

**Kingston Planning Board
Public Hearing
January 8, 2013**

Mr. Coppelman called the public hearing to order at 6:03 PM. There were no challenges to the legality of the hearing.

Members in attendance:

Glenn Coppelman, Acting Chair	Ernie Landry
Peter Coffin	Stanley Shalett
Adam Pope	Ellen Faulconer (Alternate, Administrative Assistant)
Mark Heitz, BOS rep. (Arrived with meeting in progress)	

Absent: Richard Wilson, Richard St. Hilaire, Alternate
Also in Attendance: Glenn Greenwood, Circuit Rider Planner

Mr. Coppelman thanked the Board members for coming to the meeting at an earlier timeframe than usual. He noted that the warrant articles had been distributed to the Board members and there were copies available for the public. He explained that this hearing was initially posted as a hearing for any possible petitioned warrant articles but none had been submitted; the Board's articles had already had hearings but the Board could take this opportunity to confirm the previous actions to move the articles to warrant. He added that the Board could also review the proposed numbering of the articles.

Martin Orio of Hillside Road told the Board that he was here for the entire hearing with particular attention to the Noise Ordinance. Mr. Coppelman said that the Board had already had public hearings on the articles but if Mr. Orio had any questions, he should feel free to ask them.

The Board reviewed the articles that were now written in warrant article format. By Board consensus, the headings will all be changed to reflect the question: "Are you in favor of the following amendment as proposed by the Planning Board to amend", add the appropriate language that currently appears, and remove "as follows".

Article 2: Aquifer Protection Ordinance

Mr. Coppelman reviewed the proposed language. There were no public comments. The Board members agreed that the decision had already been made to bring this article forward to the warrant/ballot; the vote stands and this article will go to the voters for March. The Board agreed that this would be the case for all of the Board's proposed warrant articles.

Per Board consensus, the phrase "Recommended by the Planning Board" will be added after each of the articles.

Article 3: Telecommunications Ordinance

Mr. Coppelman read the changes. There were no public comments. Board consensus was that this would go to the ballot as previously approved.

Article 4: Impact Fees

Mr. Coppelman explained that the Town already had an Impact Fee ordinance that was woefully out-of-date; he noted that the Town had paid a consultant to update this ordinance. He explained that the Town had been updating the CIP and this update was needed if the Town was going to chose to implement impact fees.

After Board discussion, the warrant question will be changed to “replace the existing” ordinance instead of “amend” as the entire article is changing.

Mr. Coffin noted that, in the article’s headings, 401.12 should be 405.12; Mr. Greenwood noted that this was a numbering issue and not a substantive change so this will be amended prior to going on the warrant. There were no public comments. Board consensus was that this would go to the ballot as previously approved.

Article 5: Livestock

Mr. Coppelman explained that this was proposed by the Board last year and it did not pass by a very small margin. Mr. Pope and Mr. Coffin confirmed that it was the same language; Mr. Coffin said that it was the Board’s intent to publicize it more for the voters. There was a discussion regarding the definitions; Mr. Pope explained that the language intentionally did not list every type of animal. Mr. Coppelman re-iterated the Board’s feeling that if there was more of an explanation to the public then the article would have more support.

Mr. Coffin noted that the proposed language should say the keeping of cattle, horses, etc. “is” prohibited instead of “are” prohibited; since this is a grammatical change and not a substantive change, this will be amended prior to moving forward to the ballot per the Board’s previous action. This was confirmed by Board consensus.

Article 6: Noise Ordinance

Mr. Coppelman discussed the purpose of this amendment and read the proposed amendment. Mr. Pope stated that the Town had noise standards for every zone except Commercial. Mr. Coppelman re-iterated that this amendment added noise levels to commercial zones as they do not currently exist.

Mr. Orio referenced previous Planning Board minutes and sound pressure levels done by the Board; he asked about impacts of sound levels at abutting and nearby properties. Mr. Pope explained that the current proposal sets standards for commercial abutting commercial; he continued that at residential property lines, the limit already exists and where a commercial property abuts a residential property, the residential limit would set the level. Mr. Orio asked

about other circumstances regarding public travel ways and noise in respect to this proposal. Mr. Coppelman explained that these levels reference properties themselves, not noises from traveled ways. Mr. Coffin said that the Board couldn't enforce these sound levels on traveled ways and used truck brakes as an example. Mr. Orio stated that his only other question was in regards to sound from the police shooting range and whether it would fall into this discussion. Mr. Greenwood explained that shooting range was part of a previous lot line adjustment and site plan review. Ms. Faulconer stated that he could request a sound level check and report it to the Police if it was above the approved levels. Mr. Orio explained that he wasn't trying to keep public safety from training but added that the sound from that activity can be obnoxious. Mr. Orio added that he was here not only for this ordinance but also because he was interested in how things work in the Town.

Mr. Coppelman confirmed that there was no further discussion; by Board consensus, this will go to the ballot as previously voted by the Board.

Article 7 Split Zoned/Tax Map

Mr. Coppelman introduced the article. Mr. Greenwood confirmed that this article was the continuation of "cleaning up" the split-zoned lots on the Tax Maps which had previously been reviewed at the public hearing. There was no further discussion. By Board consensus, this will go forward to the election per previous Board vote.

Order of the Articles: Mr. Coppelman asked if anyone wanted to change the order as presented. Mr. Coffin stated that he thought the order was fine. By Board consensus, the order will remain as presented.

Heritage Commission: Mr. Landry told the Board that the Heritage Commission petitioned articles had been submitted. He asked if the Board would agree to have someone from Historic Resources come to a meeting to talk about the Commission and inform other Boards and the public about it by having it televised. Ms. Faulconer confirmed that the Feb. 5th meeting date was available. Mr. Coppelman thought it was a good idea; Mr. Greenwood thought it would be very good to have this prior to Town Meeting; Mr. Pope agreed. There was no negative comment from any Board member regarding this meeting. By Board consensus, this meeting was added to the agenda.

ACTION ITEM: Ms. Faulconer will speak with Mr. Middlemiss about televising this meeting.

ACTION ITEM: Mr. Greenwood and Ms. Faulconer will work on preparing the "colored" maps required for Article 7 for Town Meeting.

<Board Note: Mr. Heitz arrived at this time.>

MM&S to adjourn at 6:40. (Motion by Mr. Pope, second by Mr. Landry) **PUNA**