

KENSINGTON PLANNING BOARD
TOWN OF KENSINGTON, N.H.
KENSINGTON TOWN HALL
TUESDAY, FEBRUARY 21, 2012
7:30 PM

Approved-un-taped; March 20, 2012

Meeting Minutes

In Attendance: Kate Mignone, chairman; Joan Whitney; Peter Merrill; Jim Thompson; Stefanie Johnstone, Selectmen's Rep.; Dylan Smith, Rockingham Planning Commission Circuit Rider.

Chairman, Kate Mignone, called the meeting to order at 7:35pm.

New Business:

Fire Danger Sign:

Wyatt Merrill, from Kensington, approached the board to present his plans for a Smokey the Bear Fire danger sign. This would be placed out in front of the Fire Station on Amesbury Road. Wyatt is working towards his Eagle Scout and he would like to do this project, he realizes that there is a sign ordinance and wanted to get the boards view on the ordinance to see what steps he should take to be able to start the project. Joan questioned the relationship between the Fire Department and the Town because of the Article on the Ballot for March 13th, 2012, that is asking to make the fire department a municipal department. Lieutenant Dennis Smith from the Fire Department was present and informed the board that the Fire Department Association owns the building and the land the building sits on. He also expressed to the board that the situation that the Fire Department is in is similar to the Library and their trustees. Joan indicated that if it is not town land they would need a permit. Wyatt informed the board that this sign would be in line with the signs in front of the School and the Library. Kate asked Lieutenant Smith if the fire department is in favor of having the sign. Lieutenant Smith expressed to the board that the fire department was and had recently discussed it at a business meeting where they had voted to go ahead with the project. The sign will be of regulation size that is set by the government. Joan questioned if the sign was going to be lighted and Wyatt responded that it is not. The board looked over the ordinance to see if anything stuck out that would prevent the sign from being able to be put there. Peter didn't see anything specifically that calls this sign out, other than it is a free standing sign. Kate asked if there would be inspections on the project and was assured that Wyatt will be working with the troop and the fire department and that the sign will be installed in stages. Jim read the purpose of the ordinance to the board and people present, stating that it would not interfere with the purpose. Kate asked if the fire department will be changing the fire danger notification regularly. Lieutenant Smith indicated that the sign will be changed by the fire department, on a regular basis. Stefanie asked if there was a picture of where it was going. Wyatt showed the board a sketch of the sign and also the area where it was to be located. Lieutenant Smith indicated that it will be going where the sign is now in the mulch area. Stefanie wanted to make sure that the sign would not obstruct any views from the fire department or the Library when turning onto Route 150.

Peter was guessing that the sign would be just about the same height as the one that is there. Lieutenant Smith indicated that the sign will help to identify the fire department. Joan asked if the board could go on record to say that they don't have any objections. Dylan informed Wyatt that if the sign had to go before the ZBA, he didn't see there being a problem. He will let Kathy know, if he finds out anything else. The permit process will be to go to the Town and get a sign permit and they will discuss what will need to be done next. Wyatt thanked the board for their time.

Deliberative session and town meeting voting-

Stefanie explained that the fire department article that is before the town this year is mostly administrative, it is behind the scenes paperwork. Stefanie indicated that there are other towns in the same situation as Kensington. The board discussed the whole process of the deliberative session and that if people don't deliberate they aren't educated voters. Stefanie stated that in her years as Selectmen, people usually attend the deliberative session if one of the articles directly affects them.

Peter indicated that the new abutter definition might keep the people from coming in front of the selectmen with their neighborly disputes, because more people will be notified of the things happening around them. The board talked about the SB2 rules and wondered if going back to the Town Meeting would be more beneficial to the town and that the voters would be better educated to make decisions. Joan indicated that in a small town people need to come forward and take part. Stefanie indicated that to go back to old Town Meeting would be a huge education process; people might not understand the small town politics. Peter questioned if it would be a good idea to put what a deliberative session is in a local paper or the community news to educate the public.

Peter has seen times when the budget has been called into question and nothing was this year. Stefanie felt better about the budget passing since the selectmen took the fire engine out of the budget. Peter wanted to say thank you to the selectmen for being in favor of the allocation of the Money from the Town portion of the Current Use. Kate agreed and thanked Stefanie for letting the planning board come before the Selectmen to talk about the allocation in the meeting before the deliberative session. Stefanie left 8:00pm

New Storm Water Management Regulation-

Dylan indicated that Greenland is doing a regulation this year that Kensington could model after, so he suggested that the board hold off on the implementation of the Storm Water Management Regulation for now. Peter would like to see the regulations being made applied towards new development and existing ones.

