

**Kingston Planning Board
Public Hearing/Meeting
December 13, 2016**

The Chairman called the hearing to order at 6:55 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Chair
Peter Coffin
Chris Bashaw

Peter Bakie
Carol Croteau
Ernie Landry (Alternate)

Members absent: Mark Heitz, BOS rep., Adam Pope, Rich St. Hilaire, alternate

Also in Attendance: Ellen Faulconer, Board Alternate/Admin. Asst.

Mr. Coppelman handed out the materials left for the Board from Mr. Greenwood who would not be at tonight's meeting adding that emails had also been sent with the material attached. Ms. Faulconer explained a correction to tonight's agenda; the building lots discussion had been postponed to a later date.

Virginia Morse
Aquifer Protection Signage

Mr. Coppelman introduced Virginia Morse, Chairperson of the HDC. Ms. Morse explained that she was here to discuss things she had seen while in her role on the HDC but not really here on the HDC behalf. She continued that while looking at historical signage in other locations she had noticed that many other towns include signage identifying the Aquifer Protection Zones. She suggested that Kingston might want to invest a small amount to mark those zones suggesting the possibility of the school being involved with the creation of the signs. Ms. Morse suggested that signage also lets the citizens know that the Town was wise enough to protect their resources and that we provide conservation resources in the community; she would like to propose the signs and discussion about them.

Mr. Bakie asked how many signs this would include. Ms. Morse said that in the HDCI and HDC II there is a small wooden sign on each street as the zone is entered. Mr. Bashaw and Mr. Bakie commented that this would be a lot of signs for the AP zones. Ms. Morse said that she would suggest identifying the boundaries and not each individual street. Mr. Coppelman stated that the idea is for public awareness which is a good idea. Ms. Morse added that while the ordinance protects the zone, it would be good for people to see them identified. Mr. Coppelman said another example seen in another town was to require a parcel being developed to place little markers from the Conservation Commission identifying the wetland buffers.

Ms. Morse continued that there was discussion during Envision Kingston that while the Town has no water or sewerage, it does have a great deal of water; identifying the aquifer would be a

good idea and it becomes welcoming as town with a good water supply. Mr. Coppelman said that the Town has been proactive of protecting its natural and historical resources and been generally well-supported. He added that the Town has taken steps to protect the water and the aquifer which can also be a source as a potential revenue generator. Ms. Morse re-iterated that this was just a suggestion to begin the discussion. She noted that there other areas in the country where it can be tough to find good water and stated that the Town has worked to protect its surface and subterranean waters which is good for the Town and for bringing people to Town as it is a good resource.

Mr. Bashaw asked if this was an item that could be recommended by the Planning Board suggesting getting input from department heads such as the Road Agent. Mr. Coppelman said there may be some value from getting a recommendation from this Board prior to going forward. Ms. Morse said she was not sure of how the markers get recommended and would be glad to carry it forward to the appropriate Board. Mr. Coppelman asked if the Board was recommending speaking to the BOS. Mr. Bashaw said it would be more appropriate to speak with the Board of Selectmen as there would have to be input to the State for any highways in Town.

Mr. Coppelman asked the Board about their interest in moving this forward. Mr. Coffin said he thought a simple identifying sign at the boundaries was a good idea. Mr. Bashaw preferred getting a buy in from the BOS first. Ms. Faulconer suggested that it might be nice to have a positive comment from the PB for Ms. Morse to bring to the BOS; Ms. Morse agreed that would be good rather than bouncing back and forth between the two boards. Mr. Coppelman thought it would be appropriate for this Board to have an opinion as it was board that developed the ordinance. Mr. Bashaw said he was not opposed to the proposal going forward. Mr. Coffin said it was a good idea and was not opposed to it going forward. Ms. Croteau said she was not opposed and thought it was good to mark the area. Mr. Bakie agreed to move the proposal forward. Ms. Morse will go forward with the proposal to the Selectmen.

