

DRAFT – NOT YET APPROVED

TOWN OF EAST KINGSTON PLANNING BOARD

MEETING MINUTES

September 17, 2026

Pound School
41 Depot Road
East Kingston, New Hampshire

John Petrucelli, Chair
Tim Allen, Vice Chair
6:00PM

AGENDA

Pappalardo Family Realty Trust – Subdivision – Public Hearing – Case# 2026-02

James Materkowski – 33 Haverhill Road – Site Plan Review – Public Hearing – Case# 2026-07

Board Members Present: Tim Allen – Vice Chair, Catherine Belcher – Alternate, Joseph Cacciatore – Ex-officio, John Petrucelli – Chairman and Jonathan Slaven. Absent: Christopher Mierswa and Ellen McIntyre – Alternate.

Advisors Present: Town Engineer Dennis Quintal and RPC Planner Nicole Berry.

Others Present: Gordon Powers, Sal Ragonese, Barry Giers PE, Adam Barss, Jason Sentineri, James Materkowski, Ben Clark PE, Vicki Brown, and other members of the public who were not identified.

Chairman Petrucelli opened the meeting at 7:00pm followed by roll call. Noting the absence of Mr. Mierswa and Alternate McIntyre, he designated Alternate Belcher as a voting member for the evening.

PUBLIC HEARINGS

PAPPALARDO FAMILY REALTY TRUST– PUBLIC HEARING – 14 TILTON LANE – CASE # 2026-02

Chairman Petrucelli opened the public hearing at 7:00pm for Pappalardo Family Realty Trust who proposes to create a 17-lot conservation subdivision on property located at 14 Tilton Lane (MBL# 14-3-12) consisting of 42.67 acres. This is a continuation from the August meeting.

APPLICANT’S PRESENTATION

Professional Engineer Barry Gier stated that since the last meeting they have provided two plans where they have revised the stormwater basins to eliminate the encroachment into the buffer areas, have added a postal kiosk after consulting with the post office to be located at the entrance of the cul-de-sac, added construction fencing around the vernal pool and will add signage around the pool as well per Town Engineer Quintal’s recommendation, added underdrains around the cul-de-sac as requested, detailed grading around the fire cistern area, provided buoyancy calculations, added intermediate bounds to the subdivision plans, added the waiver to the coversheet, added the notation that the HOA will maintain the stormwater drainage system, and provided bond estimate information for the reconstruction of Tilton Lane as well as the new Tilton Lane.

He further stated that they received the Town Engineer’s most recent review letter earlier in the day noting that the majority of those items will be provided with the final plans. This project does require an Alteration of Terraine Permit (ALT) from the state. He went on to request the board provide conditional approval for the application and allow the state (DES) to address any drainage issues as he and Town Engineer Quintal differ on some of this. The state would serve as arbitrator on those issues.

With respect to the estimate for the reconstruction of Tilton Lane, he stated they needed to draft a third version of the estimate (which he handed out to the board) with the final estimate of approximately \$194k to which the applicant is willing to complete the reclamation of the asphalt and repaving at the cost of \$88k.

PROFESSIONAL REVIEW

DRAFT – NOT YET APPROVED

37 Town Engineer Quintal stated he received copies of the updated submittal on September 10th by email and noted that
38 he deleted the comments that have been address already from the review; however, there are several that are still
39 outstanding. Town Engineer Quintal's final comments are in bold.

40 1. Title & Sheet A1 – Pending NHDES permit approval numbers must be added to these sheets. The Response states
41 that they will be added prior to final approval. **This item is on the list of conditions for approval.**

42 2. Perhaps the surveyor will be able to provide a closure printout to prove the open space calculations. Response states
43 that they will be provided prior to final approval. **This item is on the list of conditions for approval.**

44 3. Conservation Subdivision Article XI.M – This regulation requires the development to have a 100-foot landscape
45 buffer around its entire perimeter. This plan shows design encroachment of the stormwater treatment areas within
46 this natural buffer zone. The Response states that the stormwater features have been removed. **However, on sheet**
47 **D3 there is a 5-8 foot strip of impact into vegetated buffer. The Plans should clearly show no encroachment into the**
48 **natural buffer zone.**

49 4. Sheets A3 & A4 – Surveyor and Wetland Scientist stamps must be added. Surveyor lot closure statement must be
50 added. The Response states that they will be added prior to final approval. **This item is on the list of conditions for**
51 **approval.**

52 6. Sheet C1 – Soil Scientist stamp must be on this sheet. The Response states that it will be added prior to final approval.
53 **This item is on the list of conditions for approval.**

54 9. The Applicant must consult with the US Postal Service since a mail Kiosk location and design will be required and
55 shown on the plans. A Mail Kiosk location is now shown on the plans. **I recommend better details be provided (grades,**
56 **edge of pavement, sample of Kiosk).**

57 10. Sheets C2 & P1 – The vernal pool is a sensitive area for endangered wildlife species. The road is designed to be
58 very close to the edge of the pool and could impact on its future function. A larger buffer is recommended. The
59 proposed building shown on Lot 11 should be farther from the vernal pool. The plans now show a Construction Fence
60 15 feet around the VP during construction. **I would recommend that after construction "Vernal Pool Buffer" placards**
61 **be placed along the edge of the buffer to assure natural conditions remain in the Buffer.**

62 21. Stormwater Basin area in Easement #1 is now a Detention Basin. The bottom area, according to the Calculations,
63 is 14,300 sf. **This base area must be noted on the plan Sheet D2.** The closest soil test pit is #34 with a seasonal water
64 table found to be 20 inches below the surface. Most of this basin is well below the seasonal water table with maximum
65 cut of about 6.5 feet.

66 The Construction Note refers to the Landscape Plans and seed with NE Wetland Mix shown on Sheet E1. **Note 6 refers**
67 **to Gabion Baskets which do not appear to be part of this design. On this Sheet the width of the treatment swale**
68 **dimension is 7.5 feet, but the Detail Plan shows 8-foot width as proposed in the Calculations, TS 1.**

69 **Stormwater Basin in Easement #2 base area must be noted on the plan.** It has a portion shown as an Infiltration Basin.
70 See Sheet D3. Soil Test Pit 10 has seasonal water table at 26". Test Pit 35 has seasonal water table at 16". The Infiltration
71 Basin is between these Test Pits. The base elevation is proposed at 186 with original grades from 187 to 189. Based on
72 this information the SWT is at 185.2 up to over 187. **Seasonal Water table noted at the top of the page is incorrectly**
73 **shown at 184. The Infiltration Practice Criteria page in the drainage analysis has the seasonal water table listed**
74 **incorrectly at elevation 185. This basin will not infiltrate as designed. The whole infiltration area must be at least 1**
75 **foot above SWT according to State Stormwater Design Manual.**

76 **On this Sheet the width of the treatment swale dimension is 6.5 feet as proposed in the Calculations, TS 2., but the**
77 **Detail Plan shows 6-foot width.**

DRAFT – NOT YET APPROVED

On these two Basins, the grade at the beginning of the swales is controlled by Level Spreaders. The grade at the outlet pipe from the road is a foot below the Level Spreaders. These are well below seasonal water table, so will always be ponding water and be a mosquito breeding area. Perhaps there is a way to prevent this constant ponding.

