

KENSINGTON PLANNING BOARD
TUESDAY, DECEMBER 18, 2018 - 7:00 P.M.
95 Amesbury Road, Kensington, NH, 03833
Minutes – *Approved 1/15/2019*

In attendance: Chris Chetsas, John Valvanis, Jim Thompson, Mike Schwotzer – Selectman's Representative, Mary Smith, Julie LaBranche

2 residents in attendance

Chairman Chris Chetsas opened the meeting at 7:02pm. He introduced the members of the Planning Board.

Continued Public Hearings:

- Wendy Osgood- Home Occupation- Art Classes and Therapy Sessions.

At 7:03pm, Mike motioned to open the public hearing, Mary seconded, all voted in favor.

Jim will recuse himself from the discussion and vote as he is an abutter to the property.

Resident Wendy Osgood presented each member of the Planning Board with a packet of information pertaining to her request. The board reviewed the contents of the packet. Mary asked Wendy how frequently she plans to be open. Julie read from previous notes that Wendy had presented to the board requesting art classes approximately 3 times per week for art classes but has not decided yet exactly which days of the week. The therapy sessions will take place at a different time than the art classes. Wendy drew the dimensions of the driveway on the pictures that included in the packets that were given to the board. Mary asked Wendy for clarification where the vehicle turnaround is, Wendy showed Mary using the photographs and also explained that it is on the site map. Chris asked Wendy what her hours of operation would be, and Wendy replied that she had not yet determined exact times, but it would be approximately 3 art classes per week, in addition to several psychotherapy sessions occurring at different times than the art classes. Wendy states that combined, there would be no more than 21 vehicles per week.

Wendy was asked for an explanation of the traffic pattern when there are multiple vehicles in the driveway. Wendy states that the vehicles will be backed in so as to eliminate the concerns pertaining to having vehicles back out of the property. As a business owner, Wendy plans to ask her clients and customers to take a left hand turn out of the driveway for minimal traffic, and explained that most clients would be coming from Massachusetts, so she thought that would most likely be the traffic pattern anyways. Wendy stated to the Board that she has not received any opposition from her direct property abutters. There was discussion on the visibility of vehicles from abutters property and also from the road. Wendy said her abutters cannot see the cars from their homes. Because the ZBA has not yet made a decision on this request, it was recommended that this hearing be continued until the ZBA makes their decision. **At 7:28pm, Mike made a motion to continue the public hearing until next month, contingent upon ZBA approval. Mary seconded, all voted in favor.**

There was brief discussion on the need to establish a snow date for the Public Hearing in January.

At 7:31pm, Mike made a motion the Planning Board establish January 22, 2019 at 7pm as a snow date for the Planning Board public hearing if needed. Jim seconded, all voted in favor.

Public Hearings:

At 7:34pm, Mike made a motion to open the public hearing. Jim seconded, all in voted in favor.

Chris read the following:

“Proposed amendments to Zoning Ordinance, Section 3.2.3 Accessory Dwelling Units to incorporate the recent adoption of detached accessory dwelling units.”

There was discussion that this ordinance was reviewed in August. The amendments were then worked on for several months. It was stated that at that time, the board wanted to make minimal changes and it was decided that the only changes would be those from the Warrant Article pertaining to the same issue from 2018. The board agreed that the changes were acceptable.

At 7:38pm, Jim made a motion to move to a Warrant Article for the March Town Meeting. Mike seconded, all voted in favor.

Chris read aloud the following:

“Proposed amendment to the Zoning Ordinance Article VI Natural Resources Protection Regulations, Section 6.1.6- to clarify what size structures may be constructed within 25 feet of hydric soils.”

There was background provided that the building inspector in town had concerns over the existing ordinance. Julie read the proposed ordinance to the Board.

Mike stated that from his understanding, the restrictions have not changed but the requirements for a smaller structure have been clarified. He felt that the amendment is a compromise and is an ordinance that is now definable, readable, and enforceable. Julie stated that sometimes people are unaware of how saturated wetlands can actually get if they have not yet experienced an extremely wet year at the property. Julie felt that this could help to prevent foundation and water issues, helping protect people from damaged structures. Mary asked if there was a map of where Hydric A and Hydric B soils were located. Julie informed the board that there are National Wetland Inventory Maps, but those often do not include smaller wetlands. In addition, Julie stated that there are County Soil Surveys which include soil maps. Mary asked if the average person would know the type of soil they have on their property. Julie explained that it is not always obvious. There was discussion on what information pertaining to the soils the building inspector uses when issuing permits. Additional discussion on wetland locations in town.

At 7:47pm, Mike made a motion to approve as proposed and to move to a Warrant Article for the March Town Meeting. Jim seconded, all voted in favor.

At 7:47pm, Mike made a motion to close the public hearing. Jim seconded, all voted in favor.

OTHER BUSINESS:

- Proposed changes to Kensington Zoning Regulations per Article II Section 2.1 G.
Second reading of amendment.

Mike acknowledged that there was an error in the day in the first reading of the amendment. It was suggested to continue the second reading as it was proposed then to later make the change of the day. Mike read the proposed changes to the Kensington Zoning Regulations per Article II Section 2.1 G. There was discussion on the quorum and how a quorum could be made up. Mary brought up that the title, Kensington Zoning Regulations, should read Land Use Regulations

instead, as the zoning regulations have to go to town meetings, and this is not a zoning regulation.

At 7:53pm, Jim made a motion to accept both proposed. Mike seconded, all voted in favor.

For the next meeting, Mike will make the corrections to the title and day of the week.

- Recommendation to Selectmen for Rockingham Regional Planning Committee
Mike informed the Board that the BOS elected last night to appoint Peter Merrill to this position, contingent on this recommendation of the Planning Board. Peter Merrill is recommended to be a Commissioner representing Kensington on the Rockingham Planning Commission. **At 7:54pm, Mike made a motion that the Planning Board recommend to the BOS that Peter Merrill be reappointed as a Commissioner representing Kensington on the Rockingham Planning Commission. Jim seconded, all voted in favor.**
- Meeting Minutes- November 20, 2018
The board reviewed the minutes from the November 20, 2019 meeting. There were some suggestions made. **At 7:59pm, Mike made a motion to postpone the approval of the minutes to the next meeting. Jim seconded, all voted in favor.**

Mary asked Kathy if there had been any further communication with Wendy Smith, Olivia Lane, regarding the parking and her application for home occupation. Kathy will follow up.

Julie brought up a memo sent to the Planning Board from the Charette Committee. The Charette Committee is suggesting that the town conduct a Housing Study to analyze the housing needs for Kensington. Julie made the point that a Housing Needs Assessment can be extremely expensive and there are very few professionals who do them. It was also brought up that there will be a new census done in 2020 from which the Housing Chapter will be updated. Mike asked if the Charrette Committee has copies of the Housing Chapter. It was decided Kathy would keep a copy available to the committee if they wished to have it. There was discussion on the land in town that is not developed yet, but a significant portion of it is under private ownership and is not for sale. Other large areas in town have been designated as Conservation Land. Julie suggested if the town wanted an analysis done, a Build Out Analysis, which would look at building potential and development of current land, may be more cost effective. There was brief discussion on ADUs.

At 8:14pm, Mary motioned to adjourn. Jim seconded, all voted in favor.

Respectfully submitted,

Chelsea Lalime