

**Kingston Planning Board
Public Hearing
October 20, 2015**

The Chairman called the hearing to order at 6:45 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
Mark Heitz, BOS rep.	Adam Pope
Stan Shalett (arrived with mtg. in progress)	Ernie Landry (Alternate)

Members absent: Richard St. Hilaire (Alternate)

Also in Attendance: Glenn Greenwood, Circuit Rider Planner; Dennis Quintal, Town Engineer; Ellen Faulconer, Administrative Assistant/Board alternate

Mr. Wilson announced that Mr. Landry will be voting member for tonight's hearing pending Mr. Shalett's arrival.

Marvin LaFontaine
9A Woodland Drive
Tax Map R31 Lots 16 and 16-1

Mr. Wilson noted receipt of an email asking for a continuance due to a scheduling conflict.

MM&S to continue to November 17, 2015 at 6:45. (Motion by Mr. Pope, second by Mr. Coffin) **PUNA**

Board Business

Correspondence:

- Letter received from BOS re: compliance at ECSI property.
- Letter received from BOS re: Lancaster property and parked cars for sale; letter sent to DOT for enforcement of sales within State ROW.
- Bond Balance list reviewed.
- Union Telephone request for release of funds; approved.
- Hamie Auto Sales license request; letter of intent reviewed; no further Planning Board review required per agreement to follow existing approvals.
- Copier costs reviewed;
ACTION ITEM: Ms. Faulconer will look into costs of new black and white copier; check on number of copies on the copier; amount of time we have had it in the office.
- Mr. Greenwood will have the information regarding Memories at the next meeting.
- Received copy of the Osborne letter from the BOS regarding issues on the Lancaster property; Mr. Heitz stated that those issues are currently in litigation.

Thomas Brouillette, Surveyor

**Property Owners: Jon Lariviere
Trendezza, LLC
22 Marshall Road
Tax Map R33 Lot 27 and Parcel "A"**

**Donald and Shibaun Heath
30 Marshall Road
Tax Map R41 Lot 1**

Mr. Brouillette distributed additional copies of the submitted plan. Ms. Faulconer confirmed that the Board had received confirmation from the Heath's that they were in favor of the proposal as submitted. Mr. Brouillette reviewed the plan; they are sliding the 25 foot ROW ownership for SELT over but keeping it at 25 feet at which point parcel "A" will be deeded over to SELT; 2/100 of an acre will be added to the Heath's property and removed from the Trendezza property.

Mr. Quintal noted that the width of land for SELT should be labeled on the plan to confirm that it will be a 25 foot width. He stated that this does impact the Trendezza property a bit as there are steep bankings behind some of the buildings adjacent to a 12 or 14 foot deck; he is not sure how this will impact them as this will now be putting the Open Space setback right up against the deck instead of having land between the edge of deck and Open Space. Mr. Quintal added that while this still meets the requirements, there will now be limited or no way to walk behind the deck; the requirements are still met but it also does move the line closer to the buildings.

Mr. Coppelman asked if the proposal conforms to the what the ZBA granted; Mr. Wilson read the ZBA decision which states that the driveway can come as close as three feet to the property line. Mr. Brouillette stated that there will be trees planted on the Heath property and a fence is being put up. The Board noted, that will not a requirement, the fencing and trees have not been added to the plan. Mr. Brouillette confirmed that the actual width of the ROW area for SELT is 25.31 feet wide; the Board, by consensus, wanted this information added to the plan.

MM&S to approve the boundary line adjustment plan with one condition of amending the plan to include the width information noted during the discussion to the ROW area to the plan and mylar. The condition is to be met within 30 days. (Motion by Mr. Pope, second by Mr. Heitz) **Motion passed 6-1** with Mr. Coppelman opposed.

Board Business, continued

MM&S to approve the September 22, 2015 minutes as written. (Motion by Mr. Coffin, second by Ms. Croteau) **Motion passed 2-0-5** with Mr. Pope, Mr. Heitz, Mr. Wilson, Mr. Landry and Mr. Coppelman abstaining.

**Berkshire-Dominion Holdings, LLC
AKA Saddle Up Saloon
92 Rte. 125
Tax Map R8 Lots 40 and 40A**

Mr. Wilson informed the Board that the application is incomplete as the Professional Review Fee (AKA Engineering Bond) has not been received. Mr. Greenwood recommended that the Board

not continue since there is not a complete application, there is really nothing to continue at this point. Mr. Pope noted that the Planning Board has not accepted the plan for jurisdiction. Ms. Faulconer confirmed that abutters' fees and legal notice fees had been received and abutters' notices were sent and legal notices posted with the understanding with the applicant that the review fee would be received prior to the hearing; but the fees had not been received.