23. The Stormwater Management Operation and Maintenance Manual does not list a Detention Basin for Inspection and Maintenance. This basin, being far below water table, will be saturated most of the year with wetland characteristics. **Specific O & M of the Detention Basin must be incorporated in the Manual.**

24. Sheets D4 & D5 – **I recommend sheets D4 & D5 be reviewed by the Fire Department or an engineer who specializes in Fire Codes and requirements.** I have no objection to the buoyance Calculations provided.

28. Section VII.Q - The Applicant has provided Construction Bond and Reduction Worksheet for the development of Tilton Village Estates.

- **I believe Item 4, tree, brush & stump removal should be higher than \$750.**

- **The quantities on Items 16 & 17 should be switched.**

32. A proposed Subcatchment Watershed Sheet W2A has been provided. **I find the plan shows calculations for Subcatchment area 207 (Lots 1,2,3&4) shows surface water flowing southwesterly uphill to the roadside swale, then to treatment swales and Infiltration Basin #1. However, the proposed contours on Sheets C3 and P1 for area 207 slope northeast, downslope. Some of the runoff from 207 will flow untreated directly to the Basin #1 and the rest directly offsite, therefore creating increase the runoff offsite. Proposed grading should match the proposed Subcatchment areas in the Drainage Analysis.**

33. Similarly, Sheets C3 and P1 & P2 show most of the surface runoff from Subcatchment 204 (Lots 5,6,7&8) flows northeast downslope. Calculations show this area to flow uphill into the roadside swale. The actual runoff will increase easterly onto the abutting property. **Proposed grading should match the proposed Subcatchment areas in the Drainage Analysis.**

37. I have concern for the existing conditions of Tilton Lane. This roadway was constructed many years ago and has been limited to little traffic flow. With all the proposed construction vehicles for developing this site this roadway will not survive without some impact. **I believe the Board should consider propose requiring a Bond to cover any ultimate damages. The bond amount should cover total reconstruction as well as 25% inflation cost.**

A Plan & Profile of existing Tilton Lane has been submitted also showing proposed conditions. **My only concern is that the proposed centerline elevation at station 8+00 be raised up so the proposed edge of pavement will better match the existing driveway grade of Lot 3-18 at the property line. I estimate at least one foot would be needed.**

A Construction Cost Estimate & Bond Reduction Worksheet has been provided.

- **I believe Item 4, tree, brush & stump removal should be higher than \$125. It appears that trees at Station 0+85 left and Station 2+30 left will need to be removed for swale excavation.**

- **The quantities on Items 10 & 11 should be switched.**

38. All required stamps (surveyor, engineer, soil/wetland scientist) should be on final plans. Response states that all stamps will be included in the final plan set. **This item is on the list of conditions for approval.**

39. The Stormwater Management Operation and Maintenance Manual should be recorded with the Final Plans. Response states that the manual will be recorded with the final plans. **This item is on the list of conditions for approval.**

YIELD PLAN ADDITIONAL COMMENTS

8. I recommend the Yield Plan be stamped by a licensed Land Surveyor. Response states plan will be stamped. **This item is on the list of conditions for approval.**

DRAFT – NOT YET APPROVED

118 ADDITIONAL COMMENTS

119 14. Currently, the Applicant is not planning to phase the project. **A phasing plan is not required.**

120 15. A note should be added that “No building permits be issued until the roadway construction is completed to base
121 layer of asphalt.” The Response states that the Applicant would like to discuss it with the Board.

122 The concern here is that the roadway might not be passable by emergency apparatus should there be a construction
123 accident or incident at any of the constructed sites.

124 Chairman Petrucelli asked Town Engineer Quintal to list his major concerns with respect to the outstanding matters to
125 which he replied that the detention basin infiltration is within the water table and the design as proposed is not state
126 approvable – this needs to be redesigned for there to be groundwater recharge. Most of the other items are drafting
127 issues or to be completed prior to final approval.

128 Vice Chair Allen as Town Engineer Quintal to clarify how the detention basins are to be designed to which he replied
129 that the runoff from the impervious surfaces should be forced back down into the ground for groundwater recharge
130 and that this particular basin, where it is within the water table, will not allow the water to percolate back into the
131 ground – it will just runoff offsite. The regulations require it to be a foot above the water table; this design does not
132 meet that requirement.

133 Mr. Gier stated that he disagrees with the Town Engineer, which is why he is suggesting they allow the state to arbitrate
134 the matter through the ALT process as the DES will review the drainage plan at a level beyond what Town Engineer
135 Quintal is doing. This could then be a condition of approval.

136 Vice Chair Allen asked if there were other designs to address the concern that could fit into that footprint to which Mr.
137 Gier responded there were several, however, he believes that they meet the requirement with the current design. ALT
138 will determine if it is met, if they need additional testing or they could waive it, though they rarely waive such things.

139 He went on to say that the stormwater needs to be treated prior to being infiltrated which is being treated in the
140 treatment swales which is why they have the drainage easement #1 area (a detention basin). He stated he believes
141 they provide sufficient infiltration and they will figure out the elevation that they have to be for that.

142 There were no additional comments from RPC Planner Berry.

143 BOARD COMMENTS/QUESTIONS

144 Vice Chair Allen asked Town Engineer Quintal to clarify his comments about not all of the drainage system being
145 removed from the buffer to which he replied that the plan (Sheet C3) should show no silt fence or sediment control in
146 the buffer area.

147 Mr. Gier agreed to move the silt fence and sediment control back out of the buffer.

148 Vice Chair Allen noted that with some of the drainage changes made to the plan the lot shapes have changed resulting
149 in well radius and 4k areas falling outside of the setbacks (see lots #16, #1, #6, #9, and #14). All of these as well as any
150 others need to be moved back out of the setbacks. Each lot should be sufficient to meet all of the setbacks.

151 He went on to say that with respect to all of the drainage easements being moved outside of the buffer as required,
152 the construction of those drainage easements must not disturb the buffer areas – the easements are right up against
153 the buffer per the applicant’s plan, thus he would like to see a notation on the plan stating that there shall be no
154 disturbance in the buffer zone. He gave an example of how even the smallest disturbance would count against the
155 open space calculation requirement and thus jeopardize meeting the open space requirement. All construction needs
156 to be done from the other side so there is no disturbing the buffer zone.

DRAFT – NOT YET APPROVED

157 Town Engineer Quintal stated that he has seen in similar situations that the applicant would be required to stake the
158 buffer zone so that contractors do not encroach on and disturb those areas.

