H. Solid Waste Rules He-P 1901.03(v), and in the code of Federal Regulations 40 CFR 261.*

Joan moves that the board grants the conditional use permit for Bruce and Eileen Pacy for the Royal Green Tree Service; Glenn seconded, all in favor. Conditional Use Permit is granted.

A Septic Waiver is needed for Chapter IV, Article 7H; saying that there must be a sewage disposal for the proposed area use. Mr. Pacy has obtained a septic design, but is not planning to install it at this time.

Joan reiterated that there are currently no onsite employees for the full operation hours, and if there are any changes Mr. Pacy will come back before the board. No one employee should be onsite for the full operation hours should be included on the plan or within the waiver.

Dylan explained that there are special circumstances where Mr. Pacy resides next door and if he moves and there are concerns for the business operating without a septic.

Joan moves that the board grants the Septic Waiver for need of current sanitary disposal area as stated in the Ordinances under Chapter IV, Article 7H. Jim seconded, all in favor.

Conditions:

No employees on site for the full hours of operation.

Safeguard in there that if either property (Map 3 Lot 22 or Map 3 Lot 22-1) changes ownership there should be a septic installed assuming the use is still for a business.

Mr. Pacy presented a design for the sign that he would like to put up on the property.

The planning board can review the specks, but the Selectmen are the approvers of the sign permits.

Joan made a motion to grant the conditional approval with the following conditions. Glenn seconded, all in favor.

Present the waiver for the Septic requirements as listed in Chapter IV, Article 7H.

Mr. Pacy will bring in the sign specs for the boards review and the Selectmen will issue the sign permit.

Peter closed the public hearing at 8:15pm.

New Business:

Seabrook Development Update-

Joan would like to change the agenda and speak about the regional impact on 107 with the Seabrook development. Seabrook has a very big proposal and declared a regional impact with this project. Joan is on the committee, it is for a very large shopping area that will go down Provident Way and there will be two accesses and one will go to Wal-Mart. The state is doing the highway and the regional impact and saying the traffic stops at the highway. The developer is the one that did the Brickyard in Epping, NH. The state needs to look at the traffic and look at 107 and 150 for the traffic pattern there.

A resident asked if there would be traffic lights at 107 and 150 and Joan indicated it could be that or a traffic circle. Joan indicated that we have rural roads and Kensington wants to keep them that way.

Kensington is not on the 10 year plan so far, but things can be moved up if there is a need. Peter explained that as Seabrook continues to build out, the Seabrook wells is right next to Mr. Pacy. He expressed the neighbors might want to ping their wells. Peter mentioned that there will be public hearing on September 3rd and residents of 107 should take a look at Seabrook's Town website for more information.

Regional Master Plan Information-

Joan wanted to remind people that there is a regional state wide master plan process going on and it is funded through a federal grant, and that Rockingham Planning Commission needs public input.

Driveway Permit- none submitted

Memorandum of Understanding- DOT and Town for driveway cuts on the State Roads.

Joan moves to accept the Memorandum of Understanding and send it to the Selectmen; Scott seconded, all in favor.

NFIP

Kate was going to work on it but she was extremely busy, and unable to present anything for this meeting. The board indicated that there are currently 6 properties identified that are located in the Flood Plain and a lot that are near it. Peter would like the public notice on the town board as well as on the School Board is it is available.

Review of the letter in September as well as all things outstanding.

OLD BUSINESS:

Draft of the Zoning Book- Dylan will provide Kathy with the final copy of the Zoning Ordinance and the cd for it.

Capital Improvement Program- 2006-2012

The board would like to invite the Library to the September meeting to see their needs, as well as the Recreation Department and Highway Department.

OTHER BUSINESS:

Road Side Grant information- Joan would like to see if the Town would qualify for the roadside control of the invasive species and indicated that would help with erosion on the sides of the road. The board would like David Buxton to look at the information and see if he has any comments or concerns.

23 U.S.C. 329 Eligibility for control of noxious weeds and aquatic noxious weeds and establishment of native species

Kathy will send the information to the Conservation Commission as well as to David Buxton. RPC can help to figure out if we are able to qualify.

Approval of July 16, 2013 meeting minutes-

Any comments or edits- Peter indicated that the pit closure procedure was confusing. He looked at the ZBA and Selectmen's meeting minutes and they all say closed. He indicated the pit is not closed until it is fully mediated and the process is complete. Joan asked if the bond was released. Scott indicated that Mr. Kuegel does not have an excavation permit. Scott will be meeting with the Town Engineer, and expressed that the pit is closed as far as day to day operations. Peter Kuegel has a future plan and it is for one house lot. The driveway has been approved.

Joan moves to approve the minutes, Glenn seconds, all in favor. One Obtaining

Next Meeting –September 17, 2013 any issues with next meeting. Scott's Birthday.

Motion adjourn was made by Joan, Jim seconded all in favor at 9:19pm.

Respectfully Submitted,

Kathleen T Felch, Planning Board Clerk