

KENSINGTON, NEW HAMPSHIRE
KENSINGTON PLANNING BOARD
TUESDAY
June 21, 2016
7:30 P.M. AT THE
KENSINGTON ELEMENTARY SCHOOL LIBRARY
122 Amesbury Road
Meeting Minutes-*approved August 16, 2016*

In Attendance: Jim Thompson, Chairman; Joan Whitney, Vice Chairman; Peter Merrill, Selectmen's Representative; Mike Schwotzer; Bob Solomon; Kate Mignone; Julie LaBranche, Circuit Rider Planner, Rockingham Planning Commission.

Public in Attendance: Bruce Cilley

Jim Thompson the Chairman called the meeting to order at 7:39pm.

PUBLIC HEARINGS:

PUBLIC HEARING

The Kensington Planning Board will hold a Public Hearing on Tuesday, May 17, 2016 at 7:30pm at the Kensington Elementary School Library, 122 Amesbury Road, to vote on the following:

1. Karen Monique Martell 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.

Chairman Thompson acknowledged that Karen and Richard Martell were not present at the hearing and delayed opening the hearing until later in the meeting.

Discussion and Update: Bruce Cilley, KIC, about properties at 98 Amesbury Road and 244 Amesbury Road

Bruce Cilley appeared before the board to provide an update of activities observed at the properties at 98 Amesbury Road and 244 Amesbury Road. Mr. Cilley began by describing activities at the 244 Amesbury Road property, The Farm. Mr. Cilley and the board referred to the April 15, 2014 and May 20, 2014 Planning Board minutes as Mr. Cilley described recent activities as follows: new picnic tables were installed near the front entrance for use by employees to eat meals outdoors; the facility hosts once-monthly farm-to-table events for patrons of The Farm, as invitation only events; the facility prepares meals for catering off-site; and the facility has an approved assembly permit from the Fire Department, liquor license from the state, and approval from the NHDOT to install a crossing with safety lighting on Route 150 from The Farm to the property. The board discussed with Mr. Cilley that the facility was approved as a service processing/commercial kitchen and that these additional events were not reviewed as part of that approval. Kate Mignone inquired about the adequacy of the existing septic system to accommodate the increase in volume from the farm-to-table events. The board asked Mr. Cilley to submit a request for a minor Site Plan Review amendment with information about the expanded use of the facility, adequacy of the septic system, parking arrangements, rental of a portion of the facility, and state and local permits for review by the board at their July 19, 2016 meeting.

Motion by Mike Schwotzer requesting the property owner to appear before the Planning Board at its July 19, 2016 meet for a minor site plan review application; Motion Seconded by Peter Merrill; All in favor.

The board continued discussion with Mr. Cilley about use of the new front porch for dining on the property at 98 Amesbury Road. The site plan approval was conditioned on “no dining services on the front porch”. Mr Cilley maintained that this does not exclude patrons purchasing food and eating it outside on the porch café tables. He stated that instructions will be given to the tenant of the restaurant instructing them that no food service should take place on the porch. Peter asked and suggested that waste receptacles be provided on the porch for patrons to dispose of trash. Julie LaBrance reminded Mr. Cilley that the other grandfathered commercial uses may expire within a 2 year period of being discontinued. That two year period is roughly in the fall of 2016. The board seemed satisfied with Mr. Cilley’s responses to their inquiry.

Mr. Cilley proceeded to ask questions about zoning dimensional requirements as they pertain to The Farm property. He is considering expansion of the main building on the side facing Route 108 or construction of a new building to replace one of the greenhouses at the rear of the property. The board provided guidance about front setbacks, which border the property along Routes 108 and 150, and setbacks and uses as they relate to the dual zoning – residential/agricultural and commercial – on the site. Mr. Cilley indicated that he may file an application with the Zoning Board either in July or August for expansion of The Farm. Mr. Cilley asked if a sketch plan would be sufficient for such application. Mike _____ replied that a sketch plan showing all existing building, land conditions, setbacks and site features would be adequate.

Public Hearing: Karen Monique Martell 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.

Jim opened the public hearing and again acknowledged that Monique and Richard Martell were not present.

Motion by Joan Whitney to continue the public hearing to the July 19, 2016 planning board meeting. Motion seconded by Bob Solomon. All in favor.

Discussion: Amendments to the In-Law Apartment ordinance

Julie LaBranche provided the board with draft amendments to the existing In-Law Apartment ordinance to effectively change it to an Accessory Dwelling Unit ordinance in compliance with state law SB 146 (effective June 1, 2017). Mandatory changes include requirement for an interior door between dwelling units, deleting requirement for a familial relative occupying the accessory dwelling unit, and deleting requirement for a maximum of one bedroom. The board discussed additional amendments including limiting the maximum size, ownership of both dwellings units by property owner, and approval by Conditional Use Permit from the Planning Board. Julie will prepare a revised ordinance with the amendments discussed for the July meeting.

Approval of April 19, 2016 minutes

Chairman Thompson asked if the board had any changes to the minutes. He acknowledged one change in the middle paragraph on page 5 whereby “Bob explained” should be “Bob asked”.

Motion by Mike Schwotzer to approve April 19, 2016 minutes as amended; Motion Seconded by Bob Solomon; All in Favor.

Approval of May 17, 2016 minutes

Chairman Thompson asked if the board had any changes to the minutes. Chairman noted corrections in Public Attendance whereby “Jonathan Rich” should be “Jonathan Ring” and Public Notice correct spelling for Monique Martell. Julie LaBranche noted that the fourth bullet under the Martell Public Hearing should delete “Add note to the plan” and replace with a statement acknowledging that one lot was non-conforming and that the proposed subdivision will make the lot less non-conforming, and an addition to page 5 at end of Lambert case “The site walk was scheduled for Tuesday June 7, 2016 at 6:00pm.”

Motion by Kate Mignone to approve April 19, 2016 minutes as amended; Motion Seconded by Peter Merrill; All in Favor.

Peter Merrill made a motion to adjourn; Mike Schwotzer seconded the motion; all in favor. Meeting adjourned at 9:41pm.

Respectfully Submitted by,

Julie LaBranche,
RPC Circuit Rider Planner