159 Vice Chair Allen stated that they can revegetate the buffer if needed, but they can't count the buffer as open space if
160 it is disturbed. It was agreed that a note be added to the plan that the buffer area be delineated prior to construction
161 as a means to keep the buffer from being disturbed.

162 With respect to the Tilton Lane estimates, Vice Chair Allen asked for clarifications to each of the estimates provided.

163 Mr. Gier stated that the \$511k number represents the cost of constructing the new portion of Tilton Lane (bond) and
164 the \$194k represents the reconstruction of the existing roadway.

165 Town Engineer Quintal stated he agrees with the estimates and further noted a 25% contingency has been added to
166 cover increases that may occur since this would likely be a multi-year buildout (inflation).

167 Mr. Gier restated that the applicant would be willing to cover the cost for line items #10 asphalt binder, #11 asphalt
168 wearing course, and #12 reclaim asphalt.

169 Alternate Belcher stated she had some concerns with the project in general outside of the drainage issues. At the last
170 board meeting there were four items the board requested the applicant address for this meeting: phasing, which they
171 stated they are not going to do now; getting everything out of the buffer zone which they still need to complete; and
172 redesign the road around the Barss property because it is incredibly close to the existing residence. She stated when
173 she went out on the site visit back in April it was clear to her that it was unreasonable to run a road that close to the
174 existing house regardless of the history behind the construction of the original parcel, and regardless of that being a
175 right-of-way for the original homeowner to access the back property decades ago. The fourth item which was
176 completed was to provide the cross section of Tilton Lane along with cost estimates.

177 She opined that the road needs to be redesigned to go around the existing home better. If she were to vote on the
178 application with the proposed road design as it stands today, she would vote against it as this design clearly affects the
179 safety of the existing home which has been there for decades – this would qualify as a safety and health issue for her.

180 Second, the proposed location of the mail kiosk is directly across the street from this home where traffic will be
181 stopping throughout the day. She expressed concern for the children who reside at the existing house in that not only
182 will their house be dangerously close to the road, but now complete strangers will be stopping directly across the street
183 from them. Nobody with kids wants that kind of activity going on across the street from their home. For the same
184 safety and health reasons as stated about the road design, the kiosk needs to be relocated much further away from
185 that house whether it be at the end of Tilton Lane or somewhere further inside the development itself.

186 She continued to say that neither design is acceptable with respect to the board's due diligence to ensure every
187 subdivision meets the qualifications for the safety, health and welfare of the residents of East Kingston. She appreciates
188 the work that has been done by the applicant in working to meet all of the board's requests and requirements along
189 the way, but these are big items of concern for her. Without insinuating the applicant is being inconsiderate to the
190 existing residents on Tilton Lane, there are better ways to be a good neighbor, especially to the parcel that is most
191 negatively affected by this proposal.

192 Chairman Petrucelli asked if the applicant could relocate the mail kiosk to which Mr. Gier replied they will talk to the
193 postmaster for other options. The reason they picked that area was because it was already a paved area within the
194 right-of-way. With respect to the road design, he stated it meets the current road design criteria and the applicant
195 believes there should be some consideration to him should the board ask him to redesign the road which would then
196 trigger the redesigning of lots and stormwater drainage systems – considerations like reducing the road bond or a
197 portion of the road reconstruction costs.

DRAFT – NOT YET APPROVED

198 Alternate Belcher countered that it sounds like what Mr. Gier is saying is that the applicant would only consider
199 modifying the road design around that house, even though he has been asked to do this at every single meeting, if the
200 board reduces his financial responsibility. Mr. Gier replied that everything has a cost.

201 Alternate Belcher responded that everything does have a cost including the safety, health, welfare and benefits of the
202 people who already live there. She stated that under the law the planning board has the authority to determine what
203 qualifies as the safety, health and welfare of the residents of East Kingston as developments are being proposed, and
204 that she wants this to be clearly understood.

205 Vice Chair Allen stated that he has been saying all along that the road needs to be redesigned away from the Barss
206 property including at the last two meetings. The road also goes through the Barss' protected well radius. The well is
207 pre-existing, but the applicant has the ability to push that road outside of that protected well radius, the applicant has
208 the ability to create a safer road design around that property, and there is concern that the current design will cause a
209 diminution of value to that property.

210 He went on to say his position aligns with Alternate Belcher's with respect to road design. He is also a voting member
211 and that he does not believe the current design gives consideration nor does right by the Barss' property for reasons
212 of safety and water quality of their well. He understands that changes to the road design will make things tighter in the
213 lot #1 and lot #2 areas; however, this has been self-inflicted because the lots have no wiggle room anywhere.

214 Vice Chair Allen then inquired where the utilities would be coming into the development as he notes this has been
215 raised as a concern by one of the abutters.

216 Mr. Gier stated that Eversource is proposing the power come overhead down Tilton Lane and then underground at the
217 start of the new pavement. He believes there is a cost for underground but does not know the amount. He stated the
218 applicant is willing to look into having the utilities installed underground all the way down Tilton Lane but noted the
219 utility companies do not like underground utilities as they are harder to maintain.

220 At Chairman Petrucelli's inquiry, Mr. Gier stated that the Barss' utilities come in through their back yard.

221 PUBLIC COMMENT

222 Chairman Petrucelli opened the hearing to public comment and acknowledged the board has received a couple of
223 abutter letters and offer the option for those abutters to read their letters in full or to summarize them.

224 Adam Barss of 14 Tilton Lane stated that he does construction for a living and that as far as the phasing is concerned
225 having the roads paved may be a requirement of the NPDES permitting process to address dust and snow during
226 construction. He'd like to correct the record in that the utilities currently run up Tilton Lane on the Jacques' side to the
227 stone wall and then underground to his house from that point. They could potentially create a right-of-way/easement
228 through his property to continue with the underground system at a cost that he has already spoken to the applicant
229 about. Also, the utility company is Unitil, not Eversource so the applicant needs to be sure he is contacting the correct
230 company.

231 He stated the board has already addressed the road design and his well protection radius. He spoke to the post office
232 himself about the location of the kiosk and was told the location is up to the planning board for which they would then
233 sign off on. The post office also stated that mail kiosks, or cluster box units as defined by the post office, are not placed
234 close to residences or dwellings for parking, walking and access reasons. He stated he finds it interesting that vehicles
235 entering into the cul-de-sac areas automatically bear left away from his property versus using the staked roadway, thus
236 they must also sense the roadway is too close to his home.

237 New items that he'd like to raise after seeking advice from one of his environmental engineers include a list of questions
238 he'd like to pose to the board.

DRAFT – NOT YET APPROVED

- Yield plan calculations for lots at their minimum upland threshold (lot #1 – 130 sf over requirement, lot #2 – 104 sf over requirement, lot #6 only 82 sf over requirement). What tolerance is assumed in the wetland delineation and soil mapping? Were any independent verification calculations performed?
- Drainage Easements and Future Saturation (Town Engineer Quintal raised some of these concerns earlier).
- Constructability of Lots #10 and #11 – Given the restrictive calculations of each lot, have all setbacks for house, well, and septic been demonstrated? Reserved septic locations clearly identified? Building envelope practically useable?
- Vernal Pool Considerations – address earlier.
- Open Space Calculations – noted similar concerns identified by Vice Chair Allen.
- Roadway and Waiver Considerations – road calculations may need further review.

