

Kingston Planning Board
2024 Proposed Zoning Warrant Articles for the March Ballot
Updated as a result of the 12/05/2023 public hearing/meeting

Highlight yellow text are open items (summary on last page).

I. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS

1. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Family”

REMOVE #13, the definition of “Family”. (*Note: In removing this, subsequent definitions will be renumbered.*)

13. ~~“Family: One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit, or a number of persons, but not exceeding two adults, living and cooking together as a single housekeeping unit shall be deemed to constitute a family.”~~

MOTION made by Mr. Bashaw to move Article Preamble II: Definitions to remove #13, the definition of “Family” to the ballot. Seconded by Mr. Coffin.

A vote was taken, all were in favor, the motion passed. 5-0-0

Board comments: Mr. Greenwood to draft a new proposed definition of “Family” for review at the next Planning Board meeting.

2. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Industrial Developments”

REMOVE #15, the definition of “Industrial Developments”.

15. ~~“Industrial Developments: The dedication of real property to the manufacture of goods or services.”~~

MOTION made by Mr. Coffin to move Article Preamble II: Definitions to remove #15, the definition of “Industrial Development” to the ballot. Seconded by Mr. Padfield. **A vote was taken, all were in favor, the motion passed. 5-0-0**

3. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Industrial”

ADD an entirely new definition for “Industrial”.

~~“The Industrial District established by this ordinance is designed to improve employment opportunities and broaden the tax base as well as to promote health, safety, convenience, order, prosperity, and other aspects of the general welfare of the Town. The Industrial District allows manufacturing, fabrication, assembly,~~

processing, storage, and distribution use, as well as associated research and administration uses. It is intended that the separation of industrial uses from residential uses will promote a more desirable land use pattern, protect industry from the influences of other land uses, provide suitable space needs for industrial location and expansion, and promote stability of industrial and related development."

MOTION made by Mr. Coffin to continue Article Preamble II: Definitions "Industrial" to the next meeting for revisions. Seconded by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

Board discussion: The Board discussed if this definition was needed or not since permitted uses are already in the Industrial Zone ordinance (Article 107). Alternative language was discussed. This will be addressed further at the 12/12/2023 Planning Board meeting.

4. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – "Mobile Home"

REMOVE #18, the existing definition of "Mobile Home or House Trailer" and REPLACE with a new definition for "Mobile & Manufactured Home" per NH RSA 674:31.

~~18. "Mobile Home or House Trailer: A prefabricated structure or dwelling unit which is designed for long term and continuous residential occupancy and which is designed to be moved on wheels as a whole or in sections which may be temporarily or permanently affixed to real estate."~~

~~"Mobile Home or Manufactured Home (as defined in NH RSA 674:31): As used in this subdivision, "manufactured housing" means any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein.~~

~~Manufactured housing as defined in this section shall not include presite built housing as defined in NH RSA 674:31-a."~~

MOTION made by Mr. Coffin to move Article Preamble II: Definitions by removing the existing language for the definition of #18 "Mobile Homes or House Trailer" and replacing it with the definition for "Mobile Home or Manufactured Home" as defined in NH RSA 674:31 to the ballot. Seconded by Mr. Bashaw.
A vote was taken, all were in favor, the motion passed. 5-0-0

5. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Presite Built Housing”

ADD entirely new definition for “Presite Built Housing” per RSA 674:31-a.

“Presite Built Housing (as defined in NH RSA 674:31-a.):- As used in this subdivision, "presite built housing" means any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site.

For the purposes of this subdivision, presite built housing shall not include manufactured housing, as defined in NH RSA 674:31.”

MOTION made by Mr. Coffin to move Article Preamble II: Definitions to add an entirely new definition for “Presite Built Housing” as defined in NH RSA 674:31-a. to the ballot. Seconded by Mr. Bashaw.
A vote was taken, all were in favor, the motion passed. 5-0-0

II. Article 102: HISTORIC DISTRICT

6. Article 102: HISTORIC DISTRICT, Section 102.2 HISTORIC DISTRICT I

AMENDING Article **102 Historic District, Section 102.2 Historic District I** to ADD the word “former” and Tax Map and Lot number reference (Tax Map R-34 17) to paragraph 1 to describe Sanborn Regional High School property to read as follows:

“On Church Street, the District shall go northwest on both sides of the street to a depth of 350 feet for approximately 1,275 feet to the further boundary of the **former** Sanborn Regional High School property (**Tax Map R-34 Lot 17**). All **former** Sanborn Regional School District property fronting on Main Street (excepting athletic field on Chase and Church Streets) shall be in the Historic District. The Historic District shall also include the Kingston Plains Cemetery and properties on Depot Road adjacent thereto. Properties whose frontage lies partially within the District, shall be considered within the District. To eliminate confusion, the following lots have frontage in Historic District I and therefore zoned as completely Historic District I:”

MOTION made by Mr. Coffin to move **Article 102 Historic District, Section 102.2 Historic District I to the ballot as amended. Seconded** by Mr. Bashaw.
A vote was taken, all were in favor, the motion passed. 5-0-0

7. Article 102: HISTORIC DISTRICT, Section 102.4 MOBILE HOMES

AMENDING Section 102.4 Mobile Homes to read as follows:

“**MOBILE HOMES and MANUFACTURED HOMES**, as defined in NH RSA 674:31, will not be permitted in the Historic Districts. **Presite Built Housing as defined in NH RSA 674:31-a. may be allowed in the Historic Districts.**”

MOTION made by Mr. Coffin to move **Article 102 Historic District, Section 102.4 Mobile Homes and Manufactured Homes to the ballot as amended. Seconded** by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

8. Article 102: HISTORIC DISTRICT, Section 102.5 DESCRIPTION AND

PERMITTED USES, A. HISTORIC DISTRICT I, 2. (pg. 4. Mr. Greenwood to consult with Town Counsel and draft proposed amended language.)

