

## Kingston Planning Board

### June 18, 2019 Public Hearing Minutes

Mr. Coppelman called the hearing to order at 6:48 PM; there were no challenges to the legality of the hearing.

Members present:

Glenn Coppelman, Chair  
Peter Coffin, Vice Chair  
Lynne Merrill  
Chris Bashaw  
Phil Coombs, BOS rep.

Peter Bakie (arrived with meeting in progress)  
Robin Duguay (arrived with meeting in progress)  
Steve Padfield, alternate  
Ellen Faulconer, admin. asst., alternate

Also present: Glenn Greenwood, Town Planner; Dennis Quintal, Town Engineer

Mr. Coppelman introduced the Board. He noted that Mr. Padfield and Ms. Faulconer would be voting members pending the arrival of Ms. Duguay and Mr. Bakie. Agendas were available for the public. He introduced the Board.

Prior to introducing the first item on the agenda, Ms. Duguay and Mr. Bakie arrived and were introduced to the public; Mr. Coppelman announced that Mr. Padfield and Ms. Faulconer would no longer be voting members but could participate during the meeting as alternate Board members.

**Bluestone Investment Group, LLC**  
**4 Marshall Road**  
**Kingston, NH 03848**  
**Tax Map R33-21**

Mr. Coppelman read the public notice and invited the applicant to the table; he reviewed the public hearing process. Comments from the Town Engineer and Planner were distributed to the Board.

Wayne Morrill from Jones and Beach introduced himself as representing Bluestone Investment, LLC. He reviewed the proposal and provided updates: Bond estimate had been updated; updating of the grading across the septic, working with the Fire Department regarding the fire cistern to resolve any issues. He stated that they are not hooking up to the King's Landing water system; they are working with NHDES (NH Division of Environmental Services) for final approval; they have done revisions for NHDOT (NH Division of Transportation) and are awaiting their approval. Mr. Morrill said that he has no issues with doing the issues raised by the Town Engineer. He stated that on page L-1, note #6 was revised to state that "all lighting to be dark sky compliant"; note #9 on A-2, A-3 re: the roof drain was corrected; note #33 was addressed and there was an additional note regarding the wetland buffer; a waiver needed to be approved regarding pending septic approval. Mr. Morrill said he had no objection to the notes in Mr. Greenwood's comments. Mr. Greenwood said that there were some additional changes to the condo docs. which would need to be organized and sent to the applicant for them to amend them.

Mr. Quintal reviewed his comments in his letter dated June 17, 2019 that included a comment that the Stormwater Management Operation and Maintenance Manual must be recorded in the Registry of Deeds after final Planning Board approval and prior to the start of construction. He added that the applicant was aware of this requirement; it must be done prior to signing the mylar. He reviewed additional new comments that included comments 58-67: #58 – Adding date of waiver and all other State and Town permit and approvals, #59 – wetland scientist stamp and signature, #60 – contours labeled on Sheet C-1, #61 – notation of number of bedrooms per unit, #62 – renumbering of test pit on Sheet C3, #63 – corrections on sheet PP1 regarding dimension arrow distance and width placement at station 2+40, #64 – specify type and number of plants for bioretention basin, #65- Sheet D3 states no sump but elevation details show sump, #66 – Sheet C2-1 shows a discrepancy in the watermain compared to note on Sheet D4, #67 – Sheet D4 detail of culvert outlet dimensions do not match those on Sheet C3 and the detail should reference those on C2. Mr. Quintal stated that these items could be included in a condition of approval.

Mr. Greenwood reviewed his comments that included the requirement of a \$411,244.17 bond and a \$5000 escrow amount for Town Engineering and Inspections. He continued that there needed to be note indicating the threshold for substantive improvements which would be the drainage features and roadway up to the basecoat of asphalt; there needs to be a final sign-off from the Kingston Fire Department (KFD), the condo. docs. need to include the additions and corrections, the note from Danna Truslow needed to be added, the Stormwater Mgmt. program for the site needs to be recorded.

