

1
2
3 **KENSINGTON, NEW HAMPSHIRE**
4 **PLANNING BOARD**
5 **Wednesday, October 4, 2023, 6:30 P.M.**
6 **At Kensington Town Hall 95 Amesbury Road, Kensington, NH**
7 **Meeting Minutes**
8
9

10
11 The Chair called the meeting to order at 6:31pm
12

13 In attendance: Justin McLane (Chair), Aaron Fenton, Bob Solomon (Selectman), Carly Fenton, Mary Smith,
14 Marty Silvia, Glenn Greenwood (Town Planner), and Owen Corcoran (Land Use Administrative Assistant)
15

16 **Public Hearings: *The Planning Board will be hearing an application for an ADU conditional use permit**
17 **since the application was unable to be heard at the 9/20/23 regular meeting due to an abutter notification**
18 **issue.**
19

20 **6:30 PM: Planning Board Public Hearing:**
21 **Owner: Eric and Leah Andrews**
22 **22 Stumpfield Rd**
23 **Kensington, NH 03833**
24 **Map 8 Lot 3-3**

25 The applicant is requesting that the Planning board grant a conditional use permit as stated Article
26 III, Section 3.2.3 of the Kensington Zoning Ordinance to allow an attached Accessory Dwelling
27 Unit.
28

- 29 • G. Greenwood stated that he had concerns earlier in the day regarding the septic plan. He
30 explained that he spoke with the applicant, and the applicant has recently received the
31 approved septic plan from the state.
- 32 • G. Greenwood explained that from his perspective, the applicant has met all requirements
33 for the ADU.
- 34 • J. McLane stated that they needed to open the public hearing. J. McLane opened the public
35 hearing at 6:35pm and read the following into the record:
36

37 ***Planning Board Public Hearing:***
38 ***Owner: Eric and Leah Andrews***
39 ***22 Stumpfield Rd***
40 ***Kensington, NH 03833***
41 ***Map 8 Lot 3-3***

42 *The applicant is requesting that the Planning board grant a conditional use permit as*
43 *stated Article III, Section 3.2.3 of the Kensington Zoning Ordinance to allow an attached*
44 *Accessory Dwelling Unit.*
45

- 46 • The board reviewed the application for completeness.

- The applicant clarified details of the septic plan.
- Determining the application to be complete, the chair entertained a motion to accept jurisdiction of the application.

MOTION: M. Smith motioned to accept jurisdiction of the application for a conditional use permit for an attached accessory dwelling unit at 22 Stumpfield Road, Map 8, Lot 3-3. C. Fenton seconded. All in favor, none opposed, no abstentions.

- A. Fenton asked how they calculate square footage for shared spaces, and how something like a shared laundry room calculates into the square footage.
- C. Fenton opined that the square footage including the laundry appears to be included in the plan.
- E. Andrews (applicant) stated that the second door to the laundry room is meant only as an emergency egress route.
- J. McLane entertained a motion to approve the application.

MOTION: M. Smith motioned to approve the conditional use permit for an attached accessory dwelling unit at 22 Stumpfield Road. M. Silvia seconded. All in favor, none opposed, no exceptions.

NEW BUSINESS:

- **Changes to planning and zoning laws**
 - O. Cocoran stated that he added this item for informational purposes for the board (Addendum 1).
- **Kensington Floodplain Regulations review updates**
 - O. Corcoran stated that he received this item via email and was providing it to the board for informational purposes for the board (Addendum 2).
 - G. Greenwood explained that this is something the town is obligated to do and that the state will provide the warrant article language. He stated that the board needs to hold a public hearing since it would be a change to the town zoning ordinance.

UPDATES ON PRIOR BUSINESS:

- **Potential Warrant Articles**
 - Gino Rignoli (building inspector) was in attendance, and spoke about Article VIII, Section 8.1.A & B. He stated that he feels that the \$2000 threshold for the requirement to apply for a building permit is a good number. M. Smith responded that the board has discussed the \$2000 threshold and thinks that perhaps the number is too low, based on inflation and construction and labor costs. G. Rignoli stated that as a builder, he has concerns that raising the threshold could allow people to undertake projects that would require a building permit with out applying for a permit.
 - G. Rignoli spoke about what he believes is contradictory language in Article VIII, Section 8.1. He believes that Section 8.1.B.2 “*replacement of in-kind roofing, windows and siding*” contradicts Section 8.1.A, since “in-kind” repairs or replacement could easily exceed \$2000.
 - The board further discussed the language in Article VIII, Section 8.1.
 - The board discussed how square footage of a structure should be measured, such as whether stairs should be included in the calculations.
 - J. McLane entertained a motion to recommend changes to the zoning ordinance for the 2024 Town Meeting.

96 **MOTION: M. Smith motioned to recommend that Article VIII, Section 8.A.1 be changed from \$2000 to**
97 **\$3000. M. Silvia seconded. 5 in favor, 1 opposed. No abstentions.**

98

99 **MOTION: M. Smith motioned to recommend deletion of 8.1.B from Article 8, Section 8.1 of the zoning**
100 **ordinance. M. Silvia seconded. 4 in favor, 2 opposed, no abstentions.**

101

102

103

104

- G. Greenwood stated that he would prepare wording for the warrant article proposals on the motions and provide that at the next meeting.

105

Approve Minutes from September 20, 2023

106

107

- **Tabled until the next meeting.**

108

109

Next Regular Monthly Meeting:

110

- **Wednesday, October 18, 2023, at 6:30pm**

111

112

Adjournment

113

114

MOTION: M. Smtih motioned to adjourn the meeting. C. Fenton seconded. All in favor, none opposed, no abstentions.

115

116

117

The Meeting adjourned at 8:41pm.

118

119

Respectfully Submitted,

120

121

Owen M. Corcoran

122

Land Use Administrative Assistant

123

124

125

126