9. Article 102: HISTORIC DISTRICT, Section 102.5 DESCRIPTION AND PERMITTED USES, B. HISTORIC DISTRICT II

AMENDING Article 102 Historic District, Section 102.5 Description and Permitted Uses, B. Historic District II to REMOVE the existing 2nd sentence ~~"This area is zoned Single Family Residential Agricultural and uses will be permitted in accordance with the Kingston Zoning Ordinances and in conformance with Historic District Ordinances."~~ And REPLACE it with the new language to read as follows:

"Historic District II is a residential area containing some fine old homes. The use of land in the district is limited to single family dwellings, agricultural uses and incidental uses such as private garages, boat houses, tool sheds, gardens, and the like. Agricultural use shall mean land used for agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, silviculture, and animal and poultry husbandry. These uses will be permitted in conformance with Historic District Ordinances and Regulations."

MOTION made by Mr. Coffin to move Article 102 Historic District, Section 102.5 Description and Permitted Uses, B. Historic District II to the ballot as amended. **Seconded** by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

10. Article 102: HISTORIC DISTRICT, Section 102.7.1 SHEDS AND OUT BUILDINGS

ADD entirely new section, Article 102 Historic District, Section 102.7.1 **SHEDS AND OUT BUILDINGS** to read as follows:

"Certain types of sheds and out buildings no longer require a town building permit (see 301.1.F) but within the Districts, those structures still require a Certificate of Approval from the HDC. Among other details, style, size and lot placement will be reviewed."

MOTION made by Mr. Bashaw to **NOT** move Article 102 Historic District, entirely new Section 102.7.1 Sheds and Out Buildings to the ballot. **Seconded** by Mr. Coffin.
A vote was taken, all were in favor, the motion passed. 5-0-0

11. Article 102: HISTORIC DISTRICT, Section 102.8 PROCEDURE; and Section 102.8.C.

AMENDING Article 102 Historic District, Section 102.8 Procedure and Section 102.8.C. to make the following *editorial* changes and REPLACE the word "~~receipt~~" with "**filing**" in the 1st paragraph. ADD new language to letter C. to include "**the building inspector**".

"Upon obtaining an application, the applicant should supply the information relative to such application as may be required by the Historic District Commission (from time to time). *Before applying, applicants should refer to HDC Regulations and Design Standards in section 1201. In accordance with NH RSA 676:9,* no building permit shall be issued for any work proposed to be done in the Historic District until the Commission has approved the application. The Commission shall make a decision within 45 days of **filing** of application and failure to do so will be deemed to constitute an approval by the Commission. Within said period, the Commission shall:

A. Determine that the application is of no interest to the purpose of the Historic Districts or that the proposal is harmonious with the purpose of the Districts and so notify the applicant, or

B. Determine that the application represents a proposal that is in conflict with the purposes of the Historic Districts and schedule a meeting with the applicant."

C. The Commission shall promptly notify the applicant, **the Building Inspector**, and the Selectmen of its decision.

Further details on HDC procedure can be found in section 1202."

MOTION made by Mr. Bashaw to approve the *editorial* changes for Article 102 Historic District, Section 102.8 Procedure and Section 102.8.C to be incorporated in the ordinance after the March 2024 Town vote has taken place.

Move the following proposed amendments for Article 102.8 to the ballot as amended. Seconded by Mr. Coffin.

A vote was taken, all were in favor, the motion passed. 5-0-0

EDITORIAL ONLY by ADDING a new section number because of the duplicate section # found in this Article- **Article 102: HISTORIC DISTRICT, Section 102.8. 7 PUBLIC HEARINGS**

(Providing the language for informational purposes only). "Both the Commission and the applicant or each of them shall have the right to call for a public hearing on the proposal. Notice of said hearings shall be posted at least ten (10) days in advance in a newspaper of general circulation and in at least three (3) public places, the cost of said posting to be borne by the applicant. Notice to abutting and adjacent property owners shall be sent by registered mail. Testimony shall be received from any party desiring to participate."

MOTION made by Mr. Coffin to approve the *editorial* change for Article 102 Historic District, Section 102.8. Public Hearings to change it to be a new Section 102.8. 7 to differentiate it from 102.8 Procedure. The change will be made after the March 2024 Town vote. Seconded by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

- 12. Article 102: HISTORIC DISTRICT, Section 102.9 GUIDELINES**
AMENDING Article 102 Historic District, Section 102.9 Guidelines as follows:
- a. MOVE the existing language "When making a determination on the application, reasons for denial of an application must be clearly documented and shall be factual and verifiable reasons for denial." to Section **102.10**.
 - b. REMOVE "~~Reasons for denial shall not be subjective or based on opinion or speculation.~~"
 - c. MOVE "If the Historic District Commission or parties at the HDC application level other than the applicant requires expert testimony or documentation to support the denial, they cannot require the applicant be responsible for the generation or costs associated with such support of denial. This shall not prohibit the Historic District Commission from making additional recommendations to an applicant that are in the spirit of the Historic District asking for voluntary compliance or participation. (Added 03/14/2023) to the **bottom of this same 102.9 section - below A, B, C, D.**
 - d. ADD an entirely new item D. "~~Whether the proposal is of a design, or of materials, or for a purpose or use inconsistent with the overall character of the district as described in 102.5.~~"

AMENDING **Section 102.9 Guidelines** to read as follows:

"In considering appropriateness of an application, the Commission shall consider, among other things:

- A. The effect that the exterior facade of the building will have when viewed in relation to the surrounding buildings in the district.
- B. The change, if any, in the amount of noise, congestion and traffic that the proposed building or use will create in the district.
- C. Whether the proposal is of a design, or of materials, or for a purpose or use inconsistent with and detrimental or injurious to buildings and purposes or uses upon adjoining lands and whether such proposal is such that it will detract from the character and quiet dignity of the Kingston Historic District.
- D. Whether the proposal is of a design, or of materials, or for a purpose or use inconsistent with the overall character of the district as described in 102.5.

