1 KENSINGTON, NEW HAMPSHIRE 2 **PLANNING BOARD** 3 WEDNESDAY, JANUARY 17, 2024, 6:30 P.M. 4 AT KENSINGTON TOWN HALL, 95 AMESBURY ROAD, KENSINGTON, NH 5 **MEETING MINUTES - DRAFT** 6 7 8 In the absence of Planning Board Chairperson Vanessa Rozier, Justin McLane assumed the 9 duties and responsibilities of the chairperson and called the meeting to order at 6:31PM. 10 11 In attendance: Justing McLane (Vice Chairperson), Bob Solomon (Selectboard representative), 12 Aaron Fenton (member), Mary Smith (member), Marty Silvia (member), Carly Fenton 13 (member), Glenn Greenwood (Town Planner), and Owen Corcoran (Land Use Administrative 14 Assistant). 15 J. McLane read the purpose of hearing into the record: 16 17 18 **PUBLIC HEARINGS:** 19 20 6:30 PM: **Planning Board Public Hearing:** 21 **Owner: Connor Lincoln** 22 23 Moulton Ridge Rd 23 Kensington, NH 03833 24 Map 11 Lot 46 25 The applicant is requesting that the Planning Board grant approval of a 3-lot 26 subdivision, as stated in Article III, Section 3.3 of the Kensington Subdivision 27 Regulations. 28 29 30 The board reviewed the application for completion, referencing the town planner's review letter 31 (Addendum 1). 32 33 C. Fenton asked if there were test pit logs in the application. Test pit logs are on file at the town 34 hall. 35 36 J. McLane entertained a motion to invoke jurisdiction on the application. 37 38 MOTION: M. Smith motioned to invoke jurisdiction on application for a subdivision at 23 Moulton 39 Ridge Rd, Map 46 Lot 11. A. Fenton seconded. All in favor, none opposed, no abstentions. 40 41 G. Greenwood commented that invoking jurisdiction on the application starts the 65-day clock for the 42 board to make a decision. M Silvia asked what about the procedure if the ZBA cannot complete their 43 hearings on the application within 65 days. G. Greenwood stated that the applicant can request an 44 extension. 45 46 The Chair opened the public hearing at 6:41pm and invited the developer to present the application to the 47 board. 48

Barry Gier of Jones & Beach Engineering presented the application and noted that one of the lots will

require wetland and wetland buffer impact, and that they will be submitting an application to the ZBA for

51 52 a special exception.

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Norman DeBoisbriand expressed concerns about a pond on his property as a result of a beaver dam and has flooded about 3 times within the last year. He also expressed concern about a culvert on his property that needs to be changed, and that it cannot handle the water coming from broken beaver dams. He asked the board if the development would expand the wetland in that area. Mr. DeBoisbriand explained that the culvert on his property is owned by the town. J. McLane make note of the fact that the culvert might impact ground water.

Jon Frye of 25 Moulton Ridge Rd. expressed concerns about storm runoff on the proposed lots. He stated that when he purchased his house, he was told there was only enough frontage for one house to be built. A. Fenton noted that Mr. Frye's lot was mislabeled on the plan.

Tim Ervin of 15 Moulton Ridge Rd. asked if the applicant had plans for tree removal, what considerations are made for trees, how much clear cutting will be conducted, and if there is a plan that shows where trees will be removed.

Curtis Lavertu of 18 Hilliard Rd. asked if the applicant had considerations for mitigating mud, erosion, etc. during development. Mr. Lavertu noted the trail used by the community that runs through the area. J. McLane stated that once a project is permitted, there will be mitigating plans in plans to prevent M. Lavertu's concerns, and if there are issues with mud and erosion, it should be brought to the town's attention as a code enforcement issue.

Nick Mayer of 11 Moulton Ridge Rd. had concerns about the culvert, the river overflowing, and stated that there are 150 wetland flags in the area. He stated that the wetlands expanded with excessive precipitation and expressed concerns about environmental impact. Mr. Mayer also expressed concerns about what he considered unauthorized tree cutting on his property, as well as a neighbor's property.

Ed Powers of 17 Moulton Ridge Rd. expressed concerns with long term wetland impact from excavating and construction. J. McLane stated that the ZBA should address those concerns when they consider whether to grant the special exception.

J. McLane explained that the concerns about wetland impact is the jurisdiction of the ZBA, and encouraged members of the public to express those concerns to the ZBA when they hear this application.

