

1 **KINGSTON PLANNING BOARD**

2 **OCTOBER 18, 2022**

3 **PUBLIC HEARING**

4 **MINUTES**

5
6 Mr. Coppelman called the meeting to order at **6:31 PM**; there were no challenges to the
7 legality of the meeting.

8
9 **MEMBERS PRESENT:**

10 Glenn Coppelman, Acting Chair Robin Duguay
11 Chris Bashaw, BOS Representative Steve Padfield
12 Peter Coffin
13

14 **ALSO PRESENT:**

15 Glenn Greenwood, Town Planner
16 Robin Carter, Admin. Assistant
17

18 **ABSENT:**

19 Lynne Merrill, Chair
20 Peter Bakie
21 Dennis Quintal, Town Engineer
22

23 Mr. Coppelman declared a quorum present and introduced the Planning Board ("PB" or
24 "Board").
25

26 Mr. Greenwood asked Mr. Padfield if he was sworn in as a member. Mr. Padfield believes
27 he was sworn in and will check with Tammy Bakie, the Town Clerk. Mr. Coppelman stated
28 whether Mr. Padfield was considered an alternate or a member, he will be voting tonight.
29

30
31 **Walter S. Clark, Jr. and Katherine C. Chase**

32 **69 Ball Road**

33 **Tax Map R25 Lot 1-2**

34 Continued Public Hearing (from 08/16/2022)
35

36 *<Board note: This hearing began at 6:34 PM.>* Mr. Coppelman read the Legal Notice for
37 this hearing referencing the intent of this project is to subdivide 3.34 acres from an existing
38 37.28 acre parcel.
39

40 Mr. Coppelman asked if the PB had already invoked jurisdiction for this hearing and Mr.
41 Greenwood replied, yes it was on August 16, 2022.
42

43 Applicants Walter S. Clark, Jr. and Katherine C. Chase introduced themselves.
44

Ms. Chase stated she believes they have addressed the comments made by the PB, Town Planner and Town Engineer that were made during the previous meeting on August 16, 2022. Ms. Chase mentioned that their surveyor, Paul Nichols, PE LLS has made the updates and reviewed the plan with the Town Engineer, Dennis Quintal. Mr. Quintal prepared a second engineering review letter to the Planning Board, dated September 6, 2022, outlining his comments on the subdivision plan. Ms. Chase reviewed the items listed in Mr. Quintal's letter.

1. *Waiver requested* – Article 905.6.A – related to the 15% slope. Ms. Chase said it was already approved. Mr. Greenwood said all the waivers listed were approved on August 16, 2022, except the new waiver shown under #7 below.
6. The plan has been updated to comply with the State Fire Code (NFPA 18). The surveyor has widened the driveway for the turnaround up near the house. It is what the Fire Department wanted for dimensions. The surveyor referenced the driveway on the plan.
Mr. Coppelman mentioned the Board did not receive comments from the Fire Department on the August 23, 2022 plan. Ms. Chase stated there is no current plan to build on that lot and that is why they are requesting a waiver. Their intent is to keep that portion in current use.
7. *Waiver requested* by the applicant to have the “*requirement that a proposed driveway to the larger buildable area be shown on the plan be waived because they have no intentions of developing that area in the future*”.
9. 901.F – Provide detail to plan. *A note has been added to the Plan.*
10. 905.14.C.1 & 905.14.J – Final Mylar is required for recording. This sheet has many lines through the text and will not be acceptable for recording. Ms. Chase said the lines will be removed on the Mylar if the plan is approved.
14. 905.14.C.17 – Wetland Setback. Mr. Quintal recommended a Wetland Scientist submit a report to justify the setback presented. Ms. Chase referred to a Wetlands report from SeeKamp Environmental Consulting, Inc. (“Seekamp”) and thought that that report has already completed.
15. *Waiver requested* – 905.14.C.19 – Site Specific Soil Map is required. This waiver has already approved by the PB.
17. 905.14.C.35 – A condition of approval by the Planning Board will be to change the new lot label from Lot A to a Tax Map Number assigned by the Selectmen's Office. Ms. Chase explained this is the next step in the process.
18. 905.14.1.e – Provide a Bound Certification. Ms. Chase explained this is the next step in the process.
19. Ms. Chase said that Mr. Nichols, their surveyor, will follow up with SeeKamp, the Wetlands Scientist to add their stamp and signature to the plan.

Mr. Coppelman asked Mr. Greenwood if he had any comments to share and he stated all his comments have already been addressed.

Mr. Coppelman asked if the mandatory preliminary review waiver has been requested. Mr. Greenwood said it was granted at the August 16, 2022 hearing.

