

**KENSINGTON, NEW HAMPSHIRE
KENSINGTON PLANNING BOARD
TUESDAY NOVEMBER 17, 2015
7:30 P.M. AT THE
KENSINGTON ELEMENTARY SCHOOL LIBRARY
122 Amesbury Road
*Meeting Minutes- Approved 12-15-2015***

In Attendance: Jim Thompson, Chairman; Joan Whitney, Vice Chairman, Bob Solomon; Glenn Ritter, Peter Merrill, Selectmen's Representative; Julie LaBranche, Rockingham Planning Commission Representative.

Others in attendance: Jack Kaiser of Doucet Survey, Inc. , Stephen Smith, Monique Martell.

Jim Thompson called the meeting to order at 7:49pm.

New Business:

Bob recused because he is an abutter to the proposed lot line adjustment.

Application for a Lot Line Adjustment for Lee Hearn and Deborah Hearn of 15 Hilliard Road; Map 14 Lot 1 and Lee Hearn and Deborah Hearn of 9 Hilliard Road; Map 14 Lot 3 for a proposal to remove 10.388 acres from Map 14 Lot 3 and increase Map 14 Lot 1 by 10.388 acres. This will give Map 14 Lot 1; 11.807 acres and Map 14 Lot 3; 11.409 acres. This process is allowed per Subdivision Regulations Article III Section 3.2 G 1 for minor lot line adjustments.

Mr. Kaiser showed the board a plan for the lot line revision. He explained that the lots could be proposed to make two lots of almost equal size. Both exceed the minimum acreage and lot size for the Town of Kensington. He delineated the wetlands and the would like the driveway to be off of Moulton Ridge Road. He would like to put the house on the high point of the lot. The smaller of the two lots would be considered a non-conforming lot now, and it would be making the lots both conforming to today's standards. Joan asked if any of the lot is in current use, and Map 14 Lot 3 has 21.67 acres in current use.

Frontage of Map 14 Lot 1 off of Moulton Ridge is +/-267 feet. Jim went through the Boundary Line adjustment checklist.

Peter made a motion to accept the Lot Line Adjustment as presented, Glenn seconded, all in favor.

Jim will sign the plan once the Mylar is submitted.

Bob rejoined the board for the remainder of the meeting at 8:10pm.

Jim read the following to all present:

1. *Proposed amendments to Land Use Regulation, Article IV Site Plan Review Regulations section 4.6.E and new section 4.6.F storm water management standards.*

Julie explained that the changes are what the board has been working on for the past few months. All of the changes are the section that the board has been working on. Jim asked if there were any questions on the proposed changes.

Joan moved to accept the change to replace existing section E has been replaced with a new section called Erosion and Sediment Control Standards and a new section F Post Construction Storm Water Management, and re-lettered remaining section. Seconded by Bob, all in favor.

Jim read the following to all present:

2. *Proposed amendments to Land Use Regulations, Article III Subdivision Regulations, section 3.2.G, and sections 3.3.C and 3.3.D.*

Julie explained to everyone the changes made and that it begins on page 12 of the Subdivision Regulations. ***Peter motion to continue, Joan seconded all in favor.***

Jim read the following:

3. Proposed amendment to the Lot Line Adjustment checklist.

Julie explained that there were a number of changes made to the Lot Line Adjustment adding wording that will make the process clearer. The telephone number and copies of easements were added to the checklist as well.

Peter made motion to accept, Joan seconded, all in favor.

Consult with Monique Martell- M13 L3 and M13 L3-1

Jim explained that this is strictly a consult and is non-binding to the board. Ms. Martell explained that this is a discussion on a lot subdivision, not a lot line adjustment. Ms. Martell showed the board where she would like to adjust the lots. The line is right in the middle of the paddocks. She would like to move the lot lines, and explained that there were some issues from 5 years ago. She is looking to not expend extra money and interested to see what the board thinks could be a potential division of the properties. The total property is 15 acres; she showed the board plan D-28878. Bob suggested doing a lot merger and then an adjustment. It is still a non-conforming shape of a lot, and there is a regulation on the lot shapes. The board reviewed the maps shown. The pool and the pool house would have to be moved, in order to do the adjustment. Julie had some questions on the b2 regulation on lot shape. She believes that it does not say shall, it says to the extent possible, so shape of the lot does not have to be rectangular. Peter explained that the lines should have been stated to be perpendicular, so that might need to be corrected. Peter brought up google maps to show the board the property. The lot is unique and the board discussed if it would be a lot merger with a minor lot subdivision to clean up the boundaries. The proposal is not in violation, but the board would have to waive a section. Joan would like to see the lots tied together to be able to follow it in the future. Joan believes that it is a merger and a subdivision. The board advised Ms. Martell to seek legal advice on this parcel to make sure that the process is done correctly.

OLD BUSINESS:

Non-Conforming Lots:

Julie made the changes and reordered them. This section will be added to the zoning ordinance and requires a public hearing and then town vote for addition to the ordinance. Page section 3.6 or new section 4.4 General standards. Joan has an issue with number 5. The board was confused on the section, and not sure if that should be included. The board changed the wording to:

5. Change of Use a non-conforming use may not be changed to another non-conforming use, without permission from the zoning board of adjustment.

Joan made a motion to have the motion.

Julie would like to send the wording to the attorney to have them review to make sure it is okay.

OTHER BUSINESS:

RSA 674:36 for waivers added to the subdivisions to be included in the next public hearing for December 2015. When waivers are granted and you have to reference the RSA. Julie suggested to update section 4.7 which is within the special exceptions by deleting a sentence and add in new wording.

Glenn made the motion, Joan seconded all in favor.

Budget:

The board decided to lower the Grant section from \$3,000 to \$1 and lower books and supplies to \$500.

West School Road:

Update on RSA 674:41 erecting of buildings on streets. All the different classes of the roads are within that statute. Julie felt it was important for the board to review this RSA. There was a question to the board on the use of the class VI road in town and if they were able to be built on. The board would refer questions to RSA 674:41.

Sign Regulations:

The recent US Supreme Court case on Signs was discussed. There is a new law that governs signs and the RPC is working with The Local Government Center for a model to help municipalities understand it. Towns will have to implement the laws within their regulations. Regardless of what is currently in the zoning, you will have to use the guidance to go by to be compliant with the federal ruling.

Brown Bag:

Julie explained that Rockingham Planning Commission is starting a new series that will showcase different aspects that are important to towns.

Approval of October 20, 2015 meeting minutes.

Peter had a question on the minutes and why the board had approved the special exception with more than what the applicant was asking for. Julie suggested having the motions typed and reread to make sure that the board is sure about what is decided on.

Peter made motion to approve the minutes, Bob seconded all in favor.

Next Meeting –December 15, 2015

Glenn made a motion to adjourn at 10:06pm; Bob seconded all in favor.

Respectfully Submitted,

Kathleen T Felch

APPROVED