

**Kingston Planning Board
Public Hearing
January 15, 2013**

The Chairman called the public hearing to order at 6:45 PM. There were no challenges to the legality of the hearing.

Members in attendance:

Richard Wilson, Chairman	Ernie Landry
Glenn Coppelman, Vice Chair	Peter Coffin (arrived with the meeting in progress)
Stanley Shalett	Ellen Faulconer (Alternate, Administrative Assistant)

Absent: Adam Pope, Mark Heitz, BOS rep., Richard St. Hilaire, Alternate
Also in Attendance: Glenn Greenwood, Circuit Rider Planner

Correspondence:

- Letter received from Fused Glass about occupying a unit at Commerce Park; Mr. Wilson read from the file that art stores and craft stores are permitted uses; the Board agreed that no further review was required.
- A request for plates was received by Northern Equipment Remarketing, Inc. with the location listed as 52A Rte. 125; the Town records do not list 52A as a property; the Chairman checked off “defer for further action”; Ms. Faulconer will request the applicant meet with the Planning Board at the next available meeting.

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

- Letter received from the Selectmen regarding a notice of violation for signs; the Board felt that the Selectmen should be enforcing the Ordinance pending resolution of the issue.
- For the Board’s information: Business Occupancy Permit received for Northeast Atlantic Property.
- Mr. Wilson brought up an issue on the Tasbak, LLC property located on Granite Road; he said there appeared to be a significant drop-off where the area had been excavated and suggested that the Town Engineer review the property again; the Board agreed by consensus. Mr. Wilson suggested the Board wait to hear back from Mr. Quintal and then invite the property owner if necessary.
- The Board instructed Ms. Faulconer to get the Surficial Maps; Mr. Greenwood believes they will be free of charge.
- The Board reviewed the information regarding the Green Infrastructure Project; Mr. Coppelman suggested that it might be something the Board might want to participate in; Mr. Greenwood will review it for possible assistance with a Town project and will check if it would help with re-writing aspects of subdivision review; Ms. Faulconer will email to Board members to see if anyone is interested in helping with the application or with ideas. Mr. Landry stated that only the northern part of Town is in the coastal watershed; Mr. Greenwood confirmed this.

- Mr. Wilson reviewed upcoming election information regarding sign-up and voting. Ms. Faulconer will remind the Board members whose terms are up when sign-up period begins.
- Mr. Landry reviewed the work being done by the Master Plan Update/Natural Resources Chapter group. He also reviewed activity that had occurred regarding the Heritage Commission proposal; lack of recommendations from the Board of Selectmen and Budget Commission for the HC fund; Mr. Landry will be checking with the DRA about the possibility of amending the article regarding the ability to expend from the fund.

Denver/Green/Salemi Lot Line Adjustment
15 Small Pox Road
R19 Lots 27-3, 4, 5

Tim Lavelle, representing the applicants, reviewed the submission. Mr. Greenwood stated that he had no issues, it was a simple plan. Mr. Wilson read a letter from abutters, Mr. and Mrs. Edmiston, R19-19, stating that they had no objections. Comments were read from the Building Inspector explaining that the proposal eliminates current set-back issues on the Green property. Mr. Coppelman confirmed that the properties were going from three lots to two lots.

MM&S to invoke jurisdiction. (Motion by Mr. Coppelman, second by Mr. Landry) **PUNA**

Ms. Faulconer asked if the two new lot corners were going to be set with granite markers. Mr. Greenwood said they are shown on the plan. Mr. Lavelle asked if they had to be granite, he prefers concrete as more durable. Mr. Greenwood said the ordinance says that concrete is an option. Mr. Greenwood said that if they are going to be concrete, the plan should reflect that change.

MM&S to accept the lot line adjustment as presented with the condition that the plan reflect concrete boundary markers and the Board receives the proper monument certification of the boundaries. (Motion by Mr. Coffin, second by Mr. Landry) **PUNA**

Mr. Greenwood reminded the applicant that there is a 90-day window to meet the conditions.

Board Business, continued

MM&S to approved the November 20, 2012 minutes as written. (Motion by Mr. Coppelman, second by Mr. Landry) **PUNA**

MM&S to approve the December 4, 2012 minutes as written. (Motion by Mr. Coppelman, second by Mr. Coffin) **PUNA**

MM&S to approved the December 11, 2012 minutes as written. (Motion by Mr. Coppelman, second by Mr. Coffin) **PUNA**

Mr. Wilson told the Board that there were two mylars to sign. He asked if the letters of approval had been received from all of the parties involved with the FCC/Masons property line

adjustments. Mr. Greenwood said that we had not received letters, but all three deeds had been signed by the appropriate parties so the agreement could be assumed. Mr. Wilson agreed; as did Mr. Coppelman. The Board consensus was to authorize Mr. Wilson to sign the mylar.

Mr. Greenwood confirmed that the boundaries were marked appropriately for the LaBranche mylar and the Town had received the surveyor's monument verification. Mr. Wilson was authorized to sign that mylar.

Mr. Landry noted that Nadine Peterson would be here on Feb. 5th at 7:00 to speak about the Heritage Commission and answer any questions; Ms. Faulconer will send emails to Town Boards and put it on the cable. Mr. Wilson said it was important to do everything we can to get people to see it. Mr. Landry spoke about the Cultural Resources Inventory he had just reviewed which is in the vault in the Town Clerk's office. He explained that it was 6 binders on individual inventory sheets, done for the HDC, of all the properties, not just those in the HDC.

Ken Weyler spoke to the Board about the issues of the plans for the FCC/Masons property line adjustment. The Board agreed to let Mr. Weyler record the plan and return the 4 copies to the Board along with copies of the recorded multiple deeds.

Mr. Coffin asked about impacts of the Livestock Ordinance regarding existing fences. Mr. Coppelman explained that if there is a legally existing condition that it would then be considered a legally existing non-conforming use but it was still legal and would not have to be changed. He continued that the ordinance would only need to be complied with if there was an expansion of that use. Mr. Wilson reminded Mr. Coffin that in that type of instance, the owner could also apply to the ZBA for appropriate relief from the ordinance. Mr. Greenwood added that an ordinance does not need to have a statement explaining pre-existing conditions are "grandfathered", those items are automatically grandfathered. Mr. Coppelman explained that once the Planning Board posts an article or amendment for a public hearing for the election, it is in effect.

MM&S to adjourn at 7:25. (Motion by Mr. Coppelman, second by Mr. Landry) **PUNA**