Mr. Coppelman read the Town Department comments: Health – a waiver request that needs to be acted on; no design received; Fire Department – issues with suction specifications. Mr. Morrill stated that they are working with SFC to meet the FD requirements. Mr. Coppelman continued with the Department comments: Conservation Commission: asks that any changes be noted; Highway – Fire cistern should be included into the road ROW (right-of-way) with a 20-foot buffer for future tank and repair. Mr. Morrill said that they have to create an easement around the cistern; 20 feet around to meet the requirement. Mr. Quintal said that it is shown as outside the ROW so it is in the Association's property which could be an issue. Mr. Morrill said that they can create an easement to be able to check with a 20-foot buffer as suggested. Mr. Coppelman read the email from Danna Truslow with the note to be added to the plan: "all wells should be properly abandoned prior to construction and a copy of the completed NHDES abandonment forms will be sent to the Kingston Planning Board."

Mr. Bakie commented that while the Health Department commented that no design was put forward and a waiver request was noted, the Board had previously agreed that it wouldn't initially matter and advised the client to request a waiver; the waiver request was received on June 3, 2019.

Ms. Faulconer stated that she had read the condo. docs and had some proposed changes. Mr. Coffin suggested it be done by consensus. Mr. Morrill said that he saw no problem making the adjustments in the condo. docs. per Ms. Faulconer's recommendations. Some of the items were reviewed such as removing the word "primarily" regarding the use as residential; a requirement that the yearly census be provided to the Town. Mr. Coombs said that these documents should be in line with other similar documents in the Town. Mr. Coffin added the word "occupant" to mirror the language. Other concerns were noted including amending a notation that the water on-site will stay in Kingston – this will be changed to be that any water withdrawal will stay on-site and specific to the development's use. Ms. Faulconer stated that since there is a possibility that the water system will be owner/operated by a public utility, the language needed to have clarity, not ambiguity. The Board agreed to language keeping

2

KPB

06/18/2019

Accepted as corrected July 16, 2013: P. 4line 8 "Coppelman" changed to "Greenwood"

the water on-site. Mr. Morrill confirmed that the items brought forward by Ms. Faulconer could be changed in the condo. docs. Mr. Morrill can get the comments from Ms. Faulconer and/or Mr. Greenwood. Ms. Faulconer noted that Mr. Bashaw had previously suggested some type of language letting condo. owners know about restrictions. Mr. Bashaw agreed that he thought it was necessary to have a reference for residents to understand there are lot limitations and setback requirements and they should refer to the site plan to see the noted limitations. He could like a specific reference that owners should be aware of ground cover, setbacks and limitations. Mr. Quintal said that sheet A-3 clearly defines the LCA's (Limited Common Areas) for each building; a note could be added to section 3.4.4.1 "Units". Mr. Morrill said he was okay with any of the changes. It was noted that note C-12 says "two bedroom units".

Mr. Coppelman asked for public comment – there was none.

Mr. Coppelman read the June 3<sup>rd</sup> waiver request; the requirement is that the sewage disposal plan be included in the site plan package prior to approval; the request for waiver is due to the requirement that it be approved by the Kingston Health Department and NHDES prior to installation; the Board determined that the request from Article 904.8 was a typo and should be 904.9 on page 904-11. Mr. Quintal noted that the waiver request is on the cover page of the sheets and the notation is incorrect and should be corrected if approved.

**MM&S to approve the waiver request as amended per the meeting's discussion as it meets the intent by being reviewed by the Town and State prior to installation.** (Motion by Mr. Bashaw, second by Mr. Bakie) **PUNA**

Mr. Coppelman said that the discussion is now down to a list of various conditions, changes to the condo. docs., ok from Fire, moving the fire cistern and Mr. Quintal and Mr. Greenwood's comments.

The Board reviewed the list of conditions to add into the motion for conditional approval. Ms. Faulconer questioned if the road was proposed to be a Town Road. Mr. Coombs said if a Town road then it needs the ROW put in; Mr. Greenwood said that the plans said it is to be built to Town standards. Mr. Quintal said that if the Town is built to Town specs and reviewed by the Town, the Association can ask that the Town accept it. Mr. Morrill said that the plan is for it to be a Town road. Ms. Faulconer explained that the condo. docs. say that it will remain a private road in perpetuity. Mr. Coombs noted the location of the dumpster on the plan; he said that the HOA (Homeowner's Association) was responsible for maintaining trash facilities; one of the requirements in the condo. docs. need to include that the HOA takes care of trash removal; there needs to be an easement around the fire cistern, per the Road Agent, for Town maintenance. Mr. Morrill said that the intent is to have dumpsters for the 32 units; so the Association will take care of the dumpsters for the development; the Town is not providing trash pick-up.

