

**Kingston Planning Board
Public Meeting
November 1, 2011**

Mr. Wilson called the meeting to order at 6:35 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Richard Wilson, Chairman	Adam Pope (Arrived with the meeting in progress)
Ernie Landry	Jay Alberts
Mark Heitz, BOS representative	

Also in Attendance: Glenn Greenwood, Circuit Rider Planner; Ellen Faulconer, Administrative Assistant (Board Alternate)

Absent: Glenn Coppelman, Richard St. Hilaire (Alternate)

Richard Early
77 Rte. 125
Tax Map: R9-1-9

Mr. Early came to discuss a compliance issue with the Board; he said that the driveway entrances had all been cleared; Unitil took care of the lights, three of them have been shut-off. Mr. Heitz noted that Mr. Early received the letter of concern and acted on it promptly.

Dave Pokorny
44 Rte. 125

Mr. Pokorny was meeting with the Board to discuss an issue from the last meeting regarding Mr. Geoffrey's site and the trailer he owned on the site; he wished to continue to stay in the trailer until after the winter.

Mr. Wilson said that the issue before the Board was that it was not approved on the site. He added that it was a Board of Selectmen's issue according to Article 301.9 saying that a permit from the BOS was needed for one 90 day permit. Mr. Heitz asked if the other trailer was still on the site; Mr. Pokorny replied that it would be moving this week. Mr. Heitz explained that only one trailer was allowed on the site even with the permit. Mr. Greenwood noted that the 90 day permit from the BOS would be required to be in compliance as long as the other trailer was gone; the property owner would not be required to come back to the Planning Board for this use since it was not permanent, it would just be allowed for 90 days. Mr. Wilson suggested that he contact the Selectmen's Administrative Assistant to get on their next agenda. The Board questioned whether the location of the trailer was the same location as the shed was proposed; Mr. Wilson will contact Mr. Geoffrey about the proposed shed location and location of the trailer; Mr. Pokorny discussed the shed on the property; Mr. Heitz stated that this would need to be added on the plan for the proposed expedited site plan. Mr. Wilson discussed requirements for building

permits; Mr. Pokorny clarified that the vehicle being discussed was a trailer as opposed to an RV; he will request a meeting with the BOS.

Board Business:

Correspondence:

- RPC legislative forum scheduled for November 9th; focus will be on transportation issues and the ten-year plan; Mr. Wilson will try to attend. Ms. Faulconer will let RPC know that he is planning on attending.
- Letter to Scott DeLuccia
- Letter to School Board re: Impact Fees

MM&S to approve the October 4th minutes as written. (Motion by Mr. Alberts, second by Mr. Landry) **Motion passed 3-0-1** (Mr. Wilson abstained)

Chairman's Comments:

Mr. Wilson asked that Board members not get sidetracked during meetings; it was important to remember when making comments that the meetings are either recorded or televised live and the Board should be aware of this during the meetings.

<Board note: Mr. Pope arrived at this time.>

Map Changes Discussion:

Mr. Wilson and Mr. Greenwood had reviewed questions of specific lots and whether there needed to be zoning changes proposed for the next Town meeting; the list was explained to the Board.

ACTION ITEM: Mr. Greenwood will write ordinance for the map changes and bring to the Board.

Sign Ordinance:

The Building Inspector had questioned some language in the ordinance and the Board had determined that the language should be changed. Mr. Greenwood handed out a proposal addressing that issue by removing "permits" in the second line of the "Sign Approval Required" paragraph; in the next line added "In all cases", removed "the case", added "either subject to" after "for a business" and before "not subject to"; he also proposed language addressing real estate signs as exempt from the ordinance. Mr. Heitz asked why they would be exempt and argued in favor of requiring some type of permit for real estate signage. Mr. Wilson suggested a time limit and size limit. Mr. Alberts suggested that the Board check Plaistow's ordinances regarding these types of signs; he then recused himself from the remainder of the discussion. Mr. Wilson disagreed with requiring a sign permit for residential property while requiring a permit for commercial property if the sign was larger than that allowed in residential. Mr.

Greenwood stated that individual residential sales shouldn't be burdened by a sign ordinance; Mr. Heitz stated that the permitting process kept the Boards and Departments informed of items in the community and helped address safety issues; he continued that selling property was a commercial activity and questioned how it was different from promoting a business. Mr. Greenwood suggested that by requiring the agent to get the permit would mean that the costs would be passed down to the property owner. The Board continued to discuss the pros and cons of the proposal. Mr. Heitz asked what the difference was between a sign selling commercial property versus selling residential property; Mr. Pope did not think it should be required for either. Mr. Heitz felt that the Board was missing the point that it is a business activity. Mr. Landry noted that free-standing signs were not allowed in the SFR zone. Mr. Wilson agreed that real estate signs should be exempt and questioned how it would be enforced; Mr. Heitz said that it would be enforced the same way other ordinances are enforced. Mr. Wilson suggested that residential real estate signs be exempt; commercial real estate signs would be exempt if kept the same size as those in residential, 36 inch by 36 inch was suggested; if larger they would need a sign permit; he asked for Board consensus; Mr. Pope, Mr. Landry and Mr. Wilson agreed; Mr. Heitz still preferred a fee.

Board consensus agreed with Mr. Greenwood's proposed language for section 303.3 regarding the Planning Board review of the signs.

ACTION ITEM: Mr. Greenwood will re-write signage proposal, including language for real estate signage and return to the Board.

Board note: Mr. Alberts returned to the Board at this time.

Vehicle Sales:

Mr. Wilson asked if any of the Board members had a problem with the limits in the proposed language restricting car lots within 1,000 feet of another car lot. Mr. Pope said that he was okay with it but wondered about the Board defending it. Mr. Wilson believed that part of Plaistow's argument was over-development; he believes that the Board could do it with barbershops, as an example, if it was an issue of over-development for that activity. Mr. Landry said that the limitations were supported in the Master Plan.

Board consensus: Language for limits on vehicle sales to go forward to Public Hearing for the 2012 warrant.

CIP:

Mr. Wilson questioned Mr. Greenwood about the need to schedule a CIP meeting.

ACTION ITEM: Mr. Greenwood will contact Mr. Coppelman and then contact Mr. Wilson about determining a CIP meeting date.

Upcoming Agendas:

ACTION ITEM: Mr. Wilson and Mr. Pope will meet to review the proposed Livestock Ordinance. Ms. Faulconer will email a copy of Windham's ordinance to Mr. Wilson and Mr. Pope.

Mr. Wilson discussed the calendar; dates for petitioned articles.

Mr. Wilson brought up the question of re-zoning along Rte. 125; Mr. Greenwood didn't think that getting limited access overturned was as easy as some people thought. Mr. Landry referred to the Master Plan which preferred frontage roads along Rte. 125 rather than direct access. The Board discussed Rte. 125, commercial uses, types of uses. Mr. Greenwood cautioned that he didn't think that there had been enough discussion on this topic for the upcoming election.

ACTION ITEM: Mr. Greenwood will contact Division 6 about "limited access" issues along the corridor.

Mr. Wilson suggested taking the tax maps and review the parcels that are not currently commercial; mark up a copy of the map and have the Board review. The Board talked about the ordinances for the upcoming election and the possible length of the ballot. Mr. Alberts questioned whether anyone remembered a past proposal regarding legal entry for properties on Rte. 125.

MM&S to adjourn at 7:45. (Motion by Mr. Pope, second by Mr. Landry) **PUNA**