

LEGAL NOTICE
KINGSTON PLANNING BOARD
KINGSTON, NEW HAMPSHIRE
PUBLIC HEARING/MEETING

January 2, 2024

6:45 PM

Pursuant to NH RSA 676:4, I (d), and 675:3, notice is hereby given of a public hearing/meeting followed by a public meeting to be held by the Kingston Planning Board on **Tuesday, January 2, 2024** beginning at **6:45 PM** in the main hall of the Kingston Town Hall, 163 Main Street, Kingston, NH.

6:45 PM: **Public Hearing(s):**

Major Sanborn Seminary, LLC
178 Main Street
Map R34 Lot 17

Design Review Application to develop the former Sanborn Seminary property.

PROPOSED 2024 ZONING WARRANT ARTICLES

The Board will be reviewing and voting on proposed zoning amendments to place on the ballot/warrant for the Town Election in March 2024. The Board is proposing amendments for the following (full language is available in the Planning Board office):

1. **Article PREAMBLE II: B. DEFINITIONS**, replace the existing definition of "Family" with new language.
2. **Article 102: HISTORIC DISTRICT** – Amend Article 102.5 A.2.
3. **Article 110: COMMERCIAL DISTRICT III Section 110.3 PERMITTED USES, O.**, add Warehouses to Wholesale Business and Warehouses.
4. **Article 206: ACCESSORY DWELLING UNITS ORDINANCE Section 206.4 ADU Requirements, E.** to change the maximum size of the ADU shall not exceed 50% of the size of the Gross Living Area (GLA) of the primary dwelling.
5. **Article 402: RECREATIONAL CAMPGROUNDS AND CAMPING PARKS** – replace existing language with entirely new language. This will apply to Commercial Zones C-1, C-II, C-III and the Rural Residential District.

Public Meeting

Board Business:

- Acceptance of December 5, 2023 minutes
- Any other business that may legally come before the Board.

The public is encouraged to attend.

Board Business not in progress by 10:00 PM will be continued to the Board's next meeting; the meeting will adjourn no later than 10:30 PM.

This public body may go into one (1) or more non-public sessions.

Should this Hearing need to be rescheduled due to inclement weather or other emergency, the Public Hearing will be held on January 16, 2023.

Lynne Merrill, Chairperson, Kingston Planning Board

**Proposed Zoning Article Amendments
for the 2024 Warrant Ballot
Planning Board to vote on these at the
01/02/2024 Planning Board Public Hearing**

1. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Family”

Replace the current definition of family with the following:

“13. Family: For the purposes of the Kingston zoning ordinance the term “family” refers to those individuals that constitute the occupants of a single dwelling unit.”

2. Article 102: HISTORIC DISTRICT, Section 102.5 DESCRIPTION AND PERMITTED USES, A. HISTORIC DISTRICT I, 2.

Amend Article 102.5 A.2 to read as follows:

“Every building lot in Historic District I that has a dwelling or dwellings thereon shall not have more than one additional structure for use as permitted in accordance with Article 102.5.1. The only instance where two dwellings are allowed to be in separate structures is when one of these is an accessory dwelling unit (ADU) approved to be in a stand-alone structure (i.e., garage, barn, carriage house or other structure). See Article 206 for ADU definitions and requirements.”

3. Article 110: COMMERCIAL ZONE C-III, Section 110.3 PERMITTED USES, O.

Amend Article 110 Commercial District III, Section 110.3 Permitted Uses, O. by adding “Warehouses” to read:

“O. Wholesale Business **and Warehouses**”

4. Article 206: ACCESSORY DWELLING UNIT ORDINANCE, Section 206.4. ADU REQUIREMENTS, E.

Amend Article 206 Accessory Dwelling Unit Ordinance section 206.4 ADU Requirements, E. to read as follows:

“E. The size of the ADU shall not be smaller than 600 square feet. The maximum size of the ADU shall not exceed 50% of the size of the Gross Living Area, aka GLA (heated or air-conditioned space), as defined in the Town’s tax card, of the primary single-family dwelling. In cases where the ADU is attached to the existing home, internal renovations are not permitted to result in the new ADU being equal in size to the original dwelling unit. The original dwelling unit must be larger in square footage so that the ADU remains accessory. Single family dwelling units that are smaller than 1,200 square feet are not permitted to create an accessory dwelling unit. The reason for this is that an accessory dwelling unit in a structure smaller than 1,200 square feet would be more than 50% of the size of the existing structure and no longer deemed to be accessory to the primary unit.