**MM&S to conditionally approve the plans as presented on June 16, 2019, the plan set is dated 6/15/18 with the latest revision date of 5/29/19, per the listed conditions:**

- **Comply with comments from Town Engineer dated June 17<sup>th</sup>**
- **Sign off of fire cistern from KFD**
- **Performance guarantee posted prior to construction: \$411,244.17 and an additional \$5000 for the engineering bond (as revised by Mr. Quintal on 5/8/19)**

3

KPB

06/18/2019

Accepted as corrected July 16, 2013: P. 4line 8 "Coppelman" changed to "Greenwood"

- Stormwater O and M manual recorded at the registry prior to mylar being recorded
- NHDOT driveway approval
- NHDES approval of community water system
- NHDES and Town approval of septic system
- AoT (Alteration of Terrain) approval
- Danna Truslow's note re: well abandonment added to the plan
- Pre-construction meeting required prior to any development/construction.
- Note re: substantive improvement added to the plan per Mr. Greenwood's memo dated 6/17/19
- Edits (Per Ms. Faulconer's noted corrections/additions) discussed at tonight's meeting be included in the condo. docs as well as including changes in the condo. docs. that the road is proposed to be a public road and it is being built to Town standards including an easement around the fire cistern per the Road Agent's requirement for maintenance; the HOA is responsible for their own trash facilities and removal; the new docs to be received prior to the mylar being signed.
- Cistern easement language provided to the Town/be added to the plan
- Add in the waivers on the plan; change to the correct notation; previous waivers should be listed; should say the waivers were granted with correct section number (904.9 re: septic)
- Mylar not signed until conditions are met.

**And the conditions to be met within 180 days.** (Motion by Mr. Bashaw, second by Mr. Coffin)  
**PUNA**

<Board notation: this hearing ended at 8:05. The Board took a 5 minute recess.>

**Mark G. Mitchell**  
**15 Exeter Road**  
**Tax Map R34 Lot 61**

Mr. Coppelman read the public notice; this hearing began at 8:12 PM. Jim Franklin, the land surveyor, and Mark Mitchell, owner, introduced themselves to the Board. Plans were distributed; Mr. Coppelman explained the hearing process. Mr. Franklin explained that one new lot was being created on property owned the Mr. Mitchell and his brother, Doug; they have received subdivision approval from the State; they are waiting on the approval for the driveway permit; they have submitted waiver requests. Mr. Coppelman read a memo dated 4/18/19 regarding subdivision requirements and referring to the checklist items; he said they needed to grant by number and the request was not numbered. Mr. Quintal said that all of the requests refer to Article 905.14 (c), #1 - #35. Mr. Greenwood will try to work out the numbers so the Board can review the waivers.

Mr. Quintal reviewed his comments. He explained that his comments were dated 5/21/19 as they were reviewed for the last meeting that had not happened due to the continuation request. He suggested the surveyor have the plans reviewed by the registry to make sure they can be recorded due to some recent changes. Mr. Franklin said he didn't think anything had changed but he would do as needed. Mr. Quintal said that a note must be attached stating which sheets will be recorded and the remaining sheets will be on file with the Town. He continued with his comments: #2 – The proposed driveway entrance shall be within 3000 ft. of a hydrant and meet NHFC (New Hampshire Fire Code), the distance should be noted on the plan; #3 – requirement to set bounds and pipes along property lines greater than 200 feet (east and rear lot lines); #4 - waiver requests received that are not an issue for the Town

4

KPB

06/18/2019

Accepted as corrected July 16, 2013: P. 4line 8 "Coppelman" changed to" Greenwood"

Engineer except for #13 (registry), #24 (test pits) and #29 (fire dept. source req.); #5 – approved waivers need to be on the plan; #6 – proper tax map # needs to be on the plan prior to signing the mylar. Mr. Quintal said, in addition, confirm that the plan shows the 100 ft. well radius; add subdivision and driveway permit approval's to the plan; spot elevation on the plan needs to be fixed; note #5 needs to say "proposed lot not in the flood zone"; the easement for the well is to provide a protected well-radius; any state permit numbers need to be on the plan. There was discussion of the racetrack that goes into the property. Mr. Franklin said it will be remaining. Mr. Quintal said that they will need to add an easement.