He stated the lots are very tight lots and if the wetlands are off a little as five feet in any one of those named lots, then those lots do not meet size requirements. He recommends the board have the lot calculations independently verified.

Vice Chair Allen noted that the Barss' well radius extends across the property line to which Mr. Barss responded that when he went to purchase the property in 2020 it was 16 acres then reduced to two acres upon purchase. Vice Chair Allen asked if a well easement was included at the time of the sale to which Mr. Barss stated he did not know. Vice Chair Allen stated that the board should investigate whether a well easement was included when the parcel was subdivided. Mr. Gier stated that he doesn't need an easement for his well radius protection. Vice Chair Allen stated he was making the point that the easement would have been there for Mr. Barss's well protection.

Gordon Powers of 26 North Road stated that his primary concern tonight is the utilities location as the plan proposes to run the poles up the north side of Tilton Lane along his property that might also include cutting trees which are on his property. As a major concern to him, he would like the utilities installed underground as they are being provided underground within the development. He then suggested as another option for the utilities to come in through Route 107 instead of Route 108. They could use the emergency access road which is a much shorter distance (over 1k feet shorter). He said the road drainage and utility poles would add to the encroachment onto his property.

Vice Chair Allen asked Mr. Gier if they had considered leaving the existing utilities in place along Tilton Lane and bringing power in from Route 107 versus Route 108.

Mr. Gier replied that he stands corrected that the utility provider is Unitil and not Eversource and that he would be willing to ask; however, it is a public utility and getting a hold of someone is not easy and it can be difficult in getting a response from them.

Town Engineer Quintal stated that the distance for utilities access is 800 ft from Tilton Lane and 500 ft from Route 107 and that the plan should be updated to reflect utilities coming in from Route 107 as part of the applicant's presentation to Unitil. Utilities access is the board's prerogative. Just like most agencies, Unitil doesn't want to see the plans until they have been approved by the board as plans change throughout the approval process. Board members concurred noting that there is going to be a clear access by way of the emergency access road and that Route 107 is a viable option they (the utility company) would consider.

Vicki Brown of Stumpfield Road and member of the Conservation Commission extended thanks to the board for their thoughtful consideration of the regulations and requirements as they pertain to the natural buffers and making sure that it is maintained.

She went on to opine that the existing road, which is basically a driveway, is going to be reconstructed; however the costs should be borne by the applicant and not the East Kingston taxpayer. She appreciates the \$88k offer, but the cost should be the responsibility of the subdivision.

She then inquired about the open space calculations as the ordinance requires 50% of open space of the total acreages.

DRAFT – NOT YET APPROVED

Mr. Gier responded that the total acreage is 42.48 acres and they have maintained 21.237 as open space which includes both wetlands and the required uplands - half of the open space has to be uplands to which they are providing 13.88 acres.

Vice Chair Allen confirmed that the percentages are correct and the applicants are conserving more upland than is required.

With no other public comment, Chairman Petrucelli closed the hearing to public comment.

BOARD COMMENTS/REVIEW

Alternate Belcher directed attention to the Review Status Report depicting all of the items raised during the review process that was recently updated by Town Engineer Quintal prior to the receipt of this latest plan rendition and that instead of going over all of the items again, maybe ask Town Engineer Quintal to run through the items he sees as priority. She also asked board members to go through the list of items raised this evening to be sure she captured them for the record.

Vice Chairman Allen stated he would like to share his list of notes and concerns provided the applicant is amenable to continuing the hearing to next month or whether he wants a decision tonight. The board is in receipt of commitment from the applicant to pay \$88k for the repairs needed to Tilton Lane. Action items include:

- Mailbox kiosk to be relocated.
- Utilities to come in from Route 107.
- Redesigning the roadway around the Barss property.
- Address the drainage conflict between the two highly-respected engineers – he does not feel comfortable approving a plan where Concord may decide they don't like and then have the applicant come back to address it.

He recommended Mr. Gier, should he be fully confident in his drainage design plan, to reach out to the state to get their feedback. He does not want to approve a plan where the Town's Engineer says the design is not adequate.

Mr. Gier responded that the ALT is going to be a condition of approval that the board would grant anyway. Vice Chair Allen stated that what sets this apart is that it is a significant item where for weeks the board has pushed the applicant to get the drainage areas to meet the regulations. Mr. Gier stated that all the regulations they are following are brought down from the ALT so if they do not meet the state requirements, they definitely would not be meeting the town's requirements – he would like to let the ALT serve as the arbitrator of whether the proposed drainage plan meets the requirement or not. He stated it would take two to three months to get the ALT review which is why he is requesting it be a condition of approval.

- All items contained within the Town Engineer's letter.

Alternate Belcher asked what would happen if the state did not approve of the drainage plan to which Mr. Gier responded that any drainage changes that affected the building lots would trigger the applicant to come back to the board for further review as with any other state permit. Alternate Belcher noted that final plans are compared to the last submitted plans and reviewed for compliance prior to recording at the Registry of Deeds thus any changes to the lots would be disclosed at the time of the review. Given the final plan review process, she stated it was not unreasonable for the board to include the ALT permit as a condition of approval.

Vice Chair Allen stated that if all the other items are addressed, he could be persuaded to agree to that as a condition of approval.

DRAFT – NOT YET APPROVED

At this point, Mr. Gier stated the applicant will allow for a continuation of this hearing to next month. He asked if the board had a preference to the placement of the mail kiosk and noted they are typically located at the beginning of development for the convenience of the residents.

Discussion ensued on possible locations (by drainage areas #1 and #2, the 200 ft buffer at the beginning of the development, and possibly redesigning to use individual mailboxes).

For the record the following items were noted for further review or conditions as part of the board's review of the application:

- All of the items listed in the Town Engineer's review letter (drafting updates and conditions of approval)
- Notation that there be no disturbing of the buffer areas
- Move utilities access from Route 108 to Route 107
- Redesign road away from the Barss' property
- Move the mailbox kiosk or propose individual mailboxes
- Add note that the buffer area is to be delineated prior to construction
- Move the sediment control and silt fencing from the buffer area (sheet C3)
- Add ALT approval as a condition of approval
- Determine if there is a well easement for the Barss' well protection area

MOTION: Vice Chair Allen motioned to continue the public hearing for Pappalardo Family Realty Trust, a 17-lot subdivision at 14 Tilton Lane, PB Case #2026-02 to October 15, 2026 at 7pm as accepted and concurred by the applicant; seconded by Mr. Slaven. The motion passed 5-0-0.

