

**KENSINGTON, NEW HAMPSHIRE
KENSINGTON PLANNING BOARD
TUESDAY March 15, 2016
7:30 P.M. AT THE
KENSINGTON ELEMENTARY SCHOOL LIBRARY
122 Amesbury Road
Meeting Minutes- Approved April 19, 2016**

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

PUBLIC HEARING

The Kensington Planning Board will hold a Public Hearing on Tuesday, MARCH 15, 2016 at 7:30pm at the Kensington Elementary School Library, 122 Amesbury Road, to vote on the following:

1. Scott David and Tony David, 21 Amesbury Road, Kensington, NH, M14, L26, for a Site Plan Review for a Home Occupation, in accordance with Article IV, Section 4.3 of the Kensington Zoning Ordinance. The applicants propose to operate a Cosmetology business from their residence.

*Delay on David application due to not having ZBA decision on Home Occupation.

Mike made a motion to continue the hearing until the next scheduled hearing of the board which is April 19, 2016, seconded by Kate, all in favor.

Motion to close the public hearing, seconded by Glenn Ritter.

2. Karen Monique Martel and Richard Martell, 285 North Haverhill Road, Kensington, NH 03833, Map 13 Lot 3, for an application to subdivide and create one new lot, in accordance with Article III, Section 3.2 of the Kensington Subdivision Regulations.

Mike made a motion for the subdivision be postponed until April 19, 2016, seconded by Glenn. Julie made a mention of the plan and that there is a sliver is East Kingston. Peter expressed that we would grant procedural approval of the East Kingston, NH. The board explained that she would need to be notified that the merger should be on the agenda for the East Kingston planning board. **All in favor.**

OLD BUSINESS:

Sign Ordinance:

Joan explained that there has to be a change to the sign ordinance, and it can state how long that they keep the sign out; Julie suggested adding a temporary sign category. The board will need to discuss the different things that they will allow in each district/zone in the town. There are currently two zones in the town, one is Commercial and the rest of the town is under the Residential/Agricultural zone. Because of the Supreme Court case anyone can put up a sign in their yard at any time. Items to discuss:

- Political signs and sizes
- Careful description of temporary signs
- Time limit on for sale/ lease property signs

Julie is going to go through our regulation and make some mark ups to ours and then the board at a future meeting when there is not a lot on the agenda they could designate time then to go through the regulation. The case also allowed for fixed signs to be adhered to the mailbox post, which has not been allowed in the past.

Merger for Monique Martell:

Monique came into the meeting after the public hearing had closed. She is having trouble obtaining the deed for the merged property. She is hoping to have it for the April meeting. Julie explained that Monique will need a statement of request for East Kingston, when she does the lot merger and there will not have to be a butter notification done there. Julie will explain the issues that she has seen on the plan with Monique tomorrow over the phone. Mike explained that there should also be a signature block for Kensington and East Kingston board signatures on the plan, because both towns will need to approve the plan.

Accessory Dwelling Units:

The board continued the discussion on the accessory dwelling units.

The current In- Law Apartment will be reworded to allow for the accessory dwelling units as indicated by the new legislation.

- Minor changes to the existing regulations; changing names to reflect Accessory instead of in law.
- Board is questioning if there should be architectural regulations.

Julie will work on for the June meeting. Julie believes that there has to be an interior door only if they are attached, because with the new law they do not have to be attached. Mike believes that this does address the work force housing issue. The opening statement on the new legislation reads, "More diverse affordable housing for the citizens of NH. The board discussed various issues with this new law and how to address it within the town.

HB 1647-

Kathy updated the board on the new legislation just passed on the Hawkers and Peddlers License that will no longer be required to be obtained at the state level, and will come into effect in July of 2016. The board questioned if this should be in the zoning and regulations sections.

Mike believes that the board of selectmen should have it in their ordinances. The planning board as a whole would like to send this over to the Board of Selectmen for them to include it in their Town Ordinances.

OTHER BUSINESS:

Agriculture and Agritourism:

Joan explained that there was a ruling that weddings are not considered agritourism. The state is working on this and we can add the state's definition on agritourism or add one of our own. The board can ask for site plans, but can't request site plans, because the state does not want the towns to over restrict these uses. There are a lot of different activities that can happen, and the board needs to think about those and the issues with the neighbors. Agritourism could be limited to the Commercial Zone. Weddings are a huge part of the Agritourism and are in vineyards. Some of the high intensity uses in the residential district are not appropriate. If the town wants to control things that happen in other areas then it will have to be in the zoning.

Drones- The state is working on regulations on Drones. Exeter had some regulations added in March of this year and they passed. Mike wanted to know how far the air rights are. Exeter seemed to say that they can fly with the airplanes. Bob asked if we should be out in front of the State and the Federal Government, we should wait and see what they are doing. This is dealing with privacy issues, and the owner of the property should be giving some permissions. Some issues are that they violate privacy, and that they can crash. Julie is going to get a copy of the one done in Exeter, and Mike will check with Hampton and see if they have anything started to address the issues.

Ricci Pit:

Peter explained that there is a considerable amount of construction. It seems that the pit might have more than the 5 acres allotted for the open area of a pit, without reclaiming the rest. Christian explained that there has not been any paperwork given to him to go and inspect and he was unaware of the other pits that have not had regular inspections. Peter explained that the Planning Board is the board that would instruct Christian to do a report on the project. The board will invite Mr. Ricci to the next board meeting in April to discuss the activity in the pit.

Kuegel Pit Reclaiming:

Mr. Kuegel is reclaiming the pit area and bringing it to the modified reclaiming agreement.

Farm at Eastman's Corner:

There have been some dinners at the farm lately. Mr. Cilley asked Peter because he saw in the minutes that the board would be sending out a letter to see if the scope has changed since the approval. They are doing the farm to table dinners down the center of the barn, and they are periodically doing demonstrations of the cooking and then having dinner. The questions are how often this is done. It is being done at least once a month. Do they have an assembly permit or liquor license if there is liquor being served. There should be an approval on file that the board will review.

Approval of February 16, 2016 meeting minutes. **Mike made a motion to accept the minutes as presented, Joan seconded;** discussion on the sign ordinance section- the board can't make special agricultural signs- **All in favor. Recused-Kate**

Appointments:

Joan and Kate will be coming up for reappointment. They both accepted to be appointed for another 3 years and Steve Wilson, will not be recommended as he has not made any board meetings the whole year. There will be an alternate seat available.

Joan has a question to request for the issued building permits to get published on the town website. Peter would still like to see the data base kept up online since the building permits are no longer being discussed at the Board of Selectmen meetings.

Peter brought up an issue with the gun rights and that there has been some discharging. Is that something that they should be looking into, and if people are looking to have some sort of range should there be some sort of regulation for that? It was decided that this issue is in the State and/or the town police department's purview.

Julie explained that the Town of Exeter has a new town Planner and she wanted the board to be aware.

Mike made a motion to adjourn, seconded by Glenn. All in favor at 9:11pm.

Next Meeting –April 19, 2016

Respectfully Submitted,

Kathleen T Felch, Planning Board Clerk