

**Kingston Planning Board
Public Meeting
August 5, 2014**

The Chairman called the meeting to order at 6:48 PM. There were no challenges to the legality of the hearing.

Members in attendance:

Richard Wilson, Chairman	Ernie Landry
Glenn Coppelman, V. Chair	Stanley Shalett
Peter Coffin	Adam Pope

Absent: Mark Heitz, Carol Croteau, Alternate, Rich St. Hilaire, alternate

Also in Attendance: Dennis Quintal, Town Engineer, Ellen Faulconer, Administrative Assistant

Board Business:

Correspondence:

- Bond for Solar Hills signed by the Chairman
- RPC Contract signed by the Chairman to be forwarded to the BOS for signature.
- 4 Notices of Violations received from BOS
- Law Lecture series voucher approved for Mr. Coppelman
- Mr. Quintal's comments re: the Trendezza plan was reviewed by the Board; Mr. Quintal stated that the plans he has received would not be able to be recorded; it makes no sense to continue review plans that are not final; he added that notes are supposed to be transferred on to the plans with the correct information and is concerned that some of the notes and specifics might be missed; he suggested that not only he and Mr. Greenwood review the plans but the rest of the Board should also review to make sure nothing is missed.

ACTION ITEM: The Board agreed that the final Trendezza plans will be reviewed by the Board prior to the Chairman signing for recording. Ms. Faulconer will send a letter to the applicant confirming the recommendations from Mr. Quintal; Ms. Faulconer will work with Mr. Quintal to assure the letter adequately expresses his concerns.

- Letter received from Brown and LaPointe regarding the PSNH easement agreement.
- ZBA memo received regarding an upcoming hearing; Mr. Wilson noted that the Board proposed this ordinance due to citizen input about the number of used car lots along Rte. 125 in particular and not wanting to look like other Towns; the Board consensus was that it did not seem appropriate to grant a variance in the first instance that this issue comes up. Ms. Faulconer noted that another applicant had come to the office this week with an issue on another part of Rte. 125 that might not comply with the ordinance and that individual asked about going to the ZBA for a waiver.

ACTION ITEM: The Planning Board will send a memo to the ZBA stating that they are opposed to granting the variance; Ms. Faulconer will include the minutes. Mr. Wilson and Mr. Coppelman will also try to attend the hearing.

- Bond information was reviewed; **ACTION ITEM: Ms. Faulconer will send a letter to the bond holders noted to remind them to send a letter requesting the return of their bonds.**
- Information regarding Farmer's Market at the Library was reviewed; the Board raised concerns that it was not a single vendor, possible issues with parking and use of the parking lot; Mr. Landry noted that the BOS were told by the Library Director that they had the use of the adjacent property's parking area when they were closed over the weekend. The Board will adopt a wait and see attitude regarding this use on the site.
- Letter sent to White Cedar Farms regarding the need for an amended site plan.
- Loughlin reply to Villella v. ToK
- Land Use Techniques Chapter regarding Agricultural zoning; Mr. Coppelman received a copy electronically; he is reviewing to put items together for the Board.
- Budget proposal reviewed and approved; the postage line was discussed.
- Complaint letter re: Memories was forwarded from the BOS to the Board; currently another out-of-town business was operating a farm stand on the site; portable signs were being used; there were previous issues in the file from the State prohibiting the sale of milk and eggs at a farm stand without a license; previous approvals were reviewed; Mr. Coppelman clarified that the operation was granted an approval from the Planning Board, not a variance from the ZBA. The allowed use of the SFR/Ag zone were reviewed with the intention being items sold that were grown on the properties including the ice cream being sold being made on site.

ACTION ITEM: Ms. Faulconer to send an enforcement request to the Board of Selectmen: No approval for the additional business on the site – it should be discontinued until Planning Board review and approval; portable signs must be removed; attach a copy of the previous issues raised by the State inspector; the approval was for ice cream made on the site anything else would require an amended site plan.

- Letter re: 1 Meeks Road asking if the proposed use would require a Special Exception; the Board reviewed the CIII permitted and prohibited uses; the Board determined that the proposed use would require a Special Exception granted by the ZBA prior to applying for site plan review.

