

**Kingston Planning Board
Public Meeting
June 23, 2015**

The Chairman called the meeting to order at 6:50 PM.

Members in Attendance:

Richard Wilson, Chair	Carol Croteau
Peter Coffin	Adam Pope
Stan Shalett	Ernie Landry, Alternate
Mark Heitz, BoS rep.	

Members Absent: Glenn Coppelman, Rich St. Hilaire, Alternate

Also in Attendance: Glenn Greenwood, Planner; Ellen Faulconer, Administrative Assistant/Board Alternate

Mr. Landry will be a voting member this evening.

Kingston TCB, LLC
Johnson Controls, Inc.
TB Bank
Tax Map: R34 Lot 1

Mr. Wilson explained that this was an expedited review for the installation of propane tanks for TD Bank. Mr. Wilson and Mr. Heitz asked why a review was required. Mr. Greenwood explained that the intent of a site review is for to ensure the health, safety and welfare of a proposal, not to stop an activity. The applicant or their representative was not in attendance; Mr. Greenwood said it was the Board's protocol to require their attendance but there was no State requirement. Mr. Heitz asked what triggered the need for a review. Mr. Greenwood said any change or expansion of use or the start of a new business. Mr. Heitz asked if one of the units wanted to switch from propane to oil and the oil was inside the building, if it would require a review. Mr. Greenwood answered no, unless it was an exterior addition. Mr. Heitz asked if the addition of a dumpster would require some form of review; Mr. Greenwood answered yes. Other hypothetical proposals were discussed regarding expedited site plan review.

The Board decided to keep this hearing open in case the applicant arrived and continue with Board business.

Board Business

Correspondence:

- Lot Line Merger (PSNH) signed by Chair
- Notice of Bond cancellation for SPE Real Estate
- Complaint received for Daher Motors; parking on non-paved surfaces; expansion of parking.

ACTION ITEM: Send enforcement request to the Board of Selectmen

- Complaint received regarding activity at Memories Ice Cream. <Board note: Carol Croteau recused herself during this discussion and stepped away from the Board>; a letter was read that notified the Board that special event/fundraisers/art shows/pony rides were taking place on the site; special event permitting was reviewed; properties in Town having received special even permits were discussed including needing a police detail. Mr. Waters stated that the new owners seem intent on expanding the business beyond what has been approved and there is additional traffic, car alarms and other activity that is creating an impact on abutters; he stated he wants to keep the business in check for what has been approved. Previous aspects of the review and enforcement were reviewed. Mr. Waters re-iterated that he just wants the business to stay in compliance with the existing site plan. Mr. Wilson agreed with that position. The Board discussed several enforcement possibilities.

ACTION ITEM: Mr. Greenwood will review the file and site plan for approved activities and report back to the Board.

- Notice of Decision: Brouillette was reviewed.
- Notice of Decision: Rego/Montana Realty Trust/Fitzgerald Boyd was reviewed.
- Letter than had been sent per the Board re: Saddle Up Saloon was reviewed.
- Letter from FEMA re: Risk Mapping
- Cogswell Bond – balance release signed
- Brenda Blake escrow agreement signed

Compliance Issues:

- Ken’s Auto – complaint received re: selling cars not on pavement; question is whether there is a site plan/approval to sell vehicles.

ACTION ITEM: Review Site Plan for Ken’s Auto re: approved use; bring information back to the Board

- Property located at Danville/Ball Road selling vehicles on site; discussion around whether a dealer license is necessary when selling more than one or two unregistered vehicles.

ACTION ITEM: Check on State RSA’s regarding dealer licensing.

- Alternative Sales selling vehicles on site.

ACTION ITEM: Review file to confirm that vehicle sales is not an approved use for the commercial property; send letter regarding approval and need for amended site plan for expansion of use.

- ECSI – appear to be expanded amount of storage containers on site; question about information regarding storage of asbestos without approvals; the limited use/approval of the back area was discussed.