If the Historic District Commission or parties at the HDC application level other than the applicant requires expert testimony or documentation to support the denial, they cannot require the applicant be responsible for the generation or costs associated with such support of denial. This shall not prohibit the Historic District Commission from making additional recommendations to an applicant that are in the spirit of the Historic District asking for voluntary compliance or participation. (Added 03/14/2023)"

<p>MOTION made by Mr. Coffin to move the Article 102 Historic District, Section 102.9 Guidelines to the ballot as amended. Seconded by Mr. Padfield. A vote was taken, all were in favor, the motion passed. 5-0-0</p>
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13. Article 102: HISTORIC DISTRICT, Section 102.10 DENIAL AND APPEAL
AMENDING **Article 102 Historic District Section 102.10 DENIAL AND APPEAL** to ADD "the Building Inspector" to paragraph one. And MOVE language currently found in Section 102.9 to be a new paragraph at the end of this section.

AMENDING the language for **Article 102 Historic District Section 102.10 DENIAL AND APPEAL** read as follows:

"In such cases as the Commission may deny an application, it shall supply the applicant, the Building Inspector, and the Board of Adjustment with a letter citing

the reasons for such denial. Any person aggrieved by a decision of the Commission may appeal to the Board of Adjustment.

When making a determination on the application, reasons for denial of an application must be clearly documented and shall be factual and verifiable reasons for denial. (Added 03/14/2023)”

MOTION made by Mr. Bashaw to move the Article 102 Historic District, Section 102.10 Denial and Appeal to the ballot as amended. Seconded by Mr. Coffin. A vote was taken, all were in favor, the motion passed. 5-0-0

14. Article 102: HISTORIC DISTRICT, Section 102.12 PRE-EXISTING USE
AMENDING Article 102 Historic District by ADDING an entirely new **Section 102.12 Pre-Existing Use** to read.

“Non-conforming uses legally in existence prior to the enactment of this ordinance may be continued, maintained, repaired and improved, unless and until such use becomes an imminent hazard to public health and safety. Nonconforming uses may not be expanded or changed to other nonconforming uses.”

MOTION made by Mr. Coffin to move Article 102 Historic District, entirely new Section 102.12 Pre-Existing Use to the ballot. Seconded by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

15. Article 102: HISTORIC DISTRICT, Section 102.13 CONFLICTS
AMENDING Article 102 Historic District by ADDING an entirely new **Section 102.13 Conflicts** to read.

“Must comply with all other Town of Kingston ordinances and regulations unless explicitly stated otherwise.”

MOTION made by Mr. Coffin to move Article 102 Historic District, entirely new Section 102.13 Conflicts to the ballot as amended by adding the term “*The ordinance*” in front of the amended article. Seconded by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

EDITORIAL CHANGES ONLY: Article 102 HISTORIC DISTRICT, 103 SINGLE FAMILY RESIDENTIAL DISTRICT, 105 SINGLE FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT

ADD SET BACKS to Articles 102, 103 and 105. *This language is from Article 301 and is being added to the residential districts. Add the following language to each section below: “Every structure shall be set back from front property line a minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear).” (This is existing law in 301 and the purpose for including it in these sections is making it easier to find. These are editorial changes and do not need to go to Public Hearing to vote on for the 2024 ballot.)*

Article 102 Historic District Section 102.5 Description and Permitted Uses, A. Historic District I, 4. *“Every structure shall be set back from front property line a*

minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear)."

Article 102 Historic District Section 102.5 Description and Permitted Uses, B. Historic District II. *"Every structure shall be set back from front property line a minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear)."*

Article 103 Single Family Residential District Section 103.5 [existing 103.5 to become 103.6] *"Every structure shall be set back from front property line a minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear)."*

103.6 Must comply with all other Town of Kingston Ordinances and Regulations.

Article 105 Single Family Residential District Agricultural District Section 105.4 [existing 105.4 to become 105.5] *"Every structure shall be set back from front property line a minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear)."*

105.5 Must comply with all other Town of Kingston Ordinances and Regulations.

MOTION made by Mr. Coffin to approve that all *editorial* changes be made after the March 2024 Town meeting. Seconded by Mr. Bashaw.
A vote was taken, all were in favor, the motion passed. 5-0-0

III. Article 109: COMMERCIAL ZONE C-II

16. Article 109: COMMERCIAL ZONE C-II, Section 109.7 SPECIAL EXCEPTIONS
AMENDING Article 109 Commercial Zone C-II, Section 109.7 Special Exceptions by REPLACING Special Exceptions (handled by the Zoning Board of Adjustments) with a Conditional Use Permit (handled by the Planning Board). CHANGE the language "~~property values~~" to "**properties**" in subsection A.1. AMENDING the language to read as follows:

"Conditional Use Permit: If, after a public hearing by the Planning Board , a proposed business, not specifically permitted or *not specifically* prohibited in this zone, is found to conform in character of operation and would be in harmony with the permitted uses as described in this Zone, then such use may be allowed by Conditional Use Permit issued by the Planning Board, subject to appropriate conditions and safeguards as may be deemed necessary by said Planning Board. The Board shall deny requests for conditional use permits that do not meet the standards of this section.