Kensington currently has a storm water regulation. Joan indicated that what she would look at for us is the maintenance for all the drains, and if there is something that needs to be cleaned there should be a fee, so that the town does not have to pay for it. Peter indicated that you have to look at storm water drain off individually. Joan indicated that the runoff comes from the lawns as well.

Dylan indicated that there will be a lot of examples out there to choose from. He recommends using East Kingston and Newmarket they both just did theirs, or maybe the board should wait until summer when UNH is done with Greenland's. The board agreed with Dylan's suggestion to wait. Dylan indicated that Kensington hasn't seen the

development as much as surrounding towns. Other towns are having flooding basements and water runoff problems. Jim indicated that Exeter and bigger towns should be more focused on this.

Joan said that if they take the dam out in Exeter there might be a potential that some of the wet lands might go away. Kate asked if Theresa will be getting back to Joan on the issue with Exeter's Dam. It is a big maintenance issue for Exeter having the dam, if they take it out it is a onetime expense. Joan will update the board.

Maps- Commercial District- definition in zoning book

Kate explained that in looking at the commercial district that there is not a map or a commercial district specified in the zoning book. The definition doesn't say what the commercial district is. Kathy will look back at 1987 and 2004 town meetings to research when they were created and what was stated. Dylan indicated that the ordinance should indicate from parcel A to parcel B or so many feet from a specific road. Peter thought that the previous book had a map and it showed the zoning. Dylan might want to take a look and make it parcel based. Dylan would recommend going parcel based, because it is easier to show on the parcel map. Jim indicated that the town needs a Legal description of the commercial zoning of the town. Peter indicated that Mike and Bob Solomon would be helpful with some of the information needed. Dylan indicated that they board should clear this up as soon as possible. Joan asked if they are normally defined by a survey or the deed. Dylan expressed that the towns do it parcel based and you call out what you have as of now 2012. Parcel maps are already in the town and they will always be there. Dylan expressed to the board that it is not generally good to have ½ parcels in the district and ½ of the parcel not. It is referenced that there are 2 district and just not specific to where they are.

Kate also informed the board that the property lines need to be readdressed in the Hudson Heights area. Due to abutting property deeds the maps are incorrect.

OLD BUSINESS:

Zoning Book-

Kate indicated that the zoning book has to be redone. Dylan told the board that Brentwood was a \$10,000 project and it is a lot of work when you are trying to omit some of the cross overs and put everything in a sequence so that it reads very systematically. It leaves little for the person reading it not to understand. We probably have never had a codification done, to put everything in some sort of easy outline. Dylan indicated that the town should do some codification, but it is more of a housekeeping thing. Kate asked if Dylan has Brentwood's, and Dylan indicated that it is online. Joan brought up a property in Stratham where they have a private road and someone is trying to put lots off of the private road. Their ordinances say road frontage and doesn't stipulate what kind of road. She would like to look into our definitions and possibly have it say a public road. Joan suggested that they might want a definition for a road. Kate reminded the board that to say it is town owned and maintained, is tricky, Hudson Heights is not a town owned road yet. Dylan indicated that there are a lot of definitions that might need to be looked at.

OTHER BUSINESS:

Approval of January 17, 2012 Meeting minutes- Peter would like to put off to the next meeting, to be able to get Kathy the specific solar reference.

Peter was reading through the second page of the zoning book and noticed the Building Inspector page and didn't like the way that it read. It states that you don't need a permit unless the structure exceeds 10x12 or exceeds \$2k. Peter indicated that you should always apply for a permit so that you don't put a shed or structure on right of way or right on the property line. In the ordinance there is a money amount (two thousand dollars) associated with the permit and Dylan expressed he was not sure if that was legal. Peter expressed that you are basically allowing people to put up as many 10x20 sheds as they want. Peter indicated that it goes against the purpose. He explained that if you are going to have regulation, you have to offer guidelines so that residents are not putting things up so that they are encroaching on an abutter's lot line. Joan indicated that it is restrictive and protective. Jim was concerned that the board was looking for problems. Dylan indicated that you could run into a neighborly dispute that could bring the town into the litigation, and it could cause some issues and expenses to the town. Peter would like the information to state; before proceeding call the building inspector and reference the zoning book article in the explanation.

Next Meeting –March 20, 2012

Peter made a motion to adjourn at 9:09pm, Jim seconded all in favor.

Respectfully submitted,

Kathleen T Felch, Planning Board Clerk