<Board Member, Ms. Duguay joined the meeting at 6:40 PM.>

Mr. Coppelman asked for public comment. There was none. Public comments were opened and closed at 6:47 PM.

Mr. Coppelman read the Department Head comments. BOS-No comment; Building-No comment; Code Enforcement-No comment; Health-No comment; Highway-No comment; Police-No comment; and did not receive comments back from Fire.

Mr. Coppelman asked if there was State Subdivision Approval. Mr. Chase said it is shown on the plan under notes.

Mr. Coppelman referred to the SeeKamp Wetland Report and Buffer Width Evaluation for the property prepared for Paul Nichols to see if they did the functional value assessment to determine the actual setback, and they did provide one.

Motion made by Mr. Bashaw to **accept the waiver (dated August 25, 2022)** as requested not requiring a proposed driveway shown on the remaining larger portion of the lot, Tax Map R25 Lot 1-2. Reason is they provided in their request they have no intention of developing in that area in the future. **Seconded** by Mr. Padfield. **A vote was taken, all were in favor and the motion passed.**

Motion made by Mr. Coffin to **grant conditional approval based on the conditions listed below. Seconded** by Ms. Duguay. **A vote was taken, all were in favor and the motion passed.**

Conditional approval items referenced are based on the revised plan dated August 23, 2022 for R25 Lots1-2.

- 1) Planning Board meet to change the new label of lot number "A" to the tax map number that will be assigned by the Selectman's office.
- 2) Further condition of ground certification is provided on the plan and the stamp and signatures be provided by a certified wetland scientist.
- 3) The wetlands report by Seekamp Environmental Consulting Services, LLC, dated May 20, 2021, has been accepted and defines the setback requirements for the wetland buffers.
- 4) The typographical contours be removed from the Mylar for recording at Rockingham County Registry of Deeds.
- 5) Change waivers requested to waivers granted on the final Mylar.
- 6) Get a final sign off from the Fire Department on the driveway. Mr. Greenwood will follow up with Fire.
- 7) Add mandatory preliminary review waiver that was granted on August 16, 2022 to the Mylar.

Mr. Coppelman asked if there was further discussion. No further comments.

<Board note: This hearing ended at 6:59 PM.>

137
138 **Myles Milham, Kingdom Awakening Ministries**
139 **3 New Boston Road**
140 **Tax Map R 19 Lot 10**
141

142 <Board note: This hearing began at 7:01 PM.> Mr. Coppelman read the Legal Notice for
143 this application. The applicant is requesting approval for the redesignation as a church.
144

145 Leza Milham and Kali Mock introduced themselves and were there in place of Myles
146 Milham, the applicant. Mr. Milham was not present. Mr. Dworman is the property owner
147 and was in the audience at the hearing.
148

149 Ms. Mock explained that they are looking to redesignate the property at 3 New Boston
150 Road back to its original intent as a church. They would like to move the congregation
151 there due the congregation growing and looking to expand.
152

153 Mr. Greenwood commented on the applicant's request to revert the property back to a
154 church. The PB reviewed this request during the summer and directed the applicant to
155 develop a septic system for the property since it is currently a shared system with 1 New
156 Boston Road. A new septic system design has been submitted to the Planning Board and
157 the Health Officer. The applicant has submitted a waiver to accept the existing site plan
158 on file and that no additional engineered plans for the site be required. Mr. Greenwood
159 stated he has no concerns with the property reverting back to church use.
160

161 An approved septic system plan from Septic Designs of NH with an Approval for
162 Construction, dated September 10, 2022, was provided. The current system is a shared
163 system with the property at 1 New Boston Road. Based on information discussed at a
164 previous meeting, *that there was a plan on place, a plan in place that would be enacted*
165 *at that time, as opposed to, at the time of approval of the new plan, the septic plan as*
166 *proposed would go into effect.* The Board agreed that the installation of a new septic
167 system would be required in the event that the existing septic system fails. Ms. Milham
168 said that it is their understanding from a prior meeting also.
169

170 Mr. Coppelman asked if the Board would like to invoke jurisdiction.
171

172 **Motion made by Mr. Coffin to invoke jurisdiction. Seconded by Ms. Duguay. A vote**
173 **was taken, all were in favor and the motion passed.**
174

175 He explained that jurisdiction simply means that the plan is complete enough for the Board
176 to take further action. This is not an approval at this point and is a process step that needs
177 to be taken.
178

179 Mr. Greenwood recommended the Board look at the waiver request from Myles Milham's
180 letter, dated September 12, 2022, *"requesting the Board to accept their existing site plan*
181 *on file and that no additional engineered plans for the site be required."* Mr. Coffin
182 commented that the last site plan that was approved was for the furniture business.