Mr. Greenwood had reviewed the waiver requests. He explained that the first was the waiver from Preliminary Review; all the others match up with regulation 905.14 (C); he said many simply did not apply and the Board did not normally require waivers of the requirements that were not applicable. He added that he didn't agree with waiving some that were requested. He reviewed his comments noting that items 1 and 2 (NHDES and NHDOT approval was previously discussed); #3 – need a note that the plan complies with KFD fire protection regulations; #4- abutter wells and other facilities/buildings within 100 feet need to be shown or include a note that there aren't any; #5 – note added re: compliance with Town regulations re: driveways, etc., #6 – clarification on wells and waivers or easements; #7 – note re: impervious surface requirements. Mr. Greenwood stated that there was a waiver request for this that he disagrees with due to the Town needing to comply with MS-4 requirements.

Mr. Coppelman noted that the file included test pit results; subdivision approval from NHDES. He read Town Department comments: Health – where is the house going to be located; Mr. Coppelman noted that it was not shown on the plan; Mr. Franklin asked if they moved it from a location shown on the plan, would they need to return to the Board. Mr. Greenwood, after review, stated that we don't require a location be shown. Mr. Coppelman said that this would all be done through the Building Inspector. Mr. Coppelman continued Dept. comments: Health (continued): two wells shown on the plan, he referenced Article 1304 re: well placement; Mr. Coppelman explained that there is an existing well that doesn't meet the regulations and would need an easement. Mr. Franklin said that the applicant has to give an easement to Lot 62 adding that he is surprised that the State didn't pick this up and require documentation, but he agreed. Mr. Coppelman continued with Dept. comments: Health (continued): #3 – upper right well – needs a recorded well release; #4 – easement required for existing well; #5 – are two wells proposed or existing. Mr. Quintal said the proposed well should be labeled "proposed" and the other should be labeled "existing". Comments were continued: Highway – no Town road input; BOS – no comment; Building – where is the proposed house location, why are there two wells; Conservation Commission (ConsCom) – will continue to monitor placement of house in relation to wetland and wetland buffer. Mr. Mitchell stated that the house is closer to the road than the back of the property by several hundred feet. Mr. Franklin said he was unsure how to determine if they met the FD hydrant requirement; Mr. Coppelman suggested that he contact the FD to confirm that one was within 3000 feet and add a note to the plan. Mr. Franklin agreed with the monumentation item noted by the Town Engineer.

Public Comment: Pamela Czech, 95 Madison Avenue, expressed concerns about a horse trail on her property coming from the applicant's property and she was concerned about responsibility or liability. Mr. Coppelman explained that the proposal before the Board was the new parcel which didn't abut her property. Ms. Czech questioned the current use of horses and horse trails near her property. Mr. Coppelman explained that the Planning Board was only looking at the subdivision and if there was an

issue between landowners, it was not a Planning Board issue. Ms. Czech will speak with Doug Mitchell; she added she is not opposed to the building lot. There was no further public comment.

**MM&S to invoke jurisdiction.** (Motion by Mr. Coffin, second by Ms. Merrill) **PUNA**

The Board reviewed the waiver requests as presented by the applicant and numbered by Mr. Greenwood.

**MM&S to waive preliminary review (905.14) due to this being a simple two-lot subdivision.** (Motion by Ms. Merrill, second by Mr. Bakie) **PUNA**

**MM&S to waive 905.14 (c), #3 as they are clearer with the different scales and provides the information the Board needs.** (Motion by Ms. Merrill, second by Mr. Bakie) **PUNA**

**MM&S to waive 905.14 (c), #6 the topo plan shows the topography for the new lot and the remainder is unnecessary.** (Motion by Ms. Merrill, second by Mr. Bakie) **PUNA**

**MM&S that the irrelevant typo on the plan needs to be amended.** (Motion by Mr. Coffin, second by Ms. Merrill) **PUNA**

**MM&S to approve the waiver request for 905.14 (c), #12 as it is not applicable to the proposed lot. The note needs to say it is not in the flood zone and not in the Shoreland Protection Zone.** (Motion by Mr. Coffin, second by Mr. Bakie) **PUNA**

The Board decided not to act on the waiver request for 905.14 (c) #13 pending confirmation of registry requirements.

Mr. Greenwood recommended not waiving the requirements of 905.14 (c) #16 due to MS-4 requirements.

