

**KENSINGTON PLANNING BOARD
TOWN OF KENSINGTON, N.H.
KENSINGTON ELEMENTARY SCHOOL LIBRARY
122 AMESBURY ROAD
TUESDAY,
OCTOBER 20, 2015
7:30pm
*Meeting Minutes-Approved 11-17-2015***

In Attendance: Jim Thompson, Chairman; Joan Whitney, Peter Merrill, Selectmen's Representative; Robert Solomon; Kate Mignone, Julie LaBranche, Rockingham Planning Commission Representative.

Jim called the public hearing to order at 7:32pm. Jim explained that the Valvanis's have already received Zoning Board of Adjustment approval.

NEW BUSINESS:

PUBLIC HEARING

1. John and Katherine Valvanis, 45 Amesbury Road, Kensington, NH, M14, L36-2, for a Site Plan Review for a Home Occupation, in accordance with Article III, Section 3.3C of the Kensington Zoning Ordinance. Intent is for Valvanis's to be able to operate a Therapeutic Massage Therapy business from their residential home in Kensington.

Robert Solomon recused himself from the site plan review because he is an abutter to the proposed use.

Michael Fecteau presented packages to the planning board which contained pictures of the property, distance from the neighbors, and septic design with parking drawn onto the design. It was explained that the septic is a four bedroom septic, with a three bedroom home.

There will be 10-12 clients maximum per week, and 2 cars parked in the driveway for the business at any time.

There is no additional rooms proposed for the use, they will utilize one of the current bedrooms for the therapy room. Joan explained that if there is any change in use after tonight the applicants will need to return to the planning board for a site plan review. Joan explained that if they decide to use more of the home or add employees, this would be considered a change.

Kate asked if there are any state regulations that need to be adhered to. Kathy Valvanis has a state and national certification, and was doing the same business out of their last home in NH. The abutters are listed on the application, and plan D-26813, dated 1998 was referenced as well as the floor plan of the home for informational purposes.

It was stated that services will be provided Monday- Friday 9am-6pm. Parking spaces were indicated on the septic plan dated 1999.

Joan made a motion to approve the home occupation site plan review for the Therapeutic Massage Therapy with the following conditions, second by Kate, all in favor. Any change in conditions a new site plan review is needed.

1. Parking is 3 cars plus owners
2. Change in interior use need to return
3. The only worker is the owner. No employees
4. Mon-Fri 9-6pm; 3-4 clients per day
5. No street sign approved; need to see building inspector for sign permit if one is wanted.

Kacmarek Lot Line Adjustment:

The board reviewed the lot line adjustment done in September and signed the mylar.

OLD BUSINESS

Storm Water Management

Julie looked at the storm water and pared it down, but there is only so much you can do to take it down without losing the meaning. Notice for public hearing in November 10 days before the meeting on the 17th.

This will be passed with just the public hearing, and is not required to go to town vote. This will be going in the Site Plan Review regulations under the section E, which is a whole new section and the rest of the site plan review regulations will have to be renumbered.

This section will also be added to the Subdivision Regulations on page 26, Julie will be formatting the section and no new lettering will be needed. This would apply to any drainage for the creation of roads. Joan asked if this will need to be stated that the costs are on the applicant. If the board has to send out someone the applicant will have to pay for the engineer.

Joan moves that the board has a public hearing on November 17, to add this section to the subdivision and site plan review. Kate seconded all in favor.

Lot Line Adjustment Applications:

Julie prepared the amendments that the board had discussed, as well as the checklist. The board should be aware that there are not lot line adjustments done that create more non-conforming lots. The checklist was discussed and changed to make the process clearer.

Joan moves for the board to have a public hearing on Nov 17th for Article 2 section G modified procedures, and checklist, seconded by Kate all in favor.

Non-Conforming Uses Section to be added to zoning:

Julie passed out a form for the board to review. There was a law lecture series that she attended and indicated that it was a very complicated issue. If the board has no nonconforming regulations you would revert to case history. The board will look through them and will do a December Public Hearing.

Wetland setbacks-

Current setbacks are adequate.

Approval of SEPTEMBER 15, 2015 meeting minutes.

Joan made a motion to approve the meeting minutes, seconded by Kate, Peter recused, all in favor.

OTHER BUSINESS:

Update of Map 16 Lot 4:

Peter gave an update to the activity on Map 16 Lot 4, off of Powder Mill Road, and all of the soil that has been moved. Joan asked if the gravel is taken off site. The board viewed google maps of the area. Joan asked if the board has the authority to send an inspector out to the site. Julie can inquire with East Kingston to see what they know about it. The gravel can't be pulled off of the site. The board would like to explore if the area towns can visit the property along with Eben Lewis from DES. Joan believes that it should be reported.

Kuegel Pit:

Mr. Kuegel came before the board two weeks ago stating that there is spotted turtles in the reclamation area of the pit. The Selectmen had a conference call today with the State Wildlife and the areas that they are concerned with. The board is in the process of getting clarification from the state. Peter clarified that the pit has not been fully reclaimed and that the old reclamation plan was not completed, and might not be possible. Eben Lewis from DES has done a site visit and is satisfied with the area of the pit to their extent, and has stated that the other issues are considered enforcement issues with the town, the state will not get involved with enforcement issues.

Next Meeting –NOVEMBER 17, 2015

Motion to adjourn by Bob seconded by Peter, all in favor. 9:57pm

Respectfully Submitted,

Kathleen T Felch, Planning Board Clerk