Chairman Petrucelli closed the public hearing on PB Case #2026-02 at 8:11pm.

JAMES MATERKOWSKI (THE GREEN COCOON LLC) – SITE PLAN PROPOSAL – 33 HAVERHILL ROAD (PB Case# 2026-07)

Chairman Petrucelli opened the public hearing at 8:12pm for James Materkowski who proposes the operation of a spray foam insulation business at 33 Haverhill Road, MBL# 9-8-2. The scope of the business includes utilizing the commercial building for the storage of insulation products, utilizing the mobile home as an office, and the parking of commercial vehicles. The applicant has also submitted nine waiver requests associated with the site plan review process.

He further announced that Alternate Belcher is an abutter to the property thus she will not be voting on the matter; however, she would remain at the board table as the land board secretary.

Jason Settineri introduced James Materkowski (owner of The Green Cocoon), and Benjamin Clark (Professional Engineer from TFMoran) to the board. Mr. Clark would pick up where Professional Engineer Alan Roscoe left off at the last meeting in August when they came before the board for conceptual consultation.

Mr. Clark opened the presentation for the change of use at 33 Haverhill Road noting the only change to the property is the change of use, as they are not proposing any changes to the lot, the buildings, or the pavement. They will demonstrate that the buildings and layout of the property can accommodate the newly proposed use as is. They understand that if changes are needed at a later date, then they will come back for a full site plan review with surveyed engineered plans. They did not conduct a full survey for this application but was advised by the board on the submission materials that would be needed for this type of change. They are using an aerial photo with boundary, parking, dumpster, building use overlay.

He noted by reading the meeting minutes that at the last meeting the board expressed an interest in adding employee parking and business box truck parking to the plan. There are seven box truck parking spaces measuring 24 ft long x 8 ft wide. Those trucks would be parked overnight at the premises as they are out to the job site during the day.

DRAFT – NOT YET APPROVED

361 He spoke about the list of waivers that they submitted noting each waiver was related to the requirements not
362 necessary for just a change of use – they do not apply to this particular proposal since no construction is being
363 proposed.

364 RPC Planner Berry noted that they do not have to go through each of the waivers since the rationale for each is the
365 same unless the board wishes otherwise. The board can review and act on them individually or as one motion.

366 She stated that in her review of the application, it is her position that the application is complete enough for the board
367 to take jurisdiction on the proposal.

368 INVOKING JURISDICTION

369 Chairman Petrucelli asked for a motion to accept jurisdiction on the application.

370 **MOTION: Mr. Slaven motioned the board take jurisdiction on the site plan for James Materkowski, PB Case# 2026-**
371 **07 for property located at 33 Haverhill Road; Vice Chair Allen seconded. The motion passed 4-0-0.**

372 PROFESSIONAL REVIEW

373 RPC Planner Berry suggested the board review the waiver request for the escrow requirement and possibly require a
374 reduced amount of \$500 to cover any costs associated with the professional reviews conducted thus far.

375 With respect to her inquiries about the application as part of her review, her questions were answered about the
376 signage for the business. The applicant intends to use the existing sign structure and replace the face with a new
377 company title. Additionally, she asked for more parking information which they have provided.

378 She also recommends the board identify which waiver pertains to survey and wetlands delineation as she was not
379 finding one specific to those requirements.

380 Mr. Clark stated that he can't remember off the top of his head which exact requirements they were but they did relate
381 to location of public services, property lines, and similar requirements which would be picked up by a survey of the
382 land. He referenced Sections V for public services, property lines, and contours. He stated they would be happy to
383 submit another waiver if needed.

384 RPC Berry stated that she was looking at Section V.B.11 for soil and wetlands requirements and should the board feel
385 this waiver is also required, they can ask the applicant to provide it verbally and then require it in writing as a condition
386 of approval.

387 Vice Chair Allen asked Town Engineer Quintal if there were any wetlands on this parcel to which he responded he did
388 not believe there were. Abutter Belcher agreed stating the parcel is dry.

389 Mr. Clark stated the justification would be the same as the other waivers so he would be happy to read through those
390 as well. He then formally requested a waiver from Section V.B.11 with respect to the soils and wetland requirements
391 citing the same rational for the other waivers – this is for a change of use only.

392 Town Engineer Quintal stated that he reviewed the application as well but did not write a report as he did not have a
393 lot to discuss. He was a little confused about the parking spaces but that has now been cleared up. He noted the
394 dumpster is being shown very close to the well and would recommend it be moved to avoid any possibility of
395 contamination from the dumpster should there be any leaching of chemicals. He recommends the state septic approval
396 number should be added to the plan and show where the tanks and leaching system is located as they are all tied
397 together (office and main building). They should also note the flow rate.

398 The only other question he had was whether there would be any changes to the lighting to which Mr. Clark stated
399 there were no plans to change the lighting at this time. Mr. Clark also stated they would move the dumpster away from
400 the well. The location was chosen as it was central to the building and shielded by the building.

DRAFT – NOT YET APPROVED

401 BOARD REVIEW/COMMENTS

402 Ex-officio Cacciatore recommended they install a concrete dumpster pad in the event there be any leakage from the
403 dumpster. The board agreed they could add a concrete pad without triggering a full surveyed site plan review.

404 Discussion ensued on the flow rate for the property noting that converting the three-bedroom home into an office
405 would not strain the system, in fact, it would be less of an impact. Town Engineer Quintal stated he's pretty sure he
406 designed the system but didn't have time to look it up before the meeting. He has the flow rate information if they
407 need it. The state has a standard flow-per-rate numbers for business offices, and this use and number of employees
408 would not appear to be an issue to the current design. The applicants should look up those requirements from the
409 state and add them to the plan to ensure they meet the flow rate of the current system.

410 If they do not meet the requirements they would need to apply for a new septic plan; however, Town Engineer Quintal
411 stated he is pretty sure this is not the case.

412 Vice Chair Allen noted that he is not an expert on the chemicals listed on the MSDS sheet; however, the plan should
413 delineate the number of gallons of these products and their locations in the building.

414 Mr. Settineri replied that these are already listed on the floor plan (see plan A101). The floor plan shows the areas
415 depicting what will be stored where and how many rooms will be used. He stated they did this at the request of the
416 board from the last meeting.

417 The floor plan should be updated to reflect the number of drums of products to be stored in the building.

418 Mr. Materkowski spoke about the types of products used, both open and closed cell and agreed to provide the fire
419 department with a full list of chemicals/products to be kept on site as well as their locations.

420 Mr. Settineri stated they will also provide flame spread certificates that will be filed with all of the MSDS sheets and
421 further noted that the products they use are not flammable contents. They will provide all that information to the fire
422 department. Vice Chair Allen stated providing the fire department with this information be a condition of approval as
423 well so that they know what will be in the building.

424 Discussion then ensued on spill protocol in the event anything leaches into the ground, on ensuring all the drains in
425 the building are sealed including any cracks in the floor.