**MM&S to DENY the waiver request for 905.14 (c) #16 due to Stormwater Management and MS-4 requirements.** (Motion by Ms. Merrill, second by Mr. Coffin) **PUNA**

**MM&S to waive 905.14 (c) #18 as it is not applicable.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

**MM&S to waive 905.14 (c) #19 as the information for the new lot is provided and not necessary for the entire parcel.** (Motion by Ms. Merrill, second by Ms. DuGuay) **PUNA**

Ms. Duguay read articles 905.14 (c) #20-23.

**MM&S to waive 905.14 (c) #20, #22, and #23 as they are not applicable.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

**MM&S to DENY the waiver request for 905.14 (c) #21 as an easement is required to be shown on the property.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

**MM&S to waive the requirements of 905.14 (c) #24 and #31 showing the items on the entire large parcel; the lots within 1000 feet of the subdivided parcel is shown; the others are more than 500 feet away.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

Ms. Duguay read sections 25 through 28.

**MM&S to waive 905.14 (c) #25 through #28 as they do not apply to the proposed plan.** (Motion by Ms. Duguay, second by Ms. Merrill) **PUNA**

The Board decided to hold off on voting on the waiver request of 905.14 (c) #29; Mr. Franklin said he couldn't confirm the hydrant location; Mr. Greenwood suggested he speak with the Fire Department; there needs to be a note that the plan will comply with Kingston FD regulations. Mr. Franklin questioned a possibility to not meet that requirement. Ms. Faulconer suggested first checking with the FD and then coming back if there is an issue.

Ms. Duguay read sections 32 and 33.

**MM&S to waive 905.14 (c) #32 and #33 as they are not applicable.** (Motion by Ms. Duguay, second by Ms. Merrill) **PUNA**

Mr. Coppelman noted that there were two requests for waivers that were still pending based on receiving additional information.

**MM&S to continue to July 16<sup>th</sup> at 6:45 PM; new plans are due by twelve noon on Monday, July 8<sup>th</sup> with resolution of the pending waiver items.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

**<Board note: This hearing ended at 9:30 PM>**

**Donald and Phillip Pryor  
61 North Road  
Tax Map R32 Lot 9A**

Tim Lavelle, representing the owners, reviewed the plan for a three-lot subdivision. He stated that he received Mr. Quintal's comments this evening. He addressed Mr. Quintal's note #21 about one driveway access to the 3 lots to minimize the wetland impact but explained that he already had the dredge and fill for two crossings through an exhaustive review and already has the approval. He stated that shared driveways help minimize some impact but would like the Board's comments. He added that he and the applicant have no qualms with any of Mr. Quintal's comments other than #21.

Mr. Quintal reviewed his 31 comments, dated June 18, 2019, stating that many are drafting issues; the comments included concerns with: spelling on page 1; surveyor's note; pages to be recorded need to be noted; owner name and title name need to match; page 2 distance between pipes to be provided; maintenance easement to be monumented; sample easement document to be provided; label all features; driveway width too narrow; limit of disturbance marked off the Vernal Pool; well location must be moved; Sheet 2, IP label; Sheet 3, North Road name not aligned; Sheet 4, test pits misnumbered; plan needs to note date of test pits and who witnessed; Sheet 5, driveways don't match, need easement; mailbox aprons must be shown; sample driveway easement deed; box culvert detail; swale check dam

7

KPB

06/18/2019

Accepted as corrected July 16, 2013: P. 4line 8 "Coppelman" changed to "Greenwood"

locations needed on Sheet 5; culverts under North Road must be shown; recommends one driveway access; must be within 3000 ft. of hydrant; more info. needed for Highway Maintenance Easement; sight distance plan to be provided; endorsement block needed; zoning requirements must be listed for Aquifer and Shoreland; boundaries of Shoreland must be shown; conditional use permit required; site specific soil map required; provide abutter driveways, wells, etc.; monumentation certification; tax map numbers and lot numbers required prior to signing mylar.

A copy of Mr. Greenwood's comments were provided to Mr. Lavalley. Mr. Greenwood noted that this was his second review of a plan, the first did not go forward. His comments included concerns with monumentation near a stonewall and he recommends the applicant request waivers for those instances where lot corners are placed along a stone wall; abutter buildings/facilities are to be shown within 100 feet of the parcel, if none, there should be a note; plan note indicates it complies with NFPA but the Fire Department comments contradict this; suggests a site walk due to the topography of the lot; spelling error in note #10; property lies in Aquifer and should be indicated in note 7 of sheet 1. Mr. Greenwood said that he missed that it was in Shoreland; Mr. Lavalley agreed there should be a line.

