

**Kingston Planning Board
Public Meeting
February 2, 2016**

The Chairman called the hearing to order at 6:50 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Richard Wilson, Chairman	Carol Croteau
Glenn Coppelman, V. Chair	Peter Coffin
Adam Pope	Ernie Landry (Alternate)
Mark Heitz, BOS rep.	

Members absent: Stan Shalett, Richard St. Hilaire (Alternate)

Also in Attendance: Glenn Greenwood, Circuit Rider Planner; Ellen Faulconer, Administrative Assistant/Board alternate.

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

Capital Improvement Plan Presentation

Mr. Coppelman, Chairperson of the CIP Committee, reviewed the membership of the Committee; representing the Planning Board were Ernie Landry, Peter Coffin and himself with Carol Croteau representing the Budget Committee with guidance from Glenn Greenwood. The process and the plan were reviewed. Mr. Greenwood noted that the Fire Station is on the schedule but there are no real updates at this point; a committee has been formed to put some ideas together so there may be more information for next year's update. He added that there is a narrative regarding the Nichols Building but there is nothing specific in the program at this point although information is anticipated for next year's update. Mr. Coppelman explained that this is a plan that looks ahead for 6 years to capital expenses can be planned out for the taxpayers; it is an advisory tool for the Budget Committee and the Board of Selectmen. The increased anticipated costs of the fire station from the first proposal to now were noted.

MM&S to accept the CIP plan of 2016 to 2021 as presented. (Motion by Mr. Coffin, second by Ms. Croteau) **Motion carries 6-0-1** with Mr. Heitz abstaining.

Mr. Landry asked if the Budget Committee utilized the CIP plan. Ms. Croteau said that it wasn't reviewed this year as it had not been adopted yet. Mr. Coppelman asked if Ms. Croteau could find out if the CIP Committee could meet to review the plan with them; they would like to take the opportunity to review at the Committee's first meeting in April. It was suggested that the liaisons for the departments in the CIP have the pertinent information as they go forward with the budget review. Ms. Croteau will contact the BudCom chair about both suggestions.

Robert Kalil
Little Old Lady Auto
5 Route 125
Tax Map R3 Lot 6

Mr. Kalil was sent a letter from the Planning Board asking to review the activities on the site based on information received from the Inspectors due to a site visit for an occupancy permit; there are concerns about the possibility of a car-detailing business on the site.

Mr. Wilson asked Mr. Kalil to review the use of the building. Mr. Kalil explained that the property has been the same type of business for 17 years; nothing is changing. He said that there is not a car-detailing business on site; it is a car dealing site and they do clean cars but there is not a car-detailing activity on site; anything being cleaned would be a vehicle being sold on the site. Mr. Kalil said that he is changing the name to "Auto and Truck Depot"; Mr. Kalil has sent a note to that effect to the Board. Mr. Heitz stated that Mr. Kalil would need to get a sign permit; he said that he had gotten one. Ms. Faulconer explained that the sign permit has been sent back to Mr. Kalil by the Building Inspector as it did not have the required information. Mr. Kalil said the art work was incomplete; he explained the changes; Mr. Kalil said he received the returned application but didn't have the artwork to give the Inspector. Mr. Heitz said that when the artwork is received, he should give it to the Inspector along with the rest of the information asked for in the application. Mr. Kalil said that the Town had all the information from the old applications. Mr. Heitz re-iterated that if the application is not filled out properly and completely, a permit will not be issued. Mr. Kalil said he did not know that certain information was required. Ms. Faulconer pointed out where the requirements were noted on the application. Mr. Greenwood suggested he review the property file in the Selectmen's office to get the information in order to submit a completed application.

Mr. Kalil re-iterated that there was no outside car detailing on the site and no service being offered to the general public; there was very, very little car-washing. The process by which the Inspectors reviewed the site was discussed; there was a request for an occupancy permit by a new business owner at the time; Mr. Kalil explained that that proposal did not go forward. Mr. Kalil had no idea who the Inspectors spoke with about car-detailing; he re-iterated that there would be very, very little car washing on the site.

The letters from the Inspectors (Fire, Electrical and Plumbing) and noted deficiencies were read for Mr. Kalil who confirmed that he had received the letters. Mr. Kalil stated that he was a Master Plumber so there was nothing wrong with the plumbing. Mr. Kalil said he was familiar with the lists from all of the Inspectors. Mr. Kalil said the building was beautiful; he confirmed that all of the issues from the Inspectors had been addressed. He agreed that the Inspectors could come to the building tomorrow to complete the review for the Certificate of Occupancy as soon as tomorrow and everything would be fine. He said the plumbing is beautiful and there are no issues with the plumbing; he is a burner technician who owns the building; the boiler runs beautifully so he doesn't know what the issue is and the heat works great. He said that the walls were being painted so some of the covers of the outlets were off; he wasn't there to talk with the Inspectors. He said that some of the exit lights had dead batteries and he has replaced them; he got all the fire extinguishers recertified; the building is beautiful. Mr. Heitz asked if the

extinguishers are all mounted and clearly marked at this point; Mr. Kalil said he hadn't picked them up yet but they are all done and ready to be picked up; he stated that he has gone above and beyond on the property. He said he has done a lot of painting and fixed outlets with new bulbs in the lights; he invited the Board to stop by as the building is really beautiful.