Accessory dwelling units located in a detached structure shall comply with these same size requirements.”

5. Article 402: RECREATIONAL CAMPGROUNDS AND CAMPING

This Proposed Ordinance will replace the current Article 402.

"This provision is enacted to allow the placement of seasonal Recreational Campgrounds and/or Camping Parks within specific areas of the community, to provide standards for their use, and to promote growth of the Kingston economic base.

A. DEFINITIONS:

1. "Approved disposal system" means a system:
 - (a) Constructed prior to July 1, 1967; or
 - (b) Constructed in accordance with plans submitted to and approved by:
 - (1) The former New Hampshire water supply and pollution control commission; or
 - (2) The department of environmental services.
2. "Campsite" means a parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants.
3. "Campground owner" means the owner or operator of a recreational campground or camping park, or their agents.
4. "Dependent vehicle" means a recreational vehicle which does not have toilet and lavatory facilities.
5. "Individual sewage disposal system" means any sewage disposal or treatment system, other than a municipally-owned and operated system, which receives either sewage or other wastes, or both.
6. "Recreational campground or camping park" means a parcel of land on which two (2) or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency.
7. "Recreational camping cabin" means a structure on a campsite, 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.
8. "Recreational vehicle" means any of the following vehicles:
 - i. Motorhome or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

- ii. Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
 - iii. Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.
 - iv. Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.
9. "Sanitary station" means an approved facility used for accepting and disposing of wastes from recreational vehicle holding tanks, portable recreation toilets, or portable sanitary service vehicles.
10. "Tent" means a portable canvas or synthetic fiber structure used as a temporary dwelling for vacation or recreation purposes.

B. GENERAL.

1. Licensing. All recreational campgrounds and camping parks shall be properly licensed by State and other applicable government agencies.
2. Temporary Occupancy. No tent, trailer or recreational vehicle shall remain on the premises more than 100 days per year. The camping season shall be from May 1st through October 15th. No campground may be occupied during off-season. Temporary occupancy in a recreational campground shall not establish permanent residency in the Town of Kingston. No one shall be considered a resident of the Town of Kingston who uses as his local address a site in a recreational camping park.
3. Applications. The Planning Board shall have authority to accept applications, impose application fees, review site plans, and approve or deny applications for any new or proposed recreational campground or camping park and/or the expansion thereof.
4. Permitted Locations. A recreational campground or camping park shall be located only in a zoning district where it is classified as a permitted use or is permitted by Conditional Use Permit.

5. General Conditions. A recreational campground or camping park shall adhere to the following requirements:
- a. Minimum Acreage. The Recreational Campground or Camping Park shall contain a minimum of ten contiguous acres.
 - b. Density/Campsite Size. The minimum campsite size for a recreational vehicle or tent shall be one thousand square feet (1,000 sq. ft.) and one thousand five hundred square feet (1,500 sq. ft.) for a cabin or cottage.
 - c. Parking. Every recreational camping park shall have a suitable parking area large enough to accommodate one vehicle per campsite.
 - d. Recreational Camping Cabin. The maximum size of a recreational camping cabin located in a Recreational Campground or Camping Park is 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.
 - e. Restriction Against Permanency. No camper unit shall be installed on a camping site in such a way as to consider it permanent. This shall include but is not limited to the following methods.
 - 1. No removal of tires.
 - 2. No removal of towing arms, hitches, etc.
 - 3. No mounting on blocks, except for the purpose of leveling.
 - 4. No skirting around the base of any camper unit.
 - 5. No porches or enclosed areas shall be attached to any camper unit unless the porch or enclosed area has been designed to be removed and packed for travel.
 - 6. All water, electric, telephone, and septic systems shall be disconnected from all recreational vehicle sites during off-season.
 - f. Placement. No site within the recreational camping park shall be located within one hundred feet (100 ft.) of any boundary, except the waterfront boundary of the park. The minimum boundary setbacks may be reduced to as little as fifty feet (50 ft.) by Conditional Use Permit. All sites shall be set back from the waterfront boundary to comply with setbacks in the zoning district within which the campground is situated.
 - g. Internal Setbacks. All setbacks within the campground or park shall be as follows:

