

**Kingston Planning Board
Public Meeting
May 7, 2013**

The Chairman called the meeting to order at 6:50 PM. There were no challenges to the legality of the hearing.

Members in attendance:

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

Absent: Mark Heitz, Richard St. Hilaire, Alternate

Also in Attendance: Glenn Greenwood, Circuit Rider Planner, Ellen Faulconer, Admin. Asst.

Board Business

Correspondence:

- Town Engineer Paving Meeting Report: Shribco
- Civil Construction Mgmt. Invoice; okay to pay
- RPC Regional Listening Session on May 14th; Mr. Coffin explained the hand-out; Mr. Greenwood stated that it was very valuable for their office to have input from residents and Board members; he explained the process.
- Letter from Attorney Loughlin re: Galloway v. TOK
- Maintenance Dept. notice re: not parking on grass
- Ovitt, LLC request for return of the bond as they are not progressing with site plan; Board okayed.
- Waiver requests received to reduce engineering fees:
 - Imonti/Buswell: request to reduce from \$5000 to \$200; the Board approved a reduction to \$500.
 - Duval Metal Fabricating: request to reduce from \$5000 to \$500; the Board approved reduction to \$2000.
 - Solar Hills: request for existing amount of bond at approx. \$3300; the Board wants the Bond re-established at \$5000.

ACTION ITEM: Ms. Faulconer to notify the applicants of the required Bond amounts.

- Newton's Impact Fee Schedule was brought to the Board by the Assistant Health Inspector for their information.

ACTION ITEM: Ms. Faulconer to send the information to the Board members.

- Impact Fees Article distributed to the Board members.
- Town and City Magazine
- Letter from Library Trustees: not installing the sign.
- Coastal Watershed Grant – Mr. Coppelman will review.
- Kinney site on Rte. 125: cars parked on unpaved surface; no site approval for this use.

ACTION ITEM: Send enforcement request to the BOS re: Kinney site.

The Board will continue with correspondence and Board Business later in the meeting.

Dave Smith
35 Pow Wow River Road

Mr. Smith stated that he is the new owner of the former “Bakie Farm”; he has been farming in Hampton for three years and bought the Bakie farm at auction. He explained that he requested to install a 3 ft. by 6 ft. sign; the property is in the rural residential zone; he asked that the Board grandfather them in as a farm that had previously sold products on the site. Mr. Wilson said that this had not been a working farm for over 20 years. Mr. Coppelman agreed that it has a past history of a farm; Mr. Greenwood confirmed that grandfathering is no more than two years. Mr. Coppelman asked for further information regarding the property and what is existing on site. Mr. Smith explained the current status of the property/properties. He said he would eventually like one of the existing buildings to be a farm stand; it was an old carriage house that is attached to the barn.

Mr. Greenwood explained that he reviewed the ordinances, and while not one to add roadblocks to agricultural projects, the ordinance is not forgiving as this is not in the SFR/Agricultural zone; it is in the RR zone and the use is allowed only after site review; the Sign Ordinance is also unforgiving without site review; a sign 12’ x 6’ could be allowed but only after site plan approval, without that only a 2’ sign is allowed.

Mr. Coppelman noted that since the sign is an allowed use after site plan review/approval, the applicant needs a site plan, not a variance. Expedited review was discussed; this requires an existing site plan. He added that site plan is a regulation that allows for some flexibility with some of the documents and exhibits. Mr. Landry suggested that, with all of the conservation easements, there had to be a recorded map somewhere. Mr. Smith had a small version of the recorded plan with him; it was a recorded easement plan, #D19601. Mr. Coppelman noted that it showed the buildings that Mr. Smith was discussing; Mr. Wilson stated that it was obvious that the intended use was for farming.

Mr. Coppelman said that he was not suggesting requiring no public notice, but was suggesting that the applicant could mark up the existing approved plan for the Board. Mr. Smith said that he would like to put up the sign in June. He suggested that the Board might want to put this parcel of land in a different zone. Mr. Coppelman explained Spot Zoning and the aspects the Board used to determine zoning. Mr. Smith asked about the site plan process.

Mr. Greenwood suggested he go to RCRD to get a scaled plan and mark it up for his proposal. It was confirmed that there would be no new construction on the site. Mr. Greenwood explained that upon approval, an affidavit would be filed with the registry, since the marked up plan would not be acceptable for recording.

The Board advised Mr. Smith to apply for an amended site plan review. Ms. Faulconer explained the deadlines and requirements for the June public hearing.

Board Business, continued

Correspondence, continued:

- “Seasons”, the former “Lakeside” restaurant was reviewed. The Board discussed concerns with the current activity; it appeared that a little deck that was off the back of the building had been replaced by a concrete pad that appeared to be approx. 20’ by 40’; this raised concerns including the percentage of lot coverage, impervious surface; overall compliance with the existing site plan.

ACTION ITEM: Send enforcement action to the Board of Selectmen asking for a Cease and Desist for activity on the site; the activity has expanded beyond the current site plan approval; the owner will need to apply for an amended site plan review as they are no longer in compliance with the existing plan.

- Roger Young’s property on Rte. 125 needs an occupancy permit for an apartment on the second floor. Mr. Greenwood explained his meeting with Mr. Young; the Board’