A. Conditional Use Permits shall meet the following standards:

1. No unreasonable impact to **properties** in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking area, access ways, odor, smoke, gas, dust or other pollutant, noise, glare, heat, vibration or unsightly outdoor storage of equipment, vehicles, or other materials.
2. No creation of traffic safety hazard or substantial increase in the level of traffic congestion in the vicinity.
3. No unreasonable excess demand for municipal services including, but not limited to: water, sewer, waste disposal, police, fire protection, and schools.
4. No unreasonable hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.
5. Notification of the hearing will be provided to the Conservation Commission and Board of Selectmen."

MOTION made by Mr. Coffin to move Article 109 Commercial Zone C-II, Section 109.7 amending Special Exceptions to be a Conditional Use Permit to the ballot as with the addition of the term "*not specifically*" prohibited following not specifically permitted. **Seconded** by Mr. Bashaw.

A vote was taken, all were in favor, the motion passed. 5-0-0

Board comments: To clarify the change of striking the language "property values" does not exclude property values from the current impact to the value of properties.

IV. Article 110: COMMERCIAL ZONE C-III

17. Article 110: COMMERCIAL ZONE C-III, Section 110.3 PERMITTED USES, K. AMENDING Article 110 Commercial District III, Section 110.3.K, by ADDING new language as follows:

“K. Vehicular, trailer and recreational vehicle sales, rentals or leasing and service repair facility provided that no lot used for this purpose may be located any closer than 1,000 (one thousand) feet in any direction to any other lot used for this purpose. This 1,000-foot separation applies to like businesses; so automotive vehicle sales and leasing and repair must be separated by 1,000 feet from a new automotive vehicle sales, leasing, and repair business. Heavy truck sales would not be subject to the 1,000-foot separation requirement from automobile sales facilities. Likewise, an automobile short-term rental company would not be subject to the 1,000-foot separation from an automobile sales facility. The Planning Board is allowed to determine if proposed uses constitute uses that require the 1,000-foot separation.”

MOTION made by Mr. Bashaw to move Article 110 Commercial Zone C-III, Section 110.3 Permitted Uses, K. to the ballot as amended. Seconded by Mr. Tersolo. A vote was taken, 3 were in favor, Mr. Coffin and Ms. Duguay opposed, the motion passed. 3-2-0

18. Article 110: COMMERCIAL ZONE C-III, Section 110.3 PERMITTED USES, O. AMENDING Article 110 Commercial District III, Section 110.3 Permitted Uses, O. by ADDING “Warehouses” to read.

“O. Wholesale Business and Warehouses”

MOTION made by Mr. Bashaw to move to continue Article 110 Commercial Zone C-III, Section 110.3 Permitted Uses, O. to the January 2, 2024 public hearing to notice to the public. Seconded by Mr. Coffin. A vote was taken, all were in favor, the motion passed. 5-0-0

19. Article 110: COMMERCIAL ZONE C-III, Section 110.5 SPECIAL EXCEPTIONS
AMENDING Article 110 Commercial Zone C-III Section 110.5 Special Exceptions by
REPLACING Special Exceptions (handled by the Zoning Board of Adjustments) with a
Conditional Use Permit (handled by the Planning Board). CHANGE the language
“~~property values~~” to “**properties**” in subsection A.1. AMENDING the language to read as
follows:

“Conditional Use Permit: If, after a public hearing by the Planning Board , a proposed
business, not specifically permitted or *not specifically* prohibited in this zone, is found to
conform in character of operation and would be in harmony with the permitted uses as
described in this Zone, then such use may be allowed by Conditional Use Permit issued
by the Planning Board, subject to appropriate conditions and safeguards as may be
deemed necessary by said Planning Board. The Board shall deny requests for conditional
use permits that do not meet the standards of this section.

A. Conditional Use Permits shall meet the following standards:

1. No unreasonable impact to **properties** in the vicinity or change in the essential
characteristics of any area including residential neighborhoods or business and industrial
districts on account of the location or scale of buildings and other structures, parking
area, access ways, odor, smoke, gas, dust or other pollutant, noise, glare, heat, vibration
or unsightly outdoor storage of equipment, vehicles, or other materials.
2. No creation of traffic safety hazard or substantial increase in the level of traffic
congestion in the vicinity.
3. No unreasonable excess demand for municipal services including, but not limited to:
water, sewer, waste disposal, police, fire protection, and schools.
4. No unreasonable hazard to the public or adjacent property on account of potential fire,
explosion, or release of toxic materials.
5. Notification of the hearing will be provided to the Conservation Commission and Board
of Selectmen.”

MOTION made by Mr. Coffin to move Article 110 Commercial Zone C-III, Section 110.5
amending Special Exceptions to be a Conditional Use Permit to the ballot as with the
addition of the term “*not specifically*” prohibited following not specifically permitted as it
has been amended here. **Seconded** by Mr. Bashaw.
A vote was taken, all were in favor, the motion passed. 5-0-0

*Board comments: To clarify that the removing of the language of “property values” does
not necessarily remove the intent of property values from being included with properties.*

20. Article 110: COMMERCIAL ZONE C-III, Section 110.6 Lot Regulations,
B. Setbacks, 1.b.

AMENDING **Article 110 Commercial Zone C-III, Section 110.6 Lot Regulations, B. Setbacks, 1.b.** to remove the word "~~zone~~" and change it to "~~use~~"; AMENDING the language as follows:

"b. Residential setback (side or rear only): 50 feet, when abutting a residential ~~use~~.