Mr. Wilson confirmed that the Inspectors can be contacted to go the property to re-review the previous issues and make sure everything is okay. Mr. Kalil confirmed that the business name is changing, not the owner. Mr. Kalil explained that there was another individual that was going to rent the property and that triggered the inspections for that person's occupancy permit; that individual did not follow through on renting the property. Mr. Kalil stated that the smoke detectors have been installed; he even added a few; he put some in the third floor storage. Mr. Heitz asked if the flammable materials near the furnace had been removed. Mr. Kalil said that the furnace is in a furnace room by itself. Mr. Wilson re-iterated that the Inspectors can go back to the site and re-check itself. Mr. Kalil asked if the Town had yearly inspections like similar towns. Mr. Wilson said that this had been discussed. Mr. Kalil said that properties he owns in Plaistow are checked yearly. He added that Atkinson checks yearly, too.

ACTION ITEM: The State permit for Mr. Kalil/Auto Truck Sales will be held until the Inspectors' review of the property; if the Inspectors say the site is in compliance, the permit will be signed and forwarded to the Selectmen for approval.

Board Business

Correspondence

- Request to add motorized tractors to site plan of The Trailer Place. The Board discussed ordinance relative to motorized vehicle sales within 1000 feet of existing site; definitions of motorized vehicles were reviewed including Article 408; noise ordinance definitions and state definitions. Change of use was discussed. The file was reviewed regarding previous approvals on the site; satellite view was compared with approved site plan. The Board noted that the plan does not show the number of trailers on the site or the location of display areas. Mr. Greenwood stated his belief that the lack of information is enough to require some type of site plan review adding that it is 23 years since the last review and this is an additional use with a new kind of vehicle on the site; he stated that the Board needed to know the degree of activity and whether additional pavement may be needed. The Board continued the discussion regarding whether the use was permitted; the intent of the existing regulations were discussed.

MM&S that the use of motorized tractors within 1000 feet of existing vehicle sales is approvable for the site. (Motion made by Mr. Pope, seconded by Ms. Croteau) The Board clarified that the original ordinance regarding the placement of vehicle sales' intent was to limit car and RV dealerships on top of each other, not tractors. **Motion passed 5-0-2** with Mr. Landry and Mr. Coffin abstaining.

- Occupancy permit request from Edmunds; the Planning Board determined that no further review was required per the proposal as written.
- Letter from the Board's attorney: the Montana Realty/Jericho Drive decision's request for rehearing was denied and the timeframe for any further appeals has expired.

- Invoice for CCM approved.
- Board received information regarding test pit witnessing; a friendly reminder will be sent to the Health Officer that RCCD witnesses subdivision test pits.
- Memories review – pending Mr. Greenwood’s review.
- ECSI compliance requests that had been sent to the BOS were questioned by Mr. Heitz; it was confirmed that the Board had not heard any reply from ECSI from the multiple requests or from the enforcement letter from the Board of Selectmen. Mr. Heitz suggested the possibility of a site plan revocation. The Board agreed to send a letter to ECSI requesting they come in to see the Board on March 1st where there will be a discussion by the Board whether to have a public hearing to revoke the existing site plan due to non-compliance of the property. Mr. Heitz suggested the Police deliver the letter; the Board agreed.
- A property at Depot Road and possible unpermitted activity was discussed; Mr. Heitz okayed the Board asking the Building Inspector to review whether there were unpermitted apartments being constructed or other unpermitted building activity on the site.
- Federal Firearms Licensing request from Kurt Ringleben, 6 Williams Path; the Board agreed, by consensus, that it can confirm that the activity as described in the letter does meet the criteria for an in-home occupation, thus conforming to local ordinances. The Board clarified that it does not “approve” in-home occupations; it is self-policing.
- Keystone Hall/Drug Court request for waiver of site plan and waiver of \$5000 engineering fee to \$100; the Board was informed that a site plan review application had been received and public notification had occurred in order to meet the Feb. 16th public hearing deadlines. The Board, by consensus, agreed to not waive the site plan requirement for the proposed change of use. The engineering fee request was granted.

Mr. Greenwood was granted permission to speak with Attorney Loughlin regarding a proposal for 2 properties on Country Pond and clarifying the appropriate process.

Ms. Faulconer brought a possible typographical error to the Board that was spotted by the Inspectors: p. 905.7 referenced NHFA and should be NHFC; the Board agreed that this change could occur without any further Board action.

Mr. Wilson announced that the next meeting would be on February 16th.

The Board adjourned the meeting at 8:15 PM.