ACTION ITEM: Review approved site plan; ask ECSI to come it to speak with the Board regarding activity on the site.

- Wayne Kinney property near Colonial Drive: complaint received regarding expanded activity/storage of vehicles likely overflow storage from Plaistow Subaru; the Board will hold this for further review and additional information; review again at next meeting.
- Fremont Pizza – currently in violation of the sign ordinance.

ACTION ITEM: Before asking the Selectmen for an enforcement request, to send a letter informing them that the sign is not in compliance and asking that it be removed from use as an external sign.

Board Business, continued

Mr. Greenwood explained that George Korn asked a question about adding an activity to his approved site plan; he wanted to have additional storage of regular size busses which would require using an area beyond the approved commercial activity location on the site; Mr. Greenwood said that this would require an amended site plan unless the additional busses could be parked within the area that allows for commercial activity as the site plan has a demarcation line that does not allow commercial activity. The Board reviewed the plan and agreed with Mr. Greenwood.

ACTION ITEM: A letter will be sent to Mr. Korn that will explain that any bus parking to the right (East) of the established line limiting the Commercial Activity would require an amended site plan.

Committee Update:

- Board of Selectmen: Mr. Heitz stated that there was no update to report.
- ZBA: Mr. Coffin briefly reviewed the Lancaster hearing in which the Board confirmed that it was a structure.
- KHC: Mr. Landry stated that the work on the Bandstand would hopefully be resuming by July and done in October; an alternate use/solution to the Grace Daley house was still being worked on.
- HDC: Mr. Shalett reviewed an approval for siding for a property on Church St., noted that they are working on an updated walking tour of the District.

Ordinance Updates:

- Definitions for Junk, Junkyard and Nuisance were reviewed.

ACTION ITEM: Ms. Faulconer will send State RSA's regarding these definitions and other pertinent information to the Board for review at the next meeting.

- Contiguous definition: Mr. Pope proposed better defining the existing word and tying it to setbacks; suggested including a width requirement such as that needed to drive a vehicle through to show ability to get from one area to another without leaving the property; Mr. Greenwood added to allow moving from one upland area to another without going through wetlands. Mr. Coffin noted that the setbacks would not be considered as buildable area.

ACTION ITEM: Subcommittee of Mr. Greenwood, Mr. St. Hilaire, Mr. Quintal and Ms. Faulconer to submit proposal for this to the Board.

- "Side lot lines" definition: Mr. Pope said it would depend on what the Board was trying to achieve; past unusual lot line proposals were reviewed.

ACTION ITEM: Subcommittee to return with a proposal.

RETURN TO EXPEDITED REVIEW – TD Bank:

Mr. Greenwood noted that no one had appeared on behalf of the applicant adding that there had been no negative feedback from any of the Inspectors/Departments; no public comments. Mr. Coffin said if the Board had any questions and there was no representative, that would be different but it appeared that the paperwork provided answered all the questions.

MM&S to approve the expedited review to allow the installation of propane tanks as shown on the plan. (Motion by Mr. Coffin, second by Ms. Croteau) **PUNA**

Board Business, continued

Ms. Croteau asked about the property at the triangle of Danville Road/Page Road and the tubs that were being stored outside on the property; Mr. Wilson noted that he believed that was a commercial plumbing outfit.

ACTION ITEM: The Board will review the file for the next meeting regarding any approvals for the site.

Innovative Zoning: The Board will re-look at the language requiring the “four-plex” for that zone; Ms. Faulconer will provide the original language for the Board to review.

ACTION ITEM: The paragraph describing the Board’s requirement for site plan/Innovative Zone proposal will be added to the site plan requirements regulation.

There was discussion about other proposals for the Board to work on this year; Ms. Faulconer explained that the Board works on completing a couple at time. Mr. Coppelman will be asked how the Agriculture proposal is going at the next meeting.

MM&S to adjourn at 8:15. (Motion by Mr. Pope, second by Mr. Coffin) **PUNA**