Mr. Coppelman noted that Mr. Landry will be a voting member this evening.

Ordinance Proposals:

Mr. Coppelman re-iterated that building lot size would not be discussed this evening.

1. Possible changes to the HDI and permitted uses regarding B&B and Inns:

Mr. Coppelman reviewed the Board's last discussion regarding "standards" being moved into the regulations and just having the permitted uses of B&B and Inn in the ordinance. The Board was referred to the third page of the hand-out: "j" – reference to 904 was added; "k" – Inns with the same notation as "j"; all the performance standards are proposed to be stricken with the regulations prepared to be adopted after Town Meeting; add to the "definitions" section with the examples on pp.102-7 and 8 in the hand-out; there is also a suggestion to require owner residency depending on what the Board wants to see in the ordinance. The Board would then have to develop the site review standards. Mr. Coppelman opened the discussion for the Board. Mr. Coffin preferred the second definition of "inn"; Mr. Bashaw agreed. Mr. Bashaw asked Ms. Morse her opinion of the inn being owner occupied adding that he would think the Town would want that. Ms. Morse said that her Board met Wednesday and was hoping to bring back as much

information to them as possible. Ms. Croteau stated that she like the differences between B&B and Inn. Ms. Morse also favors separating the two items. Mr. Coffin said that a B&B has less impact; an inn is a true commercial business and good to separate the two items; he did not think the “inn” needed to be owner occupied. There was discussion concerning the separating of the items and the definitions.

The proposed definition of Bed and Breakfast was agreed upon by consensus. The Board consensus for the definition of “inn” was the second proposal.

Mr. Coffin asked for HDC input on whether there was a requirement for the “inn” to be owner/occupied. Ms. Morse said she was leaning toward that. Mr. Coppelman explained the noticing requirements for the first public hearing; any changes would be heard at the second public hearing. Mr. Bashaw said that the owner-occupied would need to be in the definition. Ms. Croteau suggested that no requiring owner-occupied would be more conducive to a small business. Mr. Coppelman noted that most of the inns he goes to are owner-occupied. Mr. Bashaw agreed that most are owner-occupied; he doesn’t see this as a huge operation and it would be feasible to live there. Ms. Faulconer stated that if this was a requirement, there could always be relief through the ZBA. Public comment: Ms. Merrill was concerned that if owner-occupied was a requirement there might be an issue if the owner was in the hospital or on vacation. Mr. Primo suggested adding in “inn” but remove “owner-occupied” and when the new requirements are written, it could be added in then. Mr. Coppelman explained there is a fundamental difference in the scope of the two which should be clarified. Mr. Bakie said that the number of rooms is not really in the definition. Ms. Croteau suggested making it owner-occupied for B&B and not for Inn. Mr. Bakie stated that the definition should say how many rooms in a B&B and how many in an Inn. Mr. Coffin said B&B would be up to and including 4 rooms. There was continuing discussion about the process and adding details to the regulations; getting HDC feedback and timing of upcoming meetings and hearings. Mr. Bashaw suggested that any specific comments from the HDC could be sent to the office and then forwarded to the Board members.

MM&S to move forward to the public hearing with the definition provided for Bed and Breakfast and the second definition of “inn” as permitted uses “j” and “k”; leave out owner-occupied for “inn” at this time; remove the current standards with the intention of moving standards into regulations; amend HDC ordinance and Definitions ordinance to reflect the changes to move forward to the January public hearing. (Motion by Mr. Bashaw, second by Ms. Croteau) PUNA

2. Accessory Family Apartments amendment: Mr. Coffin questioned the proposed language “set forth within”, questioning within what. The Board reviewed placement of the proposed changes, finally agreeing with Mr. Greenwood’s proposed placement. Ms. Faulconer suggested adding “the ordinance” after the word “within”. Mr. Coffin agreed that clarified the statement.

Mr. Bashaw suggested adding “when the dwelling unit is not in a detached structure” to section 3 after “one-family dwelling”. Public comment: Mr. Primo questioned this within the innovative zone; the Board noted that this had been previously reviewed and researched by Mr. Greenwood.

MM&S to move the proposed changes as discussed forward to public hearing in January as written including the changes discussed with 206.4 (A)3 defining detached and the changes to 206.4(a)3 and the definition as proposed for 206.3(A), per the hand-out dated 12/16/16. (Motion by Mr. Bashaw, second by Mr. Landry) PUNA

Mr. Coppelman explained the warrant process.

3. Ms. Faulconer asked to review the Impact Fee changes the Board agreed to move forward to public hearing at a previous hearing.

MM&S to add the phrase “Per NH RSA 67:21, V(c) prior to “impact fee” and move that language forward to public hearing in January. (Motion by Mr. Coffin, second by Ms. Croteau) PUNA

Correspondence:

- Invoice from town Engineer re: work on ECSI
- Ms. Faulconer will send letter via Certified Mail to Mr. Wright/ECSI re: actions taken; copy to be given to BOS
- J&M Quality Sales and Service: review of request for license; Mr. Greenwood reviewed the site again and it was still not in compliance; Mr. Coppelman said that since the site is not in compliance, the Board has no choice but to recommend denial to the BOS; a note will be added that the site could come into compliance and then be recommended.
- Information received from RCCD re: test pit information for R6-14.

MM&S to accept the 11/29/16 minutes as written. (Motion by Mr. Coffin, second by Ms. Croteau) Motion carries 3-0-3 with Mr. Bashaw, Mr. Bakie and Mr. Landry abstaining)

Mr. Bashaw asked to speak about the Board process of getting information at a public hearing due to the length of the process due to the details. He used the information from the Town Engineer as an example and wondered if the Board could not deal with that at the time as it extended the discussion; he suggested the Board and the applicant get the information ahead of time. He was not sure if this was a possibility. Mr. Coppelman explained that, while agreeing that sometimes the discussion appears lengthy, it is the responsibility of the elected board to have the discussion and make the decisions. He added that the other part is so the Board does not “skirt” or miss the transparency part of the public process so he cautioned the Board to be careful. Mr. Bashaw suggested the possibility of scanning documents and posting attachments to make sure documents anyone was interested in could be available. Ms. Faulconer added that the public hearing process is to make sure the public does hear all the information; the Board should be careful that they don’t determine what information is or is not important to an abutter. Mr. Bashaw suggested that the Board needed to be more realistic about the agenda. Mr. Coppelman noted that a lot of Boards in other towns don’t assign times to any “appointment” so there are no expectations. Public comment: Ms. Merrill talked about Epping’s process with the department comments going to the applicant before the meeting is held adding that they also have 2 big screens for the plans to be seen by everyone. Mr. Primo suggested that items could be addressed prior to the meeting; if they were right in the first place, the meetings could be shorter. Mr. Landry said that the Board has had these discussions in the past about not accepting plans with a

lot of changes; applicants are aware of the Board's requirements and they should not be added to the agenda if they are not complete or incorrect. Mr. Bashaw agrees with streamlining. There was continued discussion about ways to streamline, shave time off the process, making the process more efficient; ways to encourage people to come to meetings. Ms. Faulconer suggested the Board members look into the Technical Review Committee which has been previously discussed by the Board which is a way to streamline the process; this would need BOS approval as well as it would concern the Department Heads. Ms. Croteau said that while it is good to streamline, the members are elected to be here; if it takes to 11:00 PM, that is what the Board is elected to do. Ms. Faulconer will get TRC info. for the Board; Mr. Coppelman suggested a subcommittee might be necessary; the first project for the Board is the HDC regulations but this could be the next project for the Board.

MM&S to adjourn at 8:50. (Motion by Mr. Bashaw, second by Mr. Coffin) **PUNA**