

**KENSINGTON, NEW HAMPSHIRE
KENSINGTON PLANNING BOARD
TUESDAY
August 21, 2018
7:00 P.M. AT THE
KENSINGTON TOWN HALL
95 Amesbury Road
Meeting Minutes- *Approved 8/21/2018***

In Attendance: Chris Chetsas, Chairman; John Valvanis, Vice Chairman; Jim Thompson, Mary Smith, Bob Wadleigh, Selectmen's representative, Julie LaBranche, Rockingham planning Commission representative, Recording Secretary Kathleen T Felch.

Others in attendance: Norman Giroux, Building Inspector.

Mr. Chetsas called the meeting to order at 7:06pm

He introduced the board members for the record, and read the agenda.

Moulton Ridge Road-changes to design

Mr. Giroux explained that he was aware that the board did not want any further walk out basements on the Moulton Ridge Road Lots, and there was a recent change to the plan that would help with that. The recent discussions were to reverse the driveway on Lot 5 which he feels will be better for the lot, even though it allowed for a walkout basement. If they had not reversed the garage and driveway then material would have had to be brought onto the lot.

He went and looked at the lot today and the new design has even addressed the drainage issues on the lot. Jones and Beach did the new design and Dennis Quintal had approved of the reversing of the garage and driveway and he believes that it is the most logical way to go.

The plan the board reviewed was for the septic on the adjacent lot and the new plan was not turned into the town yet. Julie asked for a new plan to be submitted for lot 5, Kathy will email the owner to ask for the new plan. The town engineer on this project approves of the new configuration. The board will review the plan once submitted.

Jim motioned to allow the driveway and garage to be constructed on the west side of the lot, Bob seconded, all in favor.

Building Inspector – question on existing cell tower. Norman received an email from Sprint asking if there are any town permits needed for collocation on existing cell towers. He read the following that was referenced in the email.

Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455(a), reads in pertinent part: "...a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." (emphasis added).

Mr. Giroux asked the board about permitting needed for telecommunication towers that are existing. Kathy and Norman did some research on the old maps and identified that 107 South Road- Palmer Hill is where the Rosencrantz property is located off of South Road. The company will be collocating transmitters on this existing tower. It was asked if there would be transmitters added and they felt that the board should know what the waves would be.

At 7:20pm Christopher Chetsas recused himself from the discussion as he is an abutter to the property being discussed.

Mary read from the existing telecommunication regulation that they would need planning board approval. Julie asked for background on this, and explained that there was an amendment made to the federal telecommunications act a few years ago to allow expedited permits for certain types of telecommunication installations, one being collocation. If the tower already exists and they are just putting in a new antenna and swapping out the equipment on the pole, that would not require anything more than an electrical or building permit with the town. If they are replacing the pole, a building permit might be needed. If they are

just updating the electrical on the antenna then they would definitely need an electrical permit. The town's regulations need to be updated. If additional buildings were to be added then there would have to be an application for site plan to the planning board.

Julie will go through and suggest some changes to the current telecommunications article. She will bring the information before the board next month. Mr. Chetsas stated that the tower was extended 2-3 years ago and he was never notified as an abutter. Bob stated that they were looking to do something with emergency services a few years ago and that might have been the reason for the extension. That can be looked into. It was further explained that any substantial change to an existing site would be considered a new application. Norman and Julie will work on a response asking for a letter of intent so that the town knows what is going to be done.

Christopher Chetsas returned to the board at 7:43pm.

Fire Chief- Cisterns

The intent was for the Fire Chief Jon True to provide the board with the suggested regulation for them to review and bring any questions back next meeting. This would be added to the subdivision and the site plan regulations sections in the zoning.

John had reviewed this for tonight and suggested some clarifications to the sections that would hopefully be clearer to the public reading it. The suggestions will be forwarded to Chief True for the next meeting in September.

OTHER BUSINESS:

ADU (Accessory Dwelling Unit)-wording- The board reviewed the changes already made and they will get any further suggested changes to Julie for the next meeting in September. If there were any other additions to this that the board wanted to add, this would be the time, but they are looking to keep in line with the recently approved changes from the voters last March. The board discussed different aspects of lot configurations and the impact that the detached wording might have on them. The board will get comments and suggestions to Julie by the end of the month and they will shoot for a November public hearing.

Mr. Giroux stated that he has a situation where there is a home with a room up over the garage, the owners want to remove the interior stairway from the garage and have the only access the exterior staircase and the appropriate egress windows. They are stating that they could use it as an office but may use it as another bedroom. There will be no eating facilities in the room but there is a bathroom, would they need to apply for an accessory dwelling? They would need to prove that the current septic plan can support another bedroom. This plan can be on file but does not have to be put in. The board discussed this and to qualify for the accessory dwelling there would need to be separate eating facilities. With what they are currently trying to do that situation would not qualify as an accessory dwelling. They discussed that this is where the code enforcement officer would come in to evaluate if it would be a violation of the zoning ordinance.

RPC Circuit Rider Contract- there was an amendment proposed at the selectmen's meeting for the circuit rider to prepare an accounting of hours worked for the town and present them monthly to the board. Julie has done a sheet to show the board her accounting of the last month with the town. The contract allows for 12 hours of planning support per month. She explained that some months are 12 hours and some are 16. The hours worked per month are not uniform and they are sometimes above or below the allotted 12 hours. Julie explained that some of the things that they will see on the time sheet might never make it to the planning board for a meeting. Sometimes residents would be just working things out with Julie and Kathy to see if it would be a possibility in Kensington, or to see what they might need before presenting to the board. July 1st was the beginning of the contract, and there was not much work done until the middle of the month due to the town not having a contract in place. The board was okay with the accounting presented of Julie's hours. **Jim made a motion to accept the amended Rockingham Planning Commission Circuit Rider Contract, Mary seconded, all in favor.**

Planning Board Regulations:

John thinks that the board should be following the regulations within the town zoning and should elect a clerk to be in line with them. The clerk according to the regulations needs to be a member of the board.

Discussions on the regulations and the possibility of changing them to update them at a public hearing. There were other sections that will be amended to update them dealing with the time and days for the meetings. Julie also would like to have the bond clearly stated so that there is a process for the bonds and the releasing of them. Changes will be done and brought to the board for the next meeting.

Meeting minutes-August

Jim had made some suggestions to the minutes. They will be amended to read that “**Jim Thompson recusing**”. Jim made a motion to approve the meeting minutes as amended, Bob seconded, all in favor.

Next board meeting will be September 18, 2018

Jim made a motion to adjourn at 8:49pm, Bob seconded, all in favor.

Respectfully submitted,
Kathleen T Felch

APPROVED