Tim Cannon of 14 Hilliard Rd. expressed concerns with the springs on the property that flow down to the wetlands. He stated that his property needed a full water system after previous development. Mr. Cannon expressed concerns about water flow, wetlands, and septic systems, as well as concerns with the proposed house near the swamp.

B. Gier approached the podium to address public comments.

B. Gier stated that they will follow storm water best management practices and explained that they will follow town policies to not create more storm water runoff. B. Gier explained that the road that was prepped to allow access for test pit digging on lot 3. He further explained that the access on the plans is where access for lot 3 will be and Lots 1 and 2 access off Hillard or Moulton Ridge, and that erosion control is required to install during development. B. Gier explained that they acquire state approval for the septic system.

M. Silvia asked the applicant about the planned square footage of the houses to be built. B. Gier stated that the homes will be single family homes with 3 or 4 bedrooms and stated that the current owner intends to build a house on lot 3.

A Fenton observed that the deed lists the property at 17 acres, but the plans cite 14.5 acres. B. Gier explained that the deed is incorrect and wasn't updated when square lots were taken out.

- A resident asked about the existing foundation on the lot that abuts 19 Moulton Ridge Rd. B. Gier explained that they would not intend to use that foundation development.
- B. Solomon asked about directional flow of storm water. B. Gier replied that it flows north to south. A resident in attendance interjected and stated that the water flows south to north.
- M. Smith asked about driveway length and stated that they need to hear from the fire chief regarding turnarounds for fire department vehicles. B. Gier stated that the driveways will be 12' wide.

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- J. McLane expressed concerns about excavators in wetland areas for test pits. B. Gier stated that the owner does not intend to deforest and will not have issue meeting requirements for the tree clearing plan.
- M. Smith expressed concerns with the oddly shaped lots. B. Gier stated that they tried to give each lot approximately the same area, and that the lots are not going to be square, as it is not square parcel. G. Greenwood explained that he doesn't believe that the lots too oddly shaped, and that the lots create perpendicular lines to the roads.
- J. McLane expressed concerns with road frontage, as it appears that 2 of the 3 lots are non-conforming. G.
 Greenwood stated that by his calculations the lots are conforming. B. Gier reiterated the same information.
- B. Solomon asked if all the lots have 100' of width. B. Gier stated that he will confirm that information.
- J. McLane stated that the plan leaves very little margin for error but is unsure if that can be a concern of the Planning Board jurisdictionally.

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- J. McLane opined that that he feels the board should wait until the ZBA decision regarding the special exception application for wetland and wetland buffer impact. G. Greenwood recommended that the board not make a decision prior to the ZBA hearing, and that the planning board is not obligated to take action at this meeting. J. McLane stated that he feels that out of fairness to the applicant, he thinks the board should try to at least answer as many questions as possible.
 - J. McLane asked B. Gier how the wetland delineation was determined. B. Gier explained that Gove Environmental did the work on the wetland delineation.
- J. McLane reviewed the items that the board is requesting from the applicant before the next meeting, namely a tree clearing and storm runoff plans. He also asked O. Corcoran to follow up with Chief True for feedback on the plans.
- The board discussed continuing the hearing until the February 21, 2024 planning board meeting to allow the ZBA to hear the application for a special exception. J. McLane entertained a motion to continue.
 - MOTION: M. Smith motioned to continue the public hearing for a subdivision application at 23 Moulton Ridge Rd, Map 46 Lot 11 to February 21, 2024 at 6:30pm at the Kensington, NH Town Hall. C. Fenton seconded. All in favor.
- 153 J. McLane closed the public hearing at 7:49pm. 154

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- The board reviewed the minutes of December 20, 2023, and made minor corrections to grammar and syntax.
- MOTION: M. Silvia motioned to approve the minutes of December 20, 2023 as amended. A. Fenton seconded. All in favor, none opposed, no abstentions.

| 161 | MOTION: M. Silvia motioned to adjourn the meeting. A. Fenton seconded. All in favor, none |
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| 162 | opposed, no abstentions. |
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| 164 | The meeting adjourned at 7:49pm. |
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| 167 | Next Regular Monthly Meeting: Wednesday, February 21, 2024, at 6:30pm |
| 168 | Adjournment |
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| 170 | Respectfully Submitted, |
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| 172 | Owen Corcoran |
| 173 | Land Use Administrative Assistant |
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