Mr. Coppelman read the Department comments:

Fire: 1. Does not comply with NFPA 1 (chapter 18) 2. Driveway does not comply with KFD access guidelines per attached sheet 3. Needs to comply with Article 1008, Fire Protection Regulations. Mr. Lavalley said that the driveway was shown wrong; he will meet with the Fire Chief.

Highway: 1. 30 ft. maintenance easement slope is very steep, should be 8% or less 3. Wetland Dredge and Fill required.

Health: none; ConsCom: questioned revised plan and where the changes were. Mr. Lavalley said he would highlight the revisions on the next set of plans.

Mr. Bashaw expressed concerns with the grading and possible width issues of the driveways. Mr. Lavalley said he will look at the grading; he agreed with Mr. Greenwood's proposal for a site walk. Mr. Bashaw said that sometimes shared driveways were good, but not always; he said he usually defers to the preference of the applicant as long as it is meeting the requirements. Mr. Coppelman agreed with the recommendation for a site walk. Mr. Lavalley noted that Mr. Pryor was in the audience. There was no public comment. There were questions regarding jurisdiction. Mr. Lavalley said there was no problem with not accepting jurisdiction this evening. Ms. Faulconer asked about the new postal regulations regarding this proposal. Mr. Lavalley will go to the Post Office to see about mailbox placement.

**MM&S to schedule a site walk for Sunday, June 23<sup>rd</sup> at 8:00 AM.** (Motion by Ms. Merrill, second by Mr. Coffin) **PUNA** Mr. Lavalley suggested parking on Elkins Road.

**MM&S to continue to July 16<sup>th</sup> at 6:45; new plans due by noon on July 8<sup>th</sup>.** (Motion by Ms. Merrill, second by Mr. Coffin) **PUNA**

*<Board note: this hearing ended at 10:05>*

**Lori Thomas  
Stephen and Judith Thomas  
2 and 4 Granite Road  
Tax Map R3 Lots 7-1 and 2**

Mr. Coppelman read the public notice. Byron Haynes from SEC and Associates introduced himself as representing the applicants. He reviewed the proposal; one lot has frontage on Rte. 125, one has frontage on Granite Road; there is a single family dwelling; there is a cell tower in the back; both are in the CIII zone; the front is in the Aquifer Protection District. This proposal corrects an encroachment that encroaches onto 7-2 from 7-1. He continued that it meets the requirements for the setbacks; there is an existing well that services 7-2, the lot will remain but the protective well radius encroaches providing an easement for the well. He stated that no waivers or variances are requested except for less money for the engineering review.

Mr. Quintal said that he didn't spend a lot of time on this review; he referenced 905.14 (i) 1 regarding types of monuments and requiring at least one pipe on the lot line; he said that bound certification needs to be submitted. There was discussion about encroachment on Mr. Viens property. Mr. Greenwood said that an easement agreement can be established; Mr. Coppelman suggested a statement filed with the application. The applicant's agent, Steven Allen, agreed to either remove the asphalt encroachment or agreed to add a note to remove it. Mr. Coppelman again suggested having the abutter sign a statement to that effect. Mr. Quintal said that the encroachment should be clarified as what it is and what it is for. Mr. Greenwood suggested having the abutter, Mr. Viens, sign a letter that he has no issue with it. Mr. Allen said that he will remove it if necessary to get an approval.

Mr. Quintal said that there needs to be a signature block.

Mr. Greenwood read his comments that included comments regarding the proposed lot line not meeting the standard for a new subdivision but the current line is not straight to the road either and it negates a building encroachment issue; the new lot line mirrors the existing one. Mr. Greenwood suggested that a waiver request would be cleaner with the record stating why it is being done. Mr. Coppelman noted that there were no comments from any departments.

There was no public comment.