1. Campsite perimeters shall be setback 30 feet from surface water and very poorly drained wetlands (unless larger minimums are established elsewhere in these regulations).
 2. Campsite perimeters shall be setback 50 feet from any permanent or incidental structure.
 3. Campsite perimeters shall be setback 10 feet from internal roads.
 4. Cabins or cottages shall be setback 20 feet from other cabins or cottages.
 5. Minimum campsite width shall be 15 feet.
 6. Minimum distance between Campsite perimeters shall be 12 feet. All other setbacks shall comply with setbacks in the zoning district within which the campground is situated.
- h. Marking. Each site shall be clearly marked by non-removable metal stakes, clearly identifiable permanent vegetation, or other approved methods.
- i. Permanent Residence and/or Office: One residential home/office occupied by the recreational campground or camping park owner or manager and his or her immediate family will be permitted. This building will be required to meet the full lot requirements for a single-family residence based on the Zoning District in which the recreational campground or camping park is located, as well as to comply with local building and other codes and regulations.
- j. Shoreland Frontage Requirement. For parcels with water frontage, the minimum requirement for a recreational campground or camping park is 150 feet of continuous shoreland frontage. Provided the parcel in question satisfies the minimum shoreland frontage requirement, the parcel shall contain no more than 12 campsites and/or recreational camping cabins. For each additional unit or camping cabin beyond 12, a minimum of 12.5 feet of additional continuous shoreline frontage is required.

C. WATER SUPPLY AND WASTE DISPOSAL.

- a. Water Supply. – An accessible, adequate, safe and potable supply of water shall be provided in each recreational campground or camping park. Where a public supply of water of sufficient quantity, quality, and pressure is available, connection shall be made to the supply and that supply shall be used exclusively. When a satisfactory public water supply is not available, a private water supply system may be used if approved by the department of environmental services.
- b. Disposal System.
 - (1) An approved disposal system shall be provided in all recreational campgrounds or camping parks.

- (2) Septage or wastewater shall be discharged from recreational vehicles into individual sewage disposal system connections, or sanitary stations.
- (3) Flush toilets or other approved toilet facilities, such as self-composting toilets or incinerating toilets, shall be provided in all recreational campgrounds or camping parks.
- (4) No recreational vehicle which is not a dependent vehicle (such as a pick-up camper, tent trailer, or van) shall be located in any camping site that does not have a proper hookup to an approved septic system. No individual holding tanks will be permitted.
- (5) The disposal of refuse in recreational campgrounds or camping parks shall be conducted in a manner that will prevent health hazards, rodent harborage, insect breeding, accident or fire hazards.
- (6) A recreational camping cabin which has water plumbed to it shall have a connection to an approved sewage disposal system.

D. CAMPFIRES

- a. Recreational campground or camping park owners or operators or their agents shall obtain a fire permit each year from the Kingston Fire Department.
- b. All fireplaces in recreational campgrounds or camping parks shall be on an area cleaned to mineral soil at least 8 feet across. Where fires are built on the ground, there shall be at least 6 inches of sand or gravel under the fire.
- c. All tree limbs or other burnable material within a height of 10 feet above the fireplace area shall be removed.
- d. Fireplaces shall not be moved.
- e. Fire shall not be kindled except in fireplaces provided by recreational campgrounds or camping parks."

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- **Amend Article Preamble II: Definitions, B., Definitions by adding a new section 21, to read as follows:**

"21. Recreational Campgrounds and Camping Parks: A parcel of land on which two (2) or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency."

Subsequent sections to be re-numbered.

- **Amend Article 104: Rural Residential District section 104.4 Permitted Uses** by adding a new **section L.** to read as follows:
"L. Recreational campgrounds and camping parks."

- Amend **Article 108: Commercial Zone C-I, section 108.5 Permitted Uses** by adding a new **section P.** to read as follows:
"P. Recreational campgrounds and camping parks."
- Amend **Article 109: Commercial Zone C-II, Section 109.5 Permitted Uses** by adding a new **section N.** to read as follows:
"N. Recreational campgrounds and camping parks."
- Amend **Article 110: Commercial Zone C-III, Section 110.3 Permitted Uses** by adding a new **section W.** to read as follows:
"W. Recreational campgrounds and camping parks."

And

Deleting **campgrounds from 110.3, H.**