By Board consensus, with no complete application before the Board at this time, there was no action to be taken. Mr. Coffin noted that at this point, the property does have an approval from the Planning Board for a restaurant. Mr. Wilson noted that any amendments to the site plan approval would need to be filed with the Board with a completed application for a public hearing which would include notifying abutters.

Board Business, continued

Mr. Wilson distributed proposed language for numbering requirements for subdivisions.

Brenda Blake Andy Galloway 51 North Road

Brenda Blake and Andy Galloway wanted to speak with the Board about a decision to require the reclamation work match the submitted plan. Mr. Galloway explained that Mr. Greenwood and Mr. St. Hilaire had viewed the plan and the work being done on the site which included a 3:1 slope instead of a 4:1 slope shown on the plan; erosion stone was used. He said at that time that Mr. Greenwood said it was okay as it was a minor change. Mr. Quintal reviewed reclamation requirements adding that the site is stable at this point but with a frost it is tough for the seed to germinate and grow. *<Board note: Mr. Shalett arrived at this time.>* Mr. Greenwood said that Mr. Galloway had done what he said he would do although there is an access road in which is not part of the plan; most of the removal of materials is complete. He suggested the Board do a site walk. Ms. Blake said if the Board changes the slope, she loses planting area; she would like to keep it as it is. Mr. Heitz asked if there was a best practice that requires 4:1 instead of 3:1. Mr. Quintal said that it just needed to be maintained and stabilized; the slope is close to the wetlands but the wetlands are not delineated on the plan; he stated that due to the proximity to the wetlands it is important that the area be stabilized which would need deep-rooted grass. Mr. Quintal continued that for that reason inspections in the near future and review in the Spring should be required in case any stabilization needs to be addressed; it is important, due to the wetlands location, to also make sure the berm and outlet are maintained to protection the wetland into the future from Stormwater run-off and pollution. Ms. Blake stated that she has no desire to put anything into the Little River. Mr. Quintal explained that the reason for buffer areas or open space areas that is vegetated is to pick up pollutants. Mr. Heitz asked the width difference between the two slopes; Mr. Quintal said it would be an 8 feet elevation which would be a lot of fill; Mr. Galloway said it would lose about 15 feet of fill. Mr. Galloway noted that the slope is seeded and hayed at this point. Mr. Quintal explained that his report was based on the plan that had been submitted to the Planning Board by Mr. Galloway. Mr. Heitz suggested that the Board might accept an as-built plan. Mr. Quintal said that it is important to have the plan reflect the actual features on the site. Mr. Coffin said that the Board had required a bond for Mr. Quintal to

go back to the site in the Spring; the aspects of this review were discussed. Mr. Shalett asked how steep a 3:1 slope is; Mr. Quintal said that he couldn't confirm that the slope was 3:1 but it would be 3 feet long to 1 foot high; he said that it is fairly flat; a person could mow that type of slope. Mr. Quintal noted that the existing bond is approximately \$1000; his and Mr. Greenwood's time needs to be charged against it but it would leave about \$700 which would be enough for the Spring review. Mr. Coppelman suggested that amount be kept on file until the Spring to verify the stabilization of the site. Mr. Wilson stated that the Board will need an as-built plan within 30 days. Mr. Galloway agreed to submit that. Mr. Quintal said that the site would be reviewed at the end of April/beginning of May; the new plan should show the edge of wetland.

MM&S to have the Town Engineer review the Blake/North Road site at the beginning of May-timeframe for confirmation of site stabilization; an as-built plan will be provided to the Board within 30 days of this approval; that plan shall show the edge of the wetlands.
(Motion by Mr. Wilson, second by Mr. Heitz) PUNA

Board Business, continued

The numbering designations proposal, 905.14 "C", #35 and "J", was reviewed. By Board consensus, this will go forward to public hearing.

Perpendicular lot lines discussion: There was discussion regarding requirements of other towns. Mr. Quintal stated that it sounded like the Board wanted flexibility; items such as determining amount of distance for the lines, degree of angles, flexibility, specifics regarding cul-de-sacs were discussed. Mr. Greenwood suggested that the subcommittee come up with variations and bring back to the Board for review.

ACTION ITEM: Subcommittee to meet the Monday after Thanksgiving to come up with multiple proposals for the Board to review.

Plan Review/ Board Business, continued

Mr. Greenwood reviewed the plans and gave his recommendations to the Board. Two plans had deficiencies so were not added to the agenda. Mr. Greenwood will write letters to those applicants explaining the deficiencies. Mr. Greenwood recommended adding the Eversource application and the Assisted Living Design Review to the agenda; the Board agreed.

Mr. Coppelman stated that the CIP committee would be meeting on October 28th to begin reviewing the submissions.

Mr. Wilson announced that since there was not currently anything on the agenda, the November 3rd hearing would be cancelled adding that the next meeting/hearing would be on November 17, 2015.

MM&S to adjourn at 7:55. (Motion by Mr. Pope, second by Mr. Coffin) PUNA