426 Mr. Materkowski stated it would be impossible to have a major spill as in the event a drum gets punctured by a forklift,
427 the drum gets flipped upside down immediately limiting the incident to a very small spill. He stated they haven't had a
428 spill in the 20 years they've been in operation.

429 Spill kit locations should also be added to the floor plan.

430 Discussion circled back to the \$500 escrow suggestion noting that since the application has already been submitted,
431 that the application is considered a minor site plan without any more professional reviews anticipated, the board can
432 just add the payment of all professional review fees as a condition of approval. Board members agreed to add this as
433 a condition of approval.

434 PUBLIC COMMENT

435 Chairman Petrucelli opened the hearing to public comment.

436 Adam Barss spoke to the proper disposal of any contaminants as a likely requirement of the fire department so they
437 might want to secure a contract with a company like Clean Harbors to get ahead of that requirement.

438 There being no other public comment, Chairman Petrucelli closed the hearing to public comment.

439 BOARD REVIEW

DRAFT – NOT YET APPROVED

Vice Chair Allen inquired about the storage of empty barrels to which Mr. Materkowski stated they hire a drum company that takes them by the truckload and recycles them for reuse. The empties are stored in the shop and when they have enough for a truckload they call and have them removed. The empty ones are stored next to the full ones.

Vice Chair Allen stated that there should be no barrels stored outside of the building and that this be added as a condition of approval.

BOARD CHECKLIST

Chairman Petrucelli then led the board through the site plan review checklist beginning at Section VI as the board has already taken jurisdiction on the application.

SECTION VI		GENERAL STANDARDS	MET	NOT MET	WAIVED	N/A
	A.	Design: minimal disturbance, natural landscaping, etc.				X
	B.	Buffers: 200 ft between use and residential zone			X	
	C.	Screening: storage and waste disposal	X			
	D.	Parking, Loading, Pedestrian Safety	X			
	E.	Erosion and Sedimentation Control			X	
	F.	Post-Construction Stormwater Management				X
	H.	Access to Public Streets	X			
	I.	Water supply and Sewage Disposal Systems	X			
	J.	Flood Hazard Areas				X
	K.	Inspection of all site improvements by Town Engineer				X
	L.	Performance Bond				X
	M.	Final Site Plan to be recorded at Registry of Deeds – the notice of decision will be recorded at the RCRD.			X	

Mrs. Belcher noted that in order to record a site plan at the registry of deeds, the plan must include the stamp and signature of a licensed land surveyor. Since the board is waiving that requirement, the plan cannot be recorded. The board will record the notice of decision in its place referencing a site plan being on file at the Town Offices.

	N.	Fire Suppression Provisions	X			
--	----	-----------------------------	---	--	--	--

SECTION VII		GRANTING OF WAIVERS				
		Waivers Requested:	Granted		Not Granted	
	1.	Section III – Procedures: escrow	X			
	2.	Section V (C) – building elevations	X			
	3.	Section V (H) – stormwater management/drainage	X			
	4.	Section V (I) – contours and finished grade elevations	X			
	5.	Section V (L) – location of public services	X			
	6.	Section V (O) – property lines	X			
	7.	Section VI (B) – buffers	X			
	8.	Section VIII (G) – site landscape standards	X			
	9.	Section VIII (H) – parking area landscaping standards	X			
	10.	Section IV (B) 11 – wetland boundaries (verbal)	X			

Mr. Clark agreed to submit a written waiver request from Section IV (B) 11 – wetland boundaries. Chairman Petrucelli then read through the criteria for granting waivers as follows:

- The waiver will not be detrimental to the public safety, health or welfare or injurious to other property and will promote the public interest.
- The waiver will not, in any manner, vary the provisions of the East Kingston Zoning Ordinance, Master Plan or Official Maps.
- Such waiver(s) will substantially secure the objectives, standards and requirements of these regulations.
- The Planning Board may only grant a waiver if the board finds, by majority vote, that:

DRAFT – NOT YET APPROVED

- (a) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
- (b) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

In response to criteria #1, Mr. Clark stated the buildings exist with no modifications proposed at this time.

In response to criteria #2, Mr. Clark stated that no variances are required nor any deviations from the Master Plan for the proposed change in use. No construction is proposed at this time.

In response to criteria #3, Mr. Clark stated the responses are slightly different for each case, but overall, the applicant is doing what he can (i.e. for elevation of the buildings they are using photos, for stormwater management they provided the flow arrows, for topography they provided lidar images), again, there is no construction proposed.

MOTION: Vice Chair Allen motioned to grant waivers from Section III – Procedures: escrow, Section V (C) – building elevations, Section V (H) – stormwater management/drainage, Section V (I) – contours and finished grade elevations, Section V (L) – location of public services, Section V (O) – property lines, Section VI (B) – buffers, Section VIII (G) – site landscape standards, Section VIII (H) – parking area landscaping standards, and Section IV (B) 11 – wetland boundaries (given verbally) based on the determination each request has met the waiver criteria; seconded by Mr. Slaven. The motion passed 4-0-0.

			MET	NOT MET	WAIVED	N/A
SECTION VIII		SITE AND BUILDING DESIGN REQUIREMENTS				
		Consistent with rural/agricultural New England Character	x			
		Signage: material and lighting	x			

Mr. Clark stated that they have added a note that the signage will comply with the standards set forth in the ordinance. A sign permit will be submitted to the building inspector for approval. They intend to use the existing freestanding sign structure.

			MET	NOT MET	WAIVED	N/A
		Landscaping	x			
		Parking	x			

ARTICLE IV COMMERCIAL DISTRICT	x	Permitted uses: business, wholesale, retail, consumer services. Prohibited uses: industrial, heavy manufacturing (manufacturing facilities, trucking companies, solid or liquid hazardous waste companies, excavation and heavy equipment operators), and retail over 25k sq. ft. No use shall be permitted which could cause any undue hazard to health, safety, or property values or which is offensive due to noise, vibration, unsanitary conditions, noxious odor or similar reason. - MET
---	---	---

		Items to be considered by the Planning Board:	MET	NOT MET
	1.	Hazard or detrimental effect to adjacent property: No fire and explosion hazards shall exist as to produce dangerous exposure to adjacent property.	x	
	2.	Odor: No objectionable odors shall be detectable beyond the property line.	x	
	3.	Gases: No noxious, toxic or corrosive fumes or gases be emitted.	x	
	4.	Dust and Smoke: No observable dust or smoke shall be exhausted into the air.	x	
	5.	Heat and Glare: No heat and glare shall be evident beyond the property line.	x	
	6.	Exterior Lighting: No exterior lighting; other than properly shielded street lighting, shall shine directly on adjacent properties or towards any street.	x	
	7.	Noise: No inherent and recurrently generated noise shall be detectable beyond the property line in excess of the average level of street and traffic noise generally heard at the time and point of observation, and no noise below such level shall be objectionable with respect to intermittence, beat frequency or shrillness. No external loudspeakers shall be permitted.	x	

DRAFT – NOT YET APPROVED

	8.	Vibration: No inherent and recurrently generated vibration shall be perceptible at or beyond the property line.	x	
	9.	Radiation: No dangerous radiation shall be detectable outside any structure.	x	
	10.	Waste Disposal and Water Service: Water service and waste and refuse disposal methods shall comply with pertinent health regulations and shall be in accordance with the approved site plan.	x	
	11.	Storage: Fuel, raw, partially processed, finished or other material, machinery, supplies and equipment, including company owned or operated vehicles, shall not be stored between the street line and the front line of structures on the subject lot or, if there be no structure, within forty (40) feet of the street line, and in no case shall be visible from the street.	x	

479 Mrs. Belcher asked if the applicant was proposing to store anything (equipment, business materials, etc.) outside other
480 than the vehicles.