**MM&S to invoke jurisdiction.** (Motion by Ms. Merrill, second by Mr. Bashaw) **PUNA**

**MM&S to waive 905.6 (c), the requirement of perpendicular lot lines; as the current proposed lot line mirrors the existing lot line configuration and to correct an encroachment between the two properties.** (Motion by Mr. Bashaw, second by Ms. Merrill) **PUNA**

**MM&S to conditionally approve the plan presented as 4/25/19, revision #1, presented by SEC and Associates with the following conditions:**

- **Monumentation and iron piping requirement**
- **Monumentation to be set**
- **Signature block**
- **Note re: the lot line waiver as granted**
- **Recording of deeds submitted**

9

KPB

06/18/2019

Accepted as corrected July 16, 2013: P. 4line 8 "Coppelman" changed to "Greenwood"

- **Note re: the driveway encroachment on R3-4, Land Unit 2 to be either removed or get written approval from the property owner with no objection to the encroachment**
- **Meet the requirements within 60 days from the date of this conditional approval.**

(Motion by Mr. Bashaw, second by Ms. Merrill) **PUNA**

Mr. Allen thanked the members for their time serving on the Board.

### **By-laws Public Hearing**

Ms. Merrill noted that the Board had reviewed the proposal at previous meetings.

**MM&S to approve changing the by-laws as presented and posted at the Planning Board office.**

(Motion by Ms. Merrill, second by Mr. Bakie) **Motion carries 6-0-1** with Mr. Coombs abstaining.

### **Agritourism**

**MM&S to adopt changes to the regulations to Agritourism activity as posted at the Planning Board office.**

(Motion by Ms. Merrill, second by Mr. Bashaw) **Motion carries 6-0-1** with Mr. Coombs abstaining.

### **Board Business**

#### **Correspondence:**

- Town Engineer invoice signed
- Computer PO signed
- Galloway reply letter received and read; Mr. Greenwood stated that there is no materials storage on the site at all, let alone one 6 stories tall. Mr. Coffin suggested checking historical google maps and others for historical information/confirmation. Mr. Coppelman said that it is not part of an approved site plan. Ms. Merrill suggested getting all the “ducks in a row”. Mr. Coombs reminded the Board that there is another month between now and the next meeting. Ms. Faulconer asked why the Board would wait any longer to request enforcement on a pile of unknown debris sitting on the Aquifer, near a water source.

**MM&S to forward enforcement request to the BOS for their next meeting pending additional review by Mr. Greenwood.** (Motion by Mr. Coffin, second by Mr. Coppelman) **Motion carried 4-0-3** with Mr. Bakie, Ms. Merrill and Mr. Coombs abstaining.

- Question re: any review required to replace existing, damaged utility poles.

**MM&S to have Mr. Greenwood review the request and render a decision regarding the need, or lack of a need, for additional review.** (Motion by Mr. Coppelman, second by Mr. Coffin) **PUNA**

- Notice received from RPC re: Mr. Coppelman and Mr. Coffin’s terms expiring as Commissioners; a recommendation is made from the Planning Board to the BOS to appoint.

**MM&S to recommend the Chairman (Glenn Coppelman) and the Vice Chairman (Peter Coffin) serve as the represents to the Rockingham Planning Commission (RPC).** (Motion by Ms. Merrill, second by Ms. Duguay) **Motion carried 4-0-3** with Mr. Coppelman, Mr. Coffin and Mr. Coombs abstaining.

**MM&S to accept the May 21, 2019 minutes as written.** (Motion by Mr. Coffin, second by Mr. Coombs) **Motion carried 6-0-1** with Mr. Bashaw abstaining.

Plan Submissions: Mr. Greenwood informed the Board that three plans had been submitted by Mr. Dufresne, boundary line, subdivision and site plan, but they all had deficiencies and will not go forward as presented; he will prepare a letter noting the deficiencies. Mr. Coppelman stated that it was up to Mr. Greenwood and Ms. Faulconer to review plans to determine if they were complete; if not, they should not get to the Board.

A design review was received and that should go forward.

Mr. Greenwood was authorized to contact Sumner Kalman by Board consensus.

Mr. Coffin noted that a previous vote to approve a plan for Memories, which was the intent of the Board, was not worded correctly to convey the Board's intent. Ms. Merrill suggested it should be corrected during this meeting so the owner would not have to wait for the minutes to be corrected.

**MM&S to approve the proposed expedited review for the gazebo at 95 Exeter Road per the discussion at the June 4, 2019 hearing. (Motion by Ms. Merrill, second by Mr. Coffin) PUNA**

**MM&S to adjourn at 11:00 PM. (Motion by Mr. Coombs, second by Mr. Bashaw) PUNA**