

KENSINGTON PLANNING BOARD MEETING
at Kensington Town Hall Meeting Room, 95 Amesbury Rd, Kensington, NH
TUESDAY February 16th, 2021 – 7:00pm
Minutes – Approved 3/16/2022

In attendance: Vanessa Rozier, Chair; Mary Smith, Vice Chair; Justin McLane, Member; Christine Ouellette, Member; Marty Silvia, Alternate Member; Bob Solomon, Selectmen's Representative; Glenn Greenwood, Planner.

At 7:00pm Vanessa called the meeting to order.

At 7:00pm Justin made a motion for Marty to act as a Full Member for the duration of the meeting. Mary seconded. All voted in favor.

Vanessa noted that certain Members were missing and that the Master Plan Discussion would be continued until the next regular meeting.

The Board reviewed the Subdivision Regulation updates and edits and discussed the difference between the terms adopted and amended regarding their use in the regulations. Glenn suggested the regulations reference the completed date in 2022 have an amendment page.

The Board discussed fee schedules for applications. The definition of a Minor Subdivision was discussed and Vanessa noted that there were no differences between the Major and Minor Subdivision Plan applications currently. The Board discussed how to create applications for a Minor Subdivision and make a checklist for Major versus Minor Subdivision Plans. Fees for Town engineers were discussed. Mary noted the Rules and Procedures document had possible costs incurred included on it for applicants. The timing of the fees and construction inspection charges were discussed.

Glenn explained the difference between an application, consultation, and a design review. The phases of an application and the fees required were discussed. Vanessa described having an escrow to have money for the Town to draw down from to pay for the towns engineering fees as an option. Roadway bonds were discussed as well as how the monies would be used from those bonds versus having an escrow. Vanessa noted that these should be necessary prior to the Board signing a mylar. These bonds and escrows were discussed as being necessary for approval of an application. Vanessa asked about a fee for construction inspections. The Board discussed the timing and fees of these inspections regarding the Town Engineer and how fees would be assessed either upon completion or at the time of the application.

Glenn noted that the applicant is responsible for any costs incurred and these costs would be a condition of approval. Preliminary plats and final plats were discussed. The Board discussed taking references to final and preliminary plat out of the regulation and refer to it as a subdivision plan, and move the new subdivision plan requirements to the Submission Requirements section of the regulations. The regulation sections for Preliminary Plats, Revision of Preliminary Layout, and Final Plat were marked for removal from the regulation as the Board felt they were unnecessary. The number of copies of plans required by an applicant were discussed as were Town officials requiring copies.

The Board discussed a request from New Hampshire State Senator Sherman for their input on short term rental legislation. Glenn explained that the Board was asked to give an opinion on this legislation that would allow short term rentals in all communities statewide. He stated the question was whether Kensington was in favor of this legislation. He stated that the legislation had no prohibition of corporate properties and allowed for the property to not be owned by a resident and the property could be purchased by a corporation. Glenn stated these units could be bought in bulk and disagreed with the corporate aspect of the legislation. Vanessa felt that this should be a local decision and not a state decision and that the legislation may require something that isn't appropriate for the Town. She felt that the state has a long history of local control, rather than state control. Bob agreed, noting that when the state implemented ADUs, while similar it was for a better purpose.

Justin asked if homeowners rules could prohibit to which Glenn responded that if there was a HOA there may be a way to regulate. Mary asked if Kensington's regulations prohibit it. Glenn noted that in Kensington you can rent your house out short or long term and that typically it is a single-family home that is rented out. Justin asked if there was a way to exclude corporate entities in the legislation. Currently the renter has to be the name of a person residing in the state of NH. Vanessa felt that the legislation should preclude corporations and that it should be decided by the local level and Town regulated. Glenn described short term rentals.

Vanessa asked Board Members for individual responses.

Vanessa will draft a response. She asked individual Board Members for their response. There was a general consensus that it would be best for the State not to regulate, but that in lieu of that the legislation should allow for local jurisdiction for rentals and limit the ability for corporations to control rental properties in town.

Vanessa will draft a response to the inquiry from the Senate.

Vanessa explained that the Cistern Easement for 152 Drinkwater Road needs to be signed by the Board of Selectmen, as well as the easement plan and mylar to release the security for the applicant.

At 9:13pm Mary made a motion to release the security for 152 Drinkwater Road upon the recording of the mylar, the recording of the easement and the recording of the easement plan. Christine seconded. All voted in favor.

At 9:15pm Justin made a motion to approve the Planning Board meeting minutes of January 19th. Mary seconded. Christine abstained. All voted in favor.

At 9:15pm Mary made a motion adjourn. Justin seconded. All voted in favor.

Respectfully submitted,

Andy Clarke