183
184 It is the applicant's intent to own the property.
185

186 Mr. Coppelman read the Department Head comments. BOS-No comment; Building-No
187 comment; Code Enforcement-No comment; Health-No comment; Highway-No comment;
188 and did not received comments back from Fire and Police.
189

190 Mr. Coppelman asked for public comment. There was none. Public comments were
191 opened and closed at 7:20 PM.
192

193 **Motion made by Mr. Bashaw to accept the waiver request (dated September 12, 2022)**
194 **that has been requested to accept the existing site plan on file and that no engineering**
195 **site plans will be required based on the information discussed during this hearing. To**
196 **grant a waiver for not requiring formally engineered plans. Seconded by Ms.**
197 **Duguay. A vote was taken, all were in favor and the motion passed.**

198
199 <changed the tape>
200

201 The Board discussed the Facts and Findings for the Affidavit to approve the change of
202 use of the property at 3 New Boston Road back to a church for use of religious purposes.
203

- 204 • Signs, setbacks, and lighting would have to comply with Town Permitting
205 Ordinances and be approved by the Board of Selectman.
206
- 207 • Although a church is a permitted use in this zone, it is very close to residential uses
208 and they need to be mindful of that fact.
209
- 210 • The Board agreed that a new fully approved septic system plan was required to be
211 on file when needed, should the existing system fail.
212
- 213 • Mr. Coppelman stated it was important to get on the record that they are not
214 planning any expansion of the building, no new building, and no additional
215 structures. The site is proposed to be used as it sits. Any new construction would
216 require an amendment to the site plan.
217

218 Mr. Greenwood believes there is a plan recorded at the Registry.
219

220 **Motion made by Mr. Coffin to record an Affidavit at the Registry of Deeds. Seconded**
221 **by Mr. Bashaw. A vote was taken, all were in favor and the motion passed.**

222
223 Mr. Greenwood will get in touch with the applicant once the Affidavit is done.
224

225 <Board note: This hearing ended at 7:33 PM.>
226

227 **BOARD BUSINESS**

228
229 **Correspondence:**

- 230
231 1) PB approved the invoice from Civil Construction Management, Inc. for services of
232 Dennis Quintal, PE (8-10-22 to 8-16-22) dated 10/07/2022, Inv. #22115 in the
233 amount of \$300. RE: R8-35, Nickerson Raymond Trust 72 Rte. 125.
234 2) Letter from Eric Towne, Manager of Lone Tree Summer Camp, LLC, dated
235 September 11, 2022, was shared with the Board. The letter was also addressed
236 and sent to the BOS.
237 3) 2023 Zoning Amendment Calendar SB2 March Town Meeting from Business and
238 Economic Affairs (BEA) was shared with the Board.
239 4) Per RSA 541-A:39(I) - Letter addressed to the Town of Kingston, dated October 7,
240 2022, from State of NH – Department of Safety-DMV by Robbin C. Pike, Program
241 Specialist Dealer/Inspection Desk Bureau of Registration. RE: U11-7, 138 Main
242 St., Dave's Repair. The Board reviewed it to determine if it conforms to Town
243 zoning and if it qualifies for a license. It's been an auto service business for a long
244 time, it is in the Historic District. Board completed and approved the application. It
245 has been forwarded to the BOS for review and approval.
246 5) Mr. Coppelman read the email, dated October 18, 2022, from Jenn Rowden, Land
247 Use Program Manager of Rockingham Planning Commission. RE: RPC Grant
248 Proposal to Assist Municipalities with Stormwater Regulations. Also, read the
249 Sample Letter of Support that was attached to the email. The Board would like to
250 support this.

251
252 **Motion made by Mr. Coffin to authorize Mr. Greenwood to regenerate the letter of**
253 **support. Seconded by Ms. Duguay. A vote was taken, all were in favor and the**
254 **motion passed.**

255
256 **Zoning discussion:**

257
258 The Board agreed to move the zoning topics to the November 1, 2022 public meeting to
259 allow for more time to discuss them in detail.

260
261
262 ****Next Public Meeting is scheduled for Tuesday, November 1, 2022. Subject to**
263 **change.****

264
265 **ADJOURNMENT**

266
267 **Mr. Padfield made a Motion to adjourn. Seconded by Ms. Duguay. A vote was taken,**
268 **all were in favor and the meeting adjourned at 8:06 PM.**