

KENSINGTON PLANNING BOARD MEETING
95 Amesbury Road, Kensington, NH 03833
TUESDAY August 20, 2019 – 7:00pm
Meeting Minutes - Approved 09/17/2019

In attendance: Jim Thompson, Member; Mike Schwotzer, Member; Therese Wallaga, Member; Robert Chase, Member; Vanessa Rozier, Selectman's Representative, Julie LaBranche, Rockingham Planning Commission Representative; Christine Ouelette, Alternate Member

At 7:08pm, Mike opened the meeting.

At 7:08pm, Robert made a motion to appoint Mike acting chair for this meeting in the absence of the Chair and Vice Chair. Jim seconded. All voted in favor.

At 7:09pm, Mike made a motion to appoint Alternate Member Christine to act temporarily as a full member of the Planning Board for this meeting. Jim seconded. All voted in favor.

152 Drinkwater Road LLC- Site Plan Review

- Julie said the applicant delayed until the August meeting, she clarified that this is not a continuation, they have not started. The applicant will be paying fees for re-noticing the public hearing. There was no complete application on file, therefore no hearing will be opened.

NEW BUSINESS:

Fees for Planning Board applications

- It was explained that there have been concerns over the costs of Planning Board applications. Julie had previously suggested adding engineering fees for both types of subdivisions. There was brief discussion on setting up the escrow account in advance. As former treasurer, Mike felt that setting up the account in advance seems like the best solution. The Board discussed a variety of increases including Site Plan Review, newspaper notice, adding Design Review, and Subdivision(s). Robert suggested charging anything other than what is set by the town as actual costs rather than trying to keep up with changing costs that the town will incur resulting in having to change fees more frequently. There was discussion of establishing a town administrator fee that would account for staff time coordinating, completing, and recording any required paperwork. Julie will work with Kathy to get estimates on how much time is involved. There was discussion on how the time from the Rockingham Planning Commission Circuit Rider contract is allocated. The Board discussed billing an applicant for any time in excess of 3 hours spent on an application by Julie. There were suggestions to include the base 3 hours in the standard application fee. Julie said that because the town sees typically no more than 3 new applications per month, trying to frontload that cost into the application fee likely wouldn't be beneficial, as she feels the contract is sufficient for the standard 3 hours. Julie provided estimates for how much time certain tasks take: Lot Line Revision +/-1 hour, Subdivisions 1-3 lots +/-2 hours, Subdivisions of 4+ lots +/-3 hours, Site Plan Review +/- 2hours, Conditional Use Permits +/-1 hour. It was clarified that the first 3 hours of any application are included in the application cost. Mike felt that the clock should start when the first piece of paperwork comes in. The Board will review again at the next meeting after Julie works with Kathy to determine some realistic costs.

Water Testing – possible addition to ordinances

- Vanessa explained that Building Inspector, Norman Giroux, came before the Board of Selectmen on a number of occasions to express concerns having to do with water quality and testing in town. He asked the BOS to support his use of the International Plumbing Code to require potable water prior to issuing a certificate of occupancy, even if that means additional water testing and filtration installation. Vanessa said that until the town can consider amending the Land Use (Site Plan?) Regulations, the BOS agreed that applicants need to understand that potable water needs to be provided, and if that requires filtering, then filtering is required. There was discussion by the Planning Board as to what water is typically tested for and potable water standards. There was additional discussion as to which stage of the process this should be made explicitly clear to the applicant. It

was suggested that if it is done at the subdivision stage, the requirement of water testing and possibly filtration would be the responsibility of the developer through a contingency. Mike asked that Julie bring forth a suggestion of where this requirement could be included for the next meeting. It will also be noted on the building permit checklist.

Law changes if needed

- Vanessa explained that this should have been on the agenda as permitted/prohibited use review. She explained that the Seabrook Firing Range is trying to reopen and gave a brief history of the ongoing concerns associated with the reopening. It was explained that the BOS have viewed their reopening as an expansion of use and would require them to come before the Planning Board for a Site Plan Review so that abutters and community members can express concerns or support. However, it was noted that there is not a specific prohibition for firing ranges. Julie explained that the way it was written would require a waiver. It was stated that if a use isn't specifically prohibited it is easier to argue that the use is not prohibited. There were concerns if the BOS has discussed this with Chief Cain with regard to the rights of the people because there are other private ranges in town. There was discussion on grandfathered uses and lists of prohibited uses. Vanessa will request that Kathy pull use tables from surrounding towns and will review more the regulations in place more closely to come with ideas for the next meeting. Brief discussion on the Groundwater Reclassification Program.

OTHER BUSINESS:

Moulton Ridge Road Culvert update

- Vanessa reported that the culvert has been repaired. She has attempted to follow up with the homeowner after one of the large storms and hasn't heard back.

90 Amesbury Rd Country Brook Café

- Vanessa gave an update that she is drafting a letter encouraging the owner to come before the Planning Board to allow for open conversation of possible routes to try to have the condition in question removed/addressed.

Build Out Analysis

- Julie provided a quote Exeter received for a build-out analysis totaling approximately \$6,000.00. She suggested that because Kensington has less infrastructure it could be less for Kensington.

At 8:26pm, Peter Merrill joined the meeting. Peter acknowledged that it was acceptable that Mike would continue to Chair the meeting for the night.

At 8:28pm, Jim made a motion to approve the minutes from the July 16, 2019 meeting. Robert seconded, Vanessa abstained. All others voted in favor.

The next meeting will be on September 17, 2019.

At 8:29pm, Jim made a motion to adjourn. Peter seconded. All voted in favor.

Respectfully submitted,

Chelsea Lalime