Robert Latinville
66 Rte. 125
Tax Map R5-21

Mr. Latinville had been invited in to speak to the Board regarding his use of the property stating that it was basically the same use as before; his letter was read; he explained that he has the use of 8 parking spaces – 4 on the left side and 4 on the right side of the building as the units go from right to left; he confirmed that 2 of the spaces would be for employee parking so therefore would not have more than 6 cars parked on the site, on the pavement. Mr. Wilson said the Inspectors would have to be taken care and their issues addressed. The Board agreed to have the criteria put in a letter for the Chairman and Mr. Latinville to sign and put in the PB and Property files.

ACTION ITEM: Create Memo of Understanding as noted above with signature of Mr. Latinville and Mr. Wilson, to include: hours of operation and other details as noted in Mr.

Latinville's letter; Occupancy Permit is required PRIOR to operating the business; a Sign Permit is required for any signage; the parking is limited to 8 spaces, 2 for employees; all parking on pavement; he does not transport vehicles, does not do inspections; he does not do any activity on the site that requires State permits; notation that there be a confirmation from the Inspectors that the site complies with the Town's ordinances and regulations (Occupancy Permit signed); a copy will be forwarded to the Inspectors.

MM&S to send letter/Memo of Understanding as described above. (Motion by Mr. Coppelman, second by Mr. Coffin) PUNA

Correspondence, continued:

- Letter received from Shane McKeen re: expansion of Diddies and Doodads; the current condition of the site was reviewed; it was noted that there was an expansion to the exterior of the building for outside display and sale of items which required Planning Board approval; Mr. McKeen agreed that the amount there was a problem and it did look like a junkyard adding that he had had a few items outside over the years; Mr. Wilson noted that the amount of items currently outside probably is what triggered everyone noticing; he stated that it looks like it is tough for people to even pull in to the property. The Board continued discussing compliance requirements on the site and the determination of the expansion of Diddies and Doodads. Ms. Faulconer noted that there was a recorded plan on file. Mr. Coppelman read the requirements for being able to apply for an expedited review; one requirement is that the site needs to be in compliance first. Mr. Wilson explained that he would need to come into compliance by bringing the items inside first then he could apply to the Board for expedited review of the expansion of Diddies and Doodads into the space upstairs and for outside sales and storage if he wanted.

ACTION ITEM: Send letter to the BOS and Building Inspector regarding the issues reviewed by the Board noting that Mr. McKeen needed to have an expedited site plan reviewed by the Planning Board prior to any changes to the approved site plan and requiring the removal of all outside sales and storage.

- Letter received re: 43 Church Street asking if the proposed day care use was permitted in the zone; Ms. Faulconer stated that she had reviewed the file and while the proposed use was not a permitted use per the current ordinance, there is an approval for the site in the file that allows an educational use. Mr. Pope said that as it is an approved use, there is no further review required by the ZBA regarding it being a permitted use. The letter also asked what the next steps would be. The Board determined that an amended site plan review would be required as the previous day care used the entire building so there were changes to the previous approval; parking designations for all uses in the building including customer parking needed to be shown as well as traffic patterns, drop-off if applicable, all aspects being used for the proposal indoors and outside. The Board agreed that the applicant can show these areas, with proper dimensions, on the existing recorded plan and not have to provide an additional engineered plan. The Board clarified that this did not require ZBA action prior to applying to the Planning Board. The Board extended the application deadline for the September hearing to noon on August 18, 2014.

**Martha Stanley
3 Old Coach Road**

Tax Map R8-44

The Board had invited Ms. Stanley to discuss a business activity on the site called “Isabella Boutique”; Ms. Stanley had confirmed the meeting time. Neither Ms. Stanley nor her representative arrived for the meeting.

ACTION ITEM: Enforcement request to cease unapproved commercial activity on the site will be sent to the BOS.

Projects Review

The Board reviewed the draft subdivision regulations; Ms. Faulconer will make the changes and bring back to the Board for further review.

Accessory Apartments, Article 206 and associated changes to Rural Residential, Article 104 were reviewed.

MM&S to move Article 104 and Article 206 as presented to public hearing. (Motion by Mr. Coppelman, second by Mr. Coffin) **PUNA**

The corrected subdivision regulations will be reviewed when the draft Site Plan regulations are reviewed along with the draft changes regarding Building Heights.

MM&S to adjourn at 9:25. (Motion by Mr. Pope, second by Mr. Landry) **PUNA**