481 Mr. Materkowski stated that the business vehicles will be stored overnight and replaced by employee vehicles during
482 the day. The only other thing outside would be the dumpster. He prefers a clean and organized business site. The only
483 other thing he might have outside are pallets that they get from some of their deliveries which they get rid of promptly.
484 They have someone who picks them up for them as he does not like to have anything piled up on the property.

485 Vice Chair Allen stated the property is located in a commercial district but is surrounded by residential properties. He
486 inquired of the hours of operation.

487 Mr. Materkowski stated his employees get to the shop around 6am to load up their trucks and return around 3pm.
488 The only noise they make is when they start the trucks. They operate five days a week and an occasional Saturday.

489 It was noted that the application lists 8am-4pm, Monday through Friday and that Mr. Materkowski could verbally
490 amend those hours for the record. Mr. Materkowski agreed to modify the hours on the application to 6am to 5pm,
491 Monday through Saturday.

492 Town Engineer Quintal inquired about the location of snow storage during the winter months and recommended this
493 location be added to the plan.

494 The board then reviewed the conditions of approval:

- 495 1. Add DES Septic Approval # to plan.
- 496 2. Add septic flow rate calculations to plan.
- 497 3. Add the location of spill kits to plan (or A101 Sheet).
- 498 4. Add snow storage location to plan.
- 499 5. Relocate the dumpster away from the well and screen from public view.
- 500 6. Outside storage of equipment or products prohibited (pallet pile excluded).
- 501 7. Provide a written waiver request from Section IV.B.11 (wetland boundaries).
- 502 8. Approved hours of operation of 6am-5pm, Monday through Saturday.
- 503 9. Payment of all professional review invoices.
- 504 10. Submit recording fees for Notice of Decision made payable to the Rockingham County Registry of Deeds.
- 505 11. Obtain a business occupancy permit and meet all applicable building codes as determined by the Building Inspector
506 prior to the operation of the business.
- 507 12. Obtain approval from the Fire Department that the buildings meet applicable fire safety codes prior to the operation
508 of the business, to include providing a list of all products to be stored on the premises and undergoing an annual
509 inspection by the Fire Department.
- 510 13. Any changes or expansions to the scope, nature, or infrastructure of the business must be approved by the Planning
511 Board.
512

DRAFT – NOT YET APPROVED

Discussion ensued on providing enough description about what is being approved and what is not in order to provide the code enforcement officer with the documentation he needs to enforce compliance should the occasion arise, that a concrete pad under the dumpster is not warranted as this would give the applicant flexibility should he need to relocate it, on the materials to be disposed of in the dumpster with respect to getting wet from the rain and leaching out of the dumpster (fibrous material and cured plastic (foam) that is not considered hazardous).

MOTION: Mr. Slaven motioned to approve the site plan review application of James Materkowski, PB Case #2026-07, including the ten waivers as granted and with the thirteen conditions noted; seconded by Ex-official Cacciatore. The motion passed 4-0-0.

For the purposes of the record, the full scope of the business shall consist of the operation of The Green Cocoon, LLC, an Insulation Contractor that will utilize the property for business material storage, the parking of business and employee vehicles and central office of operations inside the mobile home. The business receives and stores insulation products, loads materials onto company vehicles, and transports them to job sites for installation. The company employs approximately ten employees, owns seven business vehicles and one trailer. Business vehicles generate approximately fifteen trips per day, and the business receives approximately five deliveries per week.

Mrs. Belcher informed the applicant that she would provide him with an official notice of decision, findings of fact, and detailed instructions of how to meet the conditions of approval.

Chairman Petrucelli then closed the public hearing at 9:04pm.

OTHER BOARD BUSINESS

Alternate Belcher was redesignated to vote on board matters.

ZONING AMENDMENTS FOR 2027

The board reviewed the list of possible zoning amendments for the March 2027 ballot that included the names of who might draft the language or who raised the issue to place the amendment on the list:

1. Tiny Homes – the board discussed this topic back in November and decided to continue discussion for possible 2027 consideration.
2. Home Occupations – modifying the ordinance to acknowledge administrative support for businesses may not require any dedicated space in the residence. (Chairman Petrucelli)
3. Clarify the definition of a Yield Plan. (Vice Chair Allen)
4. Clarify uplands as contiguous uplands or change to buildable area. (Vice Chair Allen)
5. Update childcare center language to include regulation by right. (RPC)
6. Update cul-de-sac language (subdivision regs) per SB564 (RPC) – hold for 2027
7. Buffer area changes per SB564 effective April 2027. (RPC)
8. Groundwater Protection Ordinance
9. Multifamily provisions in the commercial zone per new law. (RPC)

RPC Planner provided handouts relative to the summary of changes with respect to the land use law changes in 2026 to accompany the draft language she generated to incorporate into the zoning ordinance upon the board's approval.

She then reviewed the state requirements for HB 1010 and draft language for Zoning Article IV – Commercial District. Those requirements include how the board should assess adequate infrastructure (road, water and sewer) when evaluating multi-family applications through the site plan review process.

ARTICLE IV - COMMERCIAL DISTRICT (Proposed new language in bold)

B. Uses Allowed: Business, Wholesale and Retail plus Consumer Services. Examples include but are not limited to: professional and business offices, banks, financial offices, service businesses, restaurants, medical facilities, educational institutions or daycare facilities, bed & breakfast houses, hotels, commercial service or repair facilities, retail stores, and self-storage facilities, **and multi-family development provided adequate infrastructure exists per RSA 674:80.**

(New paragraph) E. Applications for Multi-family Development must be submitted to the Planning Board for approval and comply with the following regulations required by RSA 674:80.

The board then discussed adding height restrictions to the multifamily houses allowed in the commercial zone citing fire apparatus limitation, increasing the building setback for commercial to 30 feet from the road to align with residential setbacks (Article IX.G), striking “Section G below” from Article IX.D and replace with “except in commercial.”

The board will discuss height restrictions and septic requirements for multifamily dwellings in the commercial zone at the next meeting.

RPC Planner Berry then reviewed HB119 regarding family and childcare for up to 12 children being allowed by right.

