

**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.

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**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

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**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.

<p><b>MOTION</b> 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). <b>Seconded</b> by, Ms. Duguay. A vote was taken, all were in favor, the motion passed. (5-0-0)</p>
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**Board introductions:** Ms. Merrill introduced the Board and acknowledged that there was one member of the public in the audience that is also a Town Official, Phil Coombs (Director of Public Works).

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

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

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

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

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

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

#### **Subdivision Regulations**

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

#### **ADJOURNMENT**

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

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