

KENSINGTON, NEW HAMPSHIRE
KENSINGTON PLANNING BOARD
TUESDAY
March 21, 2017
7:00 P.M. AT THE
KENSINGTON TOWN HALL
95 Amesbury Road
Meeting Minutes- Approved 4-18-2017

In Attendance: Jim Thompson, Chairman; Joan Whitney, Vice Chairman; Michael Schwotzer, Kate Mignone, Bob Solomon, Norman DeBoisbriand, Selectmen's Rep.; Julie LaBranche, RPC Rep.; Glenn Ritter

Jim opened the meeting at 7:00pm.

Jim informed the board that he had met with the Board of Selectmen about the Lambert Subdivision and the drainage easement, and that the board had some concerns.

Jim continued by reading an email from David Lambert indicating that David had met with the Board of Selectmen on Monday March 20, 2017, and it was Mr. Lamberts understanding that the selectmen agreed that the Mylar could be signed off on, with the understanding that lots five and six will not be issued building permits until the question of the design and the installation of the drainage on the two lots has been settled. Jim then asked Norman to explain.

Kate questioned why the Board of Selectmen are looking to have just the swale as opposed to the drainage pipe system. Norman responded that it was mainly due to costs associated with the installation of the pipe. The board is interested in moving the culvert from the current position. Kate asked if the board had considered the swale maintenance. Norman stated that it was discussed last night and that it was stated that the swale would be less maintenance. Jim asked if the water can be directed onto the Lambert property. Norman replied that Bob will be meeting with the engineer who represented the town on the project and going over the current plan and looking into moving the culvert and what that would do. They will examine if the easement should be revised if the berm width is increased.

Kate asked how deep the swale would be and if the town is willing to take on the responsibility of maintaining a deep open swale, as well as the liability, she is not in agreement with the berm.

Norman explained that there were a lot of issues that were discussed, and that the Selectmen thought that there were some issues with the approval process because the Selectmen were out getting more information and the plan was approved. For the board to discuss options for the town, they felt that was no longer open after the plan was approved. Norman pointed out from the minutes of the planning board from February there was some discussion between the members about what it all meant. The board thought that it was the best course of action to contact Jim and see if the culvert could be moved and the water dumped into the berm. Norman stated that the town did not have sufficient time to review the easement document. Julie stated just because the easement is signed does not mean that it has been accepted. Norman agreed, but stated that the board should have reviewed the easement before the Lamberts signed it. Jim commented that the planning board had reviewed the easement. Kate continued that the swale is a completely different concept than the piping system. Julie clarified that the board of selectmen is looking into the option of the swale and not using the piping system, but will not know what system will be used until the engineer has designed it.

Joan commented that the Lamberts are required to build the berm. Norman recalled that there was a discussion with Mr. Lambert about him contributing \$9,000 towards the piping. If there was an expansion of the berm or some other method other than the piping, the selectmen talked about a monetary figure that Mr. Lambert would help with, but was not determined last night. From all the indications received from the meeting last night Mr. Lambert seemed agreeable to take some money and allocate it to what the board decided to do, if the berm is not installed yet.

Jim asked if the board is still in the negotiation period, why would he sign the Mylar.

Norman stated that the Mylar can be amended to put a note on it for a distribution system, after the fact if necessary. Julie clarified that there was some confusion with the different plans that were presented. One was created to show what it would look like if the town was to do nothing, and there was one that showed what would happen to the pipe if the board was to relocate it.

Mike commented that the board approved the subdivision with the berm on lots 5 and 6. Norman tried to get the attention of the chairman and stated to Mike that he could not speak as an alternate for the planning board because the chairman had not noticed him yet to speak as full board member. Mike exited the meeting.

Joan made a motion to enter into nonpublic session, Kate seconded, all in favor. **RSA 91-A:3, II (I).** Joan motioned to return to public session at 8:27pm, Kate seconded, all in favor. Joan motioned to permanently seal nonpublic minutes, Norman seconded, all in favor.

Glenn arrived.

Jim asked if he could sign the Mylar based on the email received from David Lambert to him.

Joan made a motion for Jim to respond to David Lambert. Kate seconded, all in favor.

Norman made a motion to enter nonpublic session at 8:30pm, Glenn seconded. All in favor.

RSA 91-A:3, II (I) Joan motioned to close the nonpublic at 8:33pm, Norman seconded, all in favor. Joan motioned to seal the minutes permanently, Norman seconded, all in favor.

The board will hold off the appointment of chairman until the April meeting.

The board reviewed the application fee for the Conditional Use Permit for the Accessory Dwelling Unit ordinance that was passed in March 2017. Julie will make a few minor adjustments to the form and get it back to the board. There will be fees added to the application as well, but it will not be recorded at the Registry of Deeds. It was stated that the board can still attach conditions to the approval if needed. Jim had reviewed the ADU article for Fremont and stated it was turned over to the zoning board of appeals. The board reiterated that they had wanted to make the change and have the planning board do the applications so that they could see what kind of adjustments might need to be made to the regulation. Glenn made a motion to accept the conditional use application with the changes discussed, Joan seconded, all in favor.

Meeting Minutes:

January minutes were reviewed. Kate motioned to approve as presented, Bob seconded, all in favor. Glenn and Norman recused.

February minutes were reviewed. Glenn motioned to approve them as presented, Bob seconded, all in favor. Kate and Norman recused.

Glenn reported that he had a resident call him that was concerned about the Ricci Pit operation and asked when the last time it was that the pit was inspected. The board will wait a month or two for the inspection as the pit is getting ready to close and the inspection would have to be done again then.

The board questioned if the town was going to seek alternate engineers for the town or stay with the town's current engineer. The topic will be continued.

Joan brought up the subject of the 4 way stop at 107 and route 150. The state has a person who can make the decision on the stop signs so she asked if the planning board would want to suggest to the board of selectmen to approach the state about the possibility. It was discussed that since there is more police presence at the corner there are fewer accidents. No decision was made.

Norman informed the board that the Farm at Eastman's corner has been approved for a crosswalk that they are looking to install this year, but they are looking for the town to take on the maintenance of the walkway. This will be worked out with the Farm. The town was approved for a walkway as well in front of the town hall.

The board will be reviewing the Farm's application and the minutes at the next meeting.

Julie informed the board that East Kingston will be sending the town notification for a cell tower going in on North Road.

Kate asked the board if she would need to recuse herself if she is working as the Project Manager for portions of the Seabrook MS4 program. The board did not see a conflict at this time.

Joan motioned to adjourn at 9:08pm, Kate seconded, all in favor.

Respectfully submitted,

Kathleen T Felch
Planning Board Clerk

APPROVED