ARTICLE III-B - RESIDENTIAL / AGRICULTURAL DISTRICT (Adopted 3/2020)

(New paragraph) J. Family and group family childcare for up to 12 children is allowed by right as an accessory use in the primary structure or existing accessory structure on lots where residential uses are permitted, if the family childcare complies with DHHS licensing requirements.

Additionally, remove daycare and childcare facilities from Article XVI – Home Occupations.

Discussion ensued on their being some level of review by the town as well as language in the zoning ordinance to ensure children are entering into a safe environment, that the fire department knows there are children in the building, that there is safe pick up and drop off for parents. RPC Planner Berry will do some more research on this topic.

She then reviewed the change to the ordinance required due to SB564 – development in buffer zones.

ARTICLE XI CONSERVATION SUBDIVISION DEVELOPMENT

Adding language to Section M:

Utilities in Buffers and Conservation Areas: A conservation development shall have a 100-foot landscape buffer, inclusive of frontage and setbacks, around its entire perimeter to provide an adequate division of transition from abutting land uses and existing town roads. The landscape buffer may be included as conservation land if the buffer is preserved and maintained in its undisturbed natural condition. Pursuant to RSA 674:21-b, the placement of utilities, including but not limited to septic systems, wells, drainage systems, stormwater management structures, electric distribution, and other utilities, within or along designated buffer areas, including but not limited to perimeter buffers, residential buffers, setbacks, and open space areas of a subdivision or lot, provided that areas are not wetlands as defined in RSA 482-A:2, X and that such areas are not protected shoreland as defined in RSA 483-B:4, XV.

She also inquired if they should include a buffer definition and whether the landscape buffer be kept as conservation land requiring a conditional use permit or special exception to permit utilities as open space (utilities permitted by right) or a combination. The board to discuss more at the next meeting as other buffers within the ordinance will need to be updated as well.

She then noted the Groundwater Protection Ordinance is in process for inclusion on the 2027 Warrant.

DRAFT – NOT YET APPROVED

With respect to some of the priorities raised by the board at previous meetings (the definition of buildable contiguous upland), she drafted language for inclusion in:

ARTICLE XI. CONSERVATION SUBDIVISION DEVELOPMENT

Adding language to paragraph D:

In accordance with Article VI, Part D of the East Kingston Zoning Ordinance, poorly drained soils may be used to satisfy all but 3/4 of an acre (32,670 sq. ft.) of any building lot. Wetlands are defined in accordance with RSA 482-A:2, X.

Each building lot requires 1/4 of an acre (10,890 sq. ft.) of contiguous building area that shall be capable of functioning as a unified building envelope suitable for accommodating a principal structure and all required utilities.

The following are excluded as buildable area: Frontage, building setbacks, wetland buffers, landscape buffers, portions of any ponds, lakes, freshwater marshes, alluvial soils, perennial streams, very poorly drained soils, isolated areas that are not part of the required 1/4 acre of contiguous buildable land and are too small to independently accommodate development, or small areas connected solely by narrow land corridors incapable of functioning as a part of the required unified building envelope.

She provided visual scenarios of how this is calculated out but concluded that the board still needs to add a definition of what a buildable area is. She also noted she is working on updating the definition of a yield plan and will bring that to the next meeting.

Tiny Homes – only on the list as it was raised last year to see if the board wanted to something with this for 2027.

Home Occupations – Chairman Petrucelli noted that there are businesses who conduct their administrative operations or businesses in whole on their phone or some other mobile device and the ordinance regulates the square footage of businesses in dwellings. The board has been making note of this on the applications that are coming through so there may not be a need to do anything with the ordinance at this time.

The board will send questions or comments to RPC Berry regarding the draft language presented.

APPLICATION SUBMISSION CALENDAR FOR 2027

Alternate Belcher presented the application deadline dates for 2027 noting that the law requires 21-day for an applicant to submit an application before a scheduled meeting. The dates presented represent the 21-day period plus whatever other number of days to bring the deadline to a Tuesday. She also provided the work product for proposing the deadline dates.

MOTION: Mr. Slaven motioned to approve the 2027 Submission of Application Deadlines and Public Hearing Dates as presented; Vice Chair Allen seconded. The motion passed 5-0-0.

BUDGET DEVELOPMENT (MASTER PLAN ESTIMATE)

The board discussed the next Master Plan chapter up for revisions (Land Use Chapter) noting an estimated cost of \$10k which would need to be added to the 2027 board budget. Town budget development begins in October thus this discussion was to assist Chairman Petrucelli in developing a Planning Board budget to be presented to the Selectboard. RPC Planner Berry indicated the RPC would be willing to working on funding a Master Plan chapter update split between two fiscal years.

CAPITAL IMPROVEMENT PLAN UPDATE

DRAFT – NOT YET APPROVED

Chairman Petrucelli reported he has CIP documents from the Police Department and the Library, and the Conservation Commission and Fire Department documents are in process. The only departments left to submit their worksheets are the Road Agent and the school.

REGIONAL IMPACT UPDATE

Town Engineer Quintal provided an update on another development on Depot Road (Kingston Fairways Golf Course property) noting a possible conservation subdivision development on the East Kingston portion of the parcel (12-15 lots) and a large multifamily development for the Kingston side – there is an application before the Kingston Planning Board to subdivide the house from the golf course. He stated in with speaking with the developers of the East Kingston side, they intend to use some of the land in Kingston to satisfy the road frontage requirement in East Kingston claiming there has been a law change to allow this. Alternate Belcher noted she has been contacted by the engineer who intends to file for a design review hearing for the October meeting. RPC Berry noted they have also been in touch with the applicant about the proposal and she will research what law the developers are referring to with respect to using another town's land to satisfy requirement of another town.

Also noted was the Henshaw property that may be sold to developers as conservation easement talks have not been successful.

CIRCUIT RIDER UPDATE

RPC Planner Berry stated the state is soliciting transportation projects. Discussion ensued on the lack of transportation funds at the state level noting a freeze on new projects until at least 2040.

She also reported that RPC Planner Rowden intends to hold a Groundwater Protection Ordinance public forum at the October meeting and would like to start the meeting at 6pm and hold off on the scheduled public hearings that night until 7:30. Noting a likely possibility for a low turnout, the board suggested the public forum begin at 6:30 and keeping the scheduled public hearings to 7pm.

MEETING MINUTES

The board reviewed the August 20th meeting minutes.

MOTION: Mr. Slaven motioned to approve the August 20, 2026 meeting minutes as presented; seconded by Mr. Ex-Officio Cacciatore. The motion passed 5-0-0.

ADJOURNMENT

With no other business before the board,

MOTION: Mr. Slaven motioned to adjourn; seconded by Ex-officio Cacciatore. The motion passed 5-0-0.

The meeting ended at 9:56pm.

Respectfully submitted,

Catherine Belcher, Land Board Secretary

Minutes approved _____.