

**KINGSTON PLANNING BOARD
FEBRUARY 20, 2024
PUBLIC HEARING/MEETING
MINUTES**

Ms. Merrill called the meeting to order at **6:48 PM**; there were no challenges to the legality of the meeting.

MEMBERS PRESENT:

Lynne Merrill, Chair	Peter Coffin
Robin Duguay, Vice Chair	Rob Tersolo
Peter Bakie	

ABSENT: Chris Bashaw, BOS Representative; Steve Padfield, Robin Carter, Land Use Admin.

ALSO PRESENT:

Glenn Greenwood, Town Planner

BOARD BUSINESS:

ARTICLE 908: STORMWATER MANAGEMENT

Ms. Merrill explained that the Rockingham Planning Commission (RPC) prepared proposed amendments to the Stormwater Management regulation through a grant. The Planning Board has studied and provided input on the proposed amendments. Dennis Quintal, Town Engineer has provided his feedback on proposed updates to the regulation. The Board is now ready for final discussion and adoption of the Stormwater Management regulation.

Mr. Greenwood said he and Dennis went through the regulation and most of the changes were editorial, however, there were three substantive changes.

- 1) Reaffirming that the threshold for developments that would be subject to the regulation would be developments of 15,000 S.F. This does comply with the federal requirements.
- 2) Annual reports would be submitted to the Planning Board, previously it said submitted to the Town.
- 3) Setting the threshold for when some activity doesn't change the impervious surface but might indeed increase the building on the site. The language is changed to say that if the increased building takes up 25% of the existing paved area that they would have to submit a stormwater report because that means they could be generating more stormwater or have an impact differently than just the impact that was there before. This report is to be submitted to the Town Engineer.

Mr. Greenwood noted that the changes to the regulations do reflect what the federal law requires. Ms. Merrill added that in essence what we are looking at is regulations that are no stricter nor more lenient than the Town had before and do now comply with Federal regulation. Mr. Greenwood informed the Board that the RPC has provided templates for inspection reports.

MOTION made by Mr. Coffin to adopt Article 908: Stormwater Management as presented in the February 20, 2024 handout, with the addition of the amended date (February 20, 2024). Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed. (5-0-0)

49 **Board introductions:** Ms. Merrill introduced the Board and acknowledged that there was one
50 member of the public in the audience that is also a Town Official, Phil Coombs (Director of Public
51 Works).
52

53 **NOTICE REQUIREMENTS FOR PUBLIC HEARINGS (NH RSA 657:7)**

54 Planning Board legal notices for Public Hearings are currently posted in a newspaper of general
55 circulation as part of the public noticing procedures. In the past they were published in the Carriage
56 Towne News (CTN). With the CTN no longer an available option, the Manchester Union Leader is
57 the current newspaper of choice. However, according to RSA 675:7.I.(b) the Board can elect to
58 post legal notices on the Town website. "In lieu of publication in a paper of general circulation
59 pursuant to subparagraph (a), notice may be posted on the municipality's Internet website, if such
60 exists. If notice is posted on the municipality's website in lieu of publication in a paper of general
61 circulation, the notice shall: (1) Appear prominently on the website's home page, or a link directly
62 to the notice shall appear prominently on the home page; (2) Be posted at the time stated in
63 subparagraph (a) and shall remain on the website until the conclusion of the hearing; and (3) Be
64 posted in 2 other public places."
65

66 The Board discussed this change, from publishing the legal notice in a newspaper of general circulation
67 to posting it on the home page of the Town's website. The following regulations and procedures will
68 have to be brought to a Planning Board public hearing and the Board will have to vote on whether or
69 not to adopt the proposed amendments:

- 70 1) Article 904: Site Plan Review Regulations, section 5. Site Submission Requirements, **F. Fee**
71 **for legal advertising** (904.5.F.).
72 2) Article 905: Subdivision Regulations, section 905.14. Submission Requirements, A. Application
73 for Subdivision, 2. Fees, c. **Legal Notice Publication** (905.14.A.2.c).
74
75 3) Amendments to Planning Board **By-laws, Rules of Procedure and General Governing Rules.**
76 **Section 9. Notice of Public Hearing** can be done at a Planning Board public meeting.
77

78 Mr. Coffin also brought up NH RSA 675:7.I-a. – "If a proposed amendment to a zoning ordinance
79 would change a boundary of a zoning district and the change would affect 100 or fewer properties,
80 notice of a public hearing on the amendment shall be sent by first class mail to the owners of each
81 affected property." (There are different rules for zoning amendments and creating zoning laws).
82

83 **MOTION made by Mr. Coffin to take the proposed changes to Site Plan and Subdivision**
84 **regulations on March 19, 2024 at 6:45 PM at the Kingston Town Hall. Seconded by, Ms.**
85 **Duguay. A vote was taken, all were in favor, the motion passed. (5-0-0)**

86
87 **Subdivision Regulations**

88 Mr. Coffin mentioned that the Board may also want to address making changes to the **bonding**
89 relating to road construction. He noted that the one reference is you cannot require a developer to
90 stop or delay construction on a road until it was bonded. That they could go out and start road
91 construction before actually posting the bond; this was the significant difference. Mr. Coffin said that
92 this information is under the NHMA 2023 guidelines, the legal changes. If this is required, add this to
93 the March posting also.
94

95 **ADJOURNMENT**

96 **MOTION made by Ms. Duguay to adjourn the meeting at 7:07 PM . Seconded by, Mr. Coffin.**
97 **A vote was taken, all were in favor, the motion passed. (5-0-0)**

98
99 ***Next Public Hearing/Meeting is scheduled for Tuesday, March 19, 2024. Subject to**
100 **change.****