MOTION made by Mr. Bashaw to move **Article 110 Commercial Zone C-III, Section 110.6 Lot Regulations, B. Setbacks, 1.b.** to the ballot as amended. Seconded by Mr. Coffin.

A vote was taken, all were in favor, the motion passed. 5-0-0

21. Article 110: COMMERCIAL ZONE C-III, Section 110.6 LOT REGULATIONS, B. Setbacks, 1.c.

AMENDING **Article 110 Commercial Zone C-III, Section 110.6 Lot Regulations, B. Setbacks, c.** to change "~~25~~" to "~~30~~" feet; AMENDING the language as follows:

"c. Otherwise, Front: ~~30~~ feet, Side: 20 feet, Rear: 20 feet"

MOTION made by Mr. Coffin to move **Article 110 Commercial Zone C-III, Section 110.6 Lot Regulations, B. Setbacks, 1.c.** to the ballot as amended. Seconded by Mr. Padfield.

A vote was taken, all were in favor, the motion passed. 5-0-0

V. Article 203: KINGSTON FLOOD PLAIN DEVELOPMENT ORDINANCE

22. Article 203: KINGSTON FLOOD PLAIN DEVELOPMENT ORDINANCE AMENDING the following sections of Article 203 Kingston Flood Plain Development Ordinance.

Article # (in current ordinance. If new, may need new numbering and lettering once amendments are applied)	Current Language	Proposed new language
203.2 DEFINITIONS 203.2.C. Base Flood Elevation (BFE)	NEW	C. Base Flood Elevation (BFE) means the elevation of surface water resulting from the “base flood.”
203.2 DEFINITIONS 203.2.E. Development (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND E. Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operation.	Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operation or storage of equipment or materials.
203.2 DEFINITIONS 203.2.L. Flood Opening (MAY NEED TO RELETTER ONCE REFORMATTED)	NEW Relettered, current L is for Flood Proofing. This is a new definition and Flood Proofing is now letter M.	Flood Opening. An opening in a foundation or enclosure wall that allows automatic entry or exit of floodwaters. See FEMA “Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures.
203.2 DEFINITIONS 203.2.N. Functionally dependent use	REMOVE N. Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship	REMOVE the definition of Functionally dependent use.

	building/repair facilities but does not include long-term storage or related manufacturing facilities.	
203.2 DEFINITIONS 203.2.R. Manufactured Home (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND R. Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days.	Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days. This includes manufactured homes located in a manufactured home park or subdivision.
203.2 DEFINITIONS 203.2.U. Manufactured Home Park or Subdivision (MAY NEED TO RELETTER ONCE REFORMATTED)	NEW	Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
203.1 DEFINITIONS 203.1.S. Mean sea level (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND S. Mean sea level means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a communities Flood Insurance Rate Map are referenced.	Mean sea level means the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988 , or other datum to which base flood elevations shown on a communities Flood Insurance Rate Map are referenced.
203.2 DEFINITIONS 203.2.T. 100-year flood.	REMOVE T. 100-year flood—see base flood.	Remove 100-year flood.
203.2 DEFINITIONS 203.2.V. New Construction	NEW	New construction means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after

(MAY NEED TO RELETTER ONCE REFORMATTED)		the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
203.2 DEFINITIONS 203.2.W. Special flood hazard area (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND W. Special flood hazard area means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on the FIRM as zone A, and AE. (See - "Area of Special Flood Hazard")	Special flood hazard area. (See - "Area of Special Flood Hazard")
203.2 DEFINITIONS 203.2.AA. Substantial Improvement (MAY NEED TO RELETTER ONCE REFORMATTED)	AA. Substantial Improvement means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceed fifty percent of the market value of the structure. The market value of the structure should equal: (1) the appraised value prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have	Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

	incurred substantial damage, regardless of actual repair work performed. The term does not; however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."	b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
203.2 DEFINITIONS 203.2.FF. Violation (MAY NEED TO RELETTER ONCE REFORMATTED)	NEW	Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations.
203.2 DEFINITIONS 203.2.BB. Water surface elevation (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND BB. Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.	Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988 , (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.
203.5.A. CERTIFICATION (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND A. the as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.	the as-built elevation (in relation to mean sea level) of the lowest floor (including basement) and include whether or not such structures contain a basement.
203.5.B. CERTIFICATION (MAY NEED TO RELETTER ONCE REFORMATTED)	AMEND B. if the structure has been flood-proofed, the as-built elevation (in relation to NGVD) to which the structure was flood-proofed.	if the structure has been flood-proofed, the as-built elevation (in relation to mean sea level) to which the structure was flood-proofed.

<p>203.7.A. WATERCOURSES (MAY NEED TO RELETTER ONCE REFORMATTED)</p>	<p>AMEND A. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 483-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Board. In addition, construction within wetland areas requires notification of the Kingston Conservation Commission and the Planning Board.</p>	<p>In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 483-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Bureau. In addition, construction within wetland areas requires notification of the Kingston Conservation Commission and the Planning Board.</p>
<p>203.8. SPECIAL FLOOD HAZARD AREAS (MAY NEED TO RELETTER ONCE REFORMATTED)</p>	<p>AMEND A. In special flood hazard areas the Building Inspector in conjunction with the Kingston Town Engineer shall determine the 100-year flood elevation in the following order of precedence according to the data available:</p> <ol style="list-style-type: none"> 1. In zones A and AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM. 2. In unnumbered A zones the Building Inspector shall obtain, review, and reasonably utilize any 100-year flood elevation data available from any federal, state or 	<p>In special flood hazard areas the Building Inspector in conjunction with the Kingston Town Engineer shall determine the base flood elevation in the following order of precedence according to the data available:</p> <ol style="list-style-type: none"> 1. In zones A and AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM. 2. In Zone A, the Building Inspector shall obtain, review, and reasonably utilize any base flood elevation data available from any federal, state or other source including data submitted for

	<p>other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site approvals).</p> <p>B. The Building Inspector's 100-year flood elevation determination will be used as criteria for requiring in zones A and AE that:</p> <ol style="list-style-type: none"> 1. all new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100-year flood elevation; 2. that all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100-year flood level; or together with attendant utility and sanitary facilities, shall: <ol style="list-style-type: none"> a) be flood-proofed so that below the 100-year flood elevation the structure is watertight with walls substantially impermeable to the passage of water; b) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and 	<p>development proposals submitted to the community (i.e. subdivisions, site approvals).</p> <p style="color: red;">Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.</p> <p>B. The Building Inspector's base flood elevation determination will be used as criteria for requiring in zones A and AE that:</p> <ol style="list-style-type: none"> 1. all new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation; 2. that all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the base flood level; or together with attendant utility and sanitary facilities, shall: <ol style="list-style-type: none"> a) be flood-proofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water; b) have structural components
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	<p>c) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;</p> <p>3. recreational vehicles placed on sites within zones A and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for manufactured homes in paragraph (c) (6) of Section 60.3.</p> <p>4. all manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local</p>	<p>capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and</p> <p>c) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;</p> <p>3. recreational vehicles placed on sites within zones A and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have not permanently attached additions, or (iii) meet all standards of manufactured homes in this ordinance.</p> <p>4. all manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and</p>
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	<p>anchoring requirements for resisting wind forces;</p> <p>5. for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements: (1) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage; (2) the area is not a basement; (3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot enclosed area subject to flooding shall be provided.</p> <p>The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.</p>	<p>local anchoring requirements for resisting wind forces;</p> <p>5. for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements: (1) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage; (2) the area is not a basement; (3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two flood openings having a total net area of not less than one square inch for every square foot enclosed area subject to flooding shall be provided.</p> <p>The bottom of all flood openings shall be no higher than one foot above grade. Flood openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.</p>
203.9 VARIANCES AND APPEALS	AMEND	If the applicant, upon appeal, requests a variance as authorized

(MAY NEED TO RELETTER ONCE REFORMATTED)	B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b) , the applicant shall have the burden of showing in addition to the usual variance standards under state law:	by RSA 674:33, I, the applicant shall have the burden of showing in addition to the usual variance standards under state law:
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MOTION made by Mr. Bashaw to move Article 203 Kingston Flood Plain Development Ordinance to the ballot as amended and as provided on the documentation for those presented and posted online. Seconded by Mr. Padfield. A vote was taken, all were in favor, the motion passed. 5-0-0

Board comments: This article is being amended to stay in compliance with the National Insurance Flood Program and that the Town will be eliminated from the program if these amendments are not accepted.

VI. Article 204: INNOVATIVE ZONING

23. Article 204: INNOVATIVE ZONING

AMENDING Article 204 Innovative Zoning to be renamed to “Conservation Open Space Zoning.”

MOTION made by Mr. Coffin to move Article 204 Innovative Zoning to rename it to be “Conservation Open Space Zoning” to the ballot. **Seconded** by Mr. Bashaw. **A vote was taken, all were in favor, the motion passed. 5-0-0**

VII. Article 206: ACCESSORY DWELLING UNIT ORDINANCE

24. Article 206: ACCESSORY DWELLING UNIT ORDINANCE, Section 206.4. ADU REQUIREMENTS, E.

AMENDING Article 206 Accessory Dwelling Unit Ordinance, Section 206.4. ADU Requirements, E. to read as follows:

"The size of the ADU shall not be smaller than 600 square feet. **The maximum size of the ADU shall not exceed 50% of the size of the Gross Living Area, aka GLA** (heated or air-conditioned space), as defined in the Town's tax card, of the primary single-family dwelling. (Amended 03/08/22) ~~In the case where a home is smaller than 1800 square feet the ADU may be no larger than 600 square feet.~~ Single family dwelling units that are smaller than 1,200 square feet are not permitted to create an accessory dwelling unit. The reason for this is that an accessory dwelling unit in a structure smaller than 1,200 square feet would be more than 50% of the size of the existing structure and no longer deemed to be accessory to the primary unit.

Accessory dwelling units located in a detached structure shall comply with these same size requirements."

MOTION made by Mr. Bashaw to continue Article 206 Accessory Dwelling Unit Ordinance, Section 206.4. ADU Requirements, E. to the January 2, 2024 public hearing with the changes mentioned with the strike through. Seconded by Mr. Coffin.

A vote was taken, all were in favor, the motion passed. 5-0-0

MOTION made by Mr. Bashaw to continue Article 206 Accessory Dwelling Unit Ordinance, Section 206.4. ADU Requirements, E. to the January 2, 2024 public hearing with the amended language to close the loophole. Seconded by Mr. Coffin.

A vote was taken, all were in favor, the motion passed. 5-0-0

VIII. Article 301: BUILDING AND BUILDING LOTS

25. Article 301: BUILDING AND BUILDING LOTS, Section 301.1 LOT REGULATIONS
AMENDING Article 301 Building and Building Lots, Section 301.1 Lot Regulations
B., by REMOVING this section in its entirety.

~~"Every building lot shall have no more than one single family home or one two-family dwelling thereon. The joining together of two separate structures of any kind for the purpose of having them meet the definition of a two-family home is prohibited. A two-family mobile home on a single chassis shall also be prohibited. (Adopted 3/04/1963; Amended 3/02/76, 3/11/80)"~~

MOTION made by Mr. Coffin to move Article 301 Buildings and Building Lots, removing Section 301.1.B. Lot Regulations to the ballot. **Seconded** by Mr. Bashaw. **A vote was taken, all were in favor, the motion passed. 5-0-0**

EDITORIAL CHANGE ONLY: Article 301.1 Lot Regulations, Section F. This language can be ADDED as an editorial change if all the other HDC articles are voted in in March.

"For properties in the Historic Districts, a Certificate of Approval is still required from the Historic District. Refer to sections 102.7.1 and 1201.10.E for further information."

The Board approved that all *editorial* changes be made after the March 2024 Town vote.

IX. Article 304: INDUSTRIAL DEVELOPMENTS

26. Article 304: INDUSTRIAL DEVELOPMENTS

AMENDING **Article 304 Industrial Developments**, by REMOVING this ordinance in its entirety. Leave a page reference with notation about it being removed for historical reference.

MOTION made by Mr. Coffin **to move Article 304 Industrial Developments to the ballot as remove this article in its entirety. Seconded** by Mr. Padfield.
A vote was taken, all were in favor, the motion passed. 5-0-0

X. Article 402 RECREATIONAL CAMPGROUNDS AND CAMPING PARKS

27. Article 402 – RECREATIONAL CAMPGROUNDS AND CAMPING PARKS – *(For further discussion and review by the Board at the next Planning Board meeting.)*

This provision is enacted to allow the placement of seasonal Recreational Campgrounds and/or Camping Parks within specific areas of the community, to provide standards for their use, and to promote growth of the Kingston economic base.

A. DEFINITIONS:

1. "Approved disposal system" means a system:
 - (a) Constructed prior to July 1, 1967; or
 - (b) Constructed in accordance with plans submitted to and approved by:
 - (1) The former New Hampshire water supply and pollution control commission; or
 - (2) The department of environmental services.
2. "Campsite" means a parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants.
3. "Campground owner" means the owner or operator of a recreational campground or camping park, or their agents.
4. "Dependent vehicle" means a recreational vehicle which does not have toilet and lavatory facilities.
5. "Individual sewage disposal system" means any sewage disposal or treatment system, other than a municipally-owned and operated system, which receives either sewage or other wastes, or both.
6. "Recreational campground or camping park" means a parcel of land on which two (2) or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency.

7. "Recreational camping cabin" means a structure on a campsite, 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.
8. "Recreational vehicle" means any of the following vehicles:
 - i. Motorhome or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 - ii. Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
 - iii. Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.
 - iv. Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.
9. "Sanitary station" means an approved facility used for accepting and disposing of wastes from recreational vehicle holding tanks, portable recreation toilets, or portable sanitary service vehicles.
10. "Tent" means a portable canvas or synthetic fiber structure used as a temporary dwelling for vacation or recreation purposes.

B. GENERAL.

1. Licensing. All recreational campgrounds and camping parks shall be properly licensed by State and other applicable government agencies.
2. Temporary Occupancy. No tent, trailer or recreational vehicle shall remain on the premises more than 100 days per year. The camping

season shall be from May 1st through October 15th. No campground may be occupied during off-season. Temporary occupancy in a recreational campground shall not establish permanent residency in the Town of Kingston. No one shall be considered a resident of the Town of Kingston who uses as his local address a site in a recreational camping park.

3. Applications. The Planning Board shall have authority to accept applications, impose application fees, review site plans, and approve or deny applications for any new or proposed recreational campground or camping park and/or the expansion thereof.
4. Permitted Locations. A recreational campground or camping park shall be located only in a zoning district where it is classified as a permitted use or is permitted by Conditional Use Permit.
5. General Conditions. A recreational campground or camping park shall adhere to the following requirements:
 - a. Minimum Acreage. The Recreational Campground or Camping Park shall contain a minimum of ten contiguous acres.
 - b. Density/Campsite Size. The minimum campsite size for a recreational vehicle or tent shall be one thousand square feet (1,000 sq. ft.) and one thousand five hundred square feet (1,500 sq. ft.) for a cabin or cottage.
 - c. Parking. Every recreational camping park shall have a suitable parking area large enough to accommodate one vehicle per campsite.
 - d. Recreational Camping Cabin. The maximum size of a recreational camping cabin located in a Recreational Campground or Camping Park is 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.

- e. **Restriction Against Permanency.** No camper unit shall be installed on a camping site in such a way as to consider it permanent. This shall include but is not limited to the following methods.
 - 1. No removal of tires.
 - 2. No removal of towing arms, hitches, etc.
 - 3. No mounting on blocks, except for the purpose of leveling.
 - 4. No skirting around the base of any camper unit.
 - 5. No porches or enclosed areas shall be attached to any camper unit unless the porch or enclosed area has been designed to be removed and packed for travel.
 - 6. All water, electric, telephone, and septic systems shall be disconnected from all recreational vehicle sites during off-season.
- f. **Placement.** No site within the recreational camping park shall be located within one hundred feet (100 ft.) of any boundary, except the waterfront boundary of the park. The minimum boundary setbacks may be reduced to as little as fifty feet (50 ft.) by Conditional Use Permit. All sites shall be set back from the waterfront boundary to comply with setbacks in the zoning district within which the campground is situated.
- g. **Internal Setbacks.** All setbacks within the campground or park shall be as follows:
 - 1. Campsite perimeters shall be setback 30 feet from surface water and very poorly drained wetlands (unless larger minimums are established elsewhere in these regulations).
 - 2. Campsite perimeters shall be setback 50 feet from any permanent or incidental structure.
 - 3. Campsite perimeters shall be setback 10 feet from internal roads.
 - 4. Cabins or cottages shall be setback 20 feet from other cabins or cottages.
 - 5. Minimum campsite width shall be 15 feet.
 - 6. Minimum distance between Campsite perimeters shall be 12 feet. All other setbacks shall comply with setbacks in the zoning district within which the campground is situated.
- h. **Marking.** Each site shall be clearly marked by non-removable metal stakes, clearly identifiable permanent vegetation, or other approved methods.

- i. Permanent Residence and/or Office: One residential home/office occupied by the recreational campground or camping park owner or manager and his or her immediate family will be permitted. This building will be required to meet the full lot requirements for a single-family residence based on the Zoning District in which the recreational campground or camping park is located, as well as to comply with local building and other codes and regulations.
- j. Shoreland Frontage Requirement. For parcels with water frontage, the minimum requirement for a recreational campground or camping park is 150 feet of continuous shoreland frontage. Provided the parcel in question satisfies the minimum shoreland frontage requirement, the parcel shall contain no more than 12 campsites and/or recreational camping cabins. For each additional unit or camping cabin beyond 12, a minimum of 12.5 feet of additional continuous shoreline frontage is required.

C. WATER SUPPLY AND WASTE DISPOSAL.

- a. Water Supply. – An accessible, adequate, safe and potable supply of water shall be provided in each recreational campground or camping park. Where a public supply of water of sufficient quantity, quality, and pressure is available, connection shall be made to the supply and that supply shall be used exclusively. When a satisfactory public water supply is not available, a private water supply system may be used if approved by the department of environmental services.
- b. Disposal System.
 - (1) An approved disposal system shall be provided in all recreational campgrounds or camping parks.
 - (2) Septage or waste water shall be discharged from recreational vehicles into individual sewage disposal system connections, or sanitary stations.
 - (3) Flush toilets or other approved toilet facilities, such as self-composting toilets or incinerating toilets, shall be provided in all recreational campgrounds or camping parks.
 - (4) No recreational vehicle which is not a dependent vehicle (such as a pick-up camper, tent trailer, or van) shall be located in any camping site that does not have a proper hookup to an approved septic system. No individual holding tanks will be permitted.

- (5) The disposal of refuse in recreational campgrounds or camping parks shall be conducted in a manner that will prevent health hazards, rodent harborage, insect breeding, accident or fire hazards.
- (6) A recreational camping cabin which has water plumbed to it shall have a connection to an approved sewage disposal system.

D. CAMPFIRES

- a. Recreational campground or camping park owners or operators or their agents shall obtain a fire permit each year from the Kingston Fire Department.
- b. All fireplaces in recreational campgrounds or camping parks shall be on an area cleaned to mineral soil at least 8 feet across. Where fires are built on the ground, there shall be at least 6 inches of sand or gravel under the fire.
- c. All tree limbs or other burnable material within a height of 10 feet above the fireplace area shall be removed.
- d. Fireplaces shall not be moved.
- e. Fire shall not be kindled except in fireplaces provided by recreational campgrounds or camping parks.

The Board to continue this discussion to the December 12, 2023 public hearing. Mr. Greenwood to amend the proposed language for Article 402 Recreational Campgrounds and Camping for the Board to include Commercial Zones C-1, C-II, C-III and the Rural Residential District and to vote on whether to move this to this to the January 2, 2024 public hearing.

ARTICLES FOR THE PLANNING BOARD TO VOTE ON AT THE December 12, 2023 PUBLIC HEARING TO MOVE TO THE January 2, 2024 PUBLIC HEARING.

1. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Residential” - (current definition proposed to be removed is on pg. 1 of this document. Mr. Greenwood to draft a proposed new definition for “Family”)

3. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Industrial” (pg. 2 of this document. Board to discuss further on 12/12/2023.)

8. Article 102: HISTORIC DISTRICT, Section 102.5 DESCRIPTION AND PERMITTED USES, A. HISTORIC DISTRICT I, 2. (pg. 4. Mr. Greenwood to consult with Town Counsel and draft proposed amended language.)

24. Article 206: ACCESSORY DWELLING UNIT ORDINANCE, Section 206.4 ADU REQUIREMENTS, E. (pg. 26 of this document and Mr. Greenwood to draft proposed amended language.)

27. Article 402: RECREATIONAL CAMPGROUNDS AND CAMPING PARKS (pgs. 29-34 of this document. Mr. Greenwood amend this language to include proposed zones – Commercial Zones C-1, C-II, C-III and the Rural Residential District.)

The Planning Board voted on December 5, 2023 to move to the following article to the January 2, 2024 public hearing:

18. Article 110: COMMERCIAL ZONE C-III, Section 110.3 PERMITTED USES, O. (adding “Warehouses”). (pg. 13 of this document)