

**Kingston Planning Board  
Public Meeting  
March 7, 2017**

The Chairman called the meeting to order at 7:00 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Chair  
Chris Bashaw  
Mark Heitz, BOS rep.

Peter Coffin  
Carol Croteau  
Ernie Landry (Alternate)

Members absent: Adam Pope, Peter Bakie, Rich St. Hilaire, alternate

Also in Attendance: Glenn Greenwood, Circuit Rider/Planner; Ellen Faulconer, Board Alternate/Admin. Asst.; Virginia Morse, Chair, HDC

Mr. Coppelman announced that Mr. Landry would be a voting member this evening. He introduced members of the public: Virginia Morse and Lynn Merrill.

**Site Plan Review Regulations  
Bed and Breakfast/Inn**

Mr. Coppelman asked Mr. Greenwood to update the Board on the proposed changes to the draft regulations at the last hearing. He reviewed the sections that were removed or had language added: new section “i” was added, former “iii” and “iv” were removed. Mr. Greenwood explained that the sections would be renumbered for the final proposal. He noted that the text in “viii” and “x” had the most substantive wording changes adding that the final trailing paragraphs have been added as numbered items. He asked the Board to review items “vii”, “viii” and “x” regarding the new language. Mr. Greenwood reviewed the changes stating that he changed the word “incidental” to subordinate” as the use of the Bed and Breakfast was determined to not actually be incidental to the commercial use; this language is different between “B&B” and “Inn”; he stated that he thought that the Board had agreed on the changes to “viii”; he reviewed the parking requirements. Mr. Coffin asked about the road areas not being marked “no parking”. Mr. Heitz stated that the language was to clarify that there could be parking on the site property and on neighboring property if approved but not out on the road. Mr. Coffin wanted clarity that parking is not currently signed as no parking on Main Street. Mr. Heitz suggested that this would be controlling by the number of customers they can have by the require parking spaces. Mr. Coppelman said that this issue would probably be more likely with the larger “inn” with any events. It was noted that if any abuse or issues occurred, it would probably become a police issue that would be brought to the Selectmen. Mr. Coffin noted that large events could be addressed with the Selectmen and the special event policy.

Public comments: Virginia Morse, chair of the HDC, noted an issue with “x” in the last sentence suggesting that the word “is” before the word “approved” should be replaced with “may be”; the Board agreed with this change.

Lynn Merrill suggested the word “subordinate” may not be the correct word as it could be misinterpreted. Mr. Heitz suggested that the language clarify the mandate that the bed and breakfast is to be owner/occupied. Mr. Bashaw said the issue is that the Board is not defining the word “subordinate”. Ms. Croteau read the definition of “subordinate” meaning to treat or regard as lesser; Ms. Faulconer noted that there could be the possibility of a future Board misinterpreting this Board’s intent for “subordinate”. Ms. Morse suggested using the word “secondary” or “ancillary” instead of “subordinate”. There was Board discussion regarding the need for this sentence as the definition within the Ordinance states the requirement for owner/occupied. The proposed definition of Bed and Breakfast was read for the Board’s and public’s clarification; the Board agreed that it was clear in its intent and agreed to remove the current “vii” rather than add confusion by having the requirement both in the ordinance and the regulation.

Mr. Greenwood confirmed the changes so far: remove “vii” and replace “is” with “may be” in “x”.

Ms. Merrill referred to the second paragraph regarding the use having to meet all of the following conditions questioning whether it restricted the Board’s ability to waive any of the requirements. Mr. Coppelman and Mr. Greenwood explained that it did not.

Ms. Croteau asked about signage requirements in respect to these proposals. Mr. Coppelman said it would depend on the zone. Mr. Greenwood explained that the requirements are described in the ordinance.

The proposed language for “inns” was reviewed. Mr. Greenwood said that “iii” and “v” were removed; “vi” will replace “is” with “may be”; language was added regarding parking requirements found in 904.13; the last paragraph has now been numbered “ix”. The Board agreed to add the same language from “i” in the Bed and Breakfast proposal to the requirements for Inns. Mr. Greenwood reviewed and read the proposed definition for “inn”. Mr. Heitz questioned whether the Board wanted to require that “Inns” in the HDC be owner/occupied. Mr. Bashaw said that the Board wanted to provide a lesser process for the smaller use of a B&B. There was discussion about what incentive there was for a ‘bed and breakfast’ instead of just putting in an “inn” so it wouldn’t have to be owner/occupied; wondering the Board’s intent in the HDC noting that there was no minimum number of rooms as a requirement for an inn. Mr. Coppelman explained that these uses are not allowed in any other residential zones; they are not allowed in the SFR, for example; he said that to not be owner/occupied a full site review would be required. Mr. Bashaw added that if someone was before the Board looking for a true Bed and Breakfast, there would be fewer requirements/restrictions by the Board without a full site plan review. Mr. Greenwood stated while the HDC has residential uses, commercial uses are allowed. Mr. Heitz explained that his concern was for clarity of intent; if it was not the intent of the Board to require owner occupancy in the residential historical district, it was fine with him

but if that was the Board's intent, this could provide an opportunity for someone to get around that intent. Mr. Greenwood agreed that in the HDI zone, the abutter to this type of proposal would more than likely be a residential use. Ms. Croteau explained that the intent to not require an inn being owner/occupied was to allow small business opportunities that would not need the restriction of owner/occupied. Mr. Heitz stated that it depended on what the Board wanted to attract to the zone suggesting that it could take on the look more of a commercial zone than a residential zone. Mr. Bashaw said that he did not see this being abused with every house being a B&B or Inn. The possibility of a "chain" was discussed as this was not the intent. Mr. Greenwood said that the maximum amount of rooms would be self-limiting as no chain would want to be limited to 15 rooms as they usually need 50 rooms; a 15 room maximum wouldn't interest a motel/hotel chain. Land limitations within the zone were discussed. Mr. Greenwood said that he understood Mr. Heitz's point but believes the 15 room maximum is self-limiting.

Ms. Merrill asked why this was limited to C3 and not in the other zones. Mr. Greenwood said that the changes were specific to Bed and Breakfasts and Inns and the zones where they were currently permitted were not being amended.

The Board confirmed the hearing to adopt these regulations, pending the Town's vote on the adoption of the Ordinance changes, was already posted for 3/21/17. The updated language will be available at the Planning Board office.

## **Board Business**

### **Correspondence**

- Follow-up on memo to ZBA re: setback waiver where lot line doesn't currently exist; through discussion with ZBA Chair Alessio, the applicant was instructed to apply for a joint hearing with the ZBA/PB; Ms. Alessio gave the applicant the submission deadlines. Mr. Coffin reviewed the upcoming ZBA hearing agenda.
- Registration is open for the Spring Planning and Zoning conference; the registration is open until April 21<sup>st</sup>; anyone interested in registering should contact Ms. Faulconer.

Ms. Faulconer noted that due to the upcoming election, there was a possibility that this could be Mr. Coppelman's last meeting and as such, wanted to thank him for his many years of service to the Planning Board and Kingston.

The Chairman declared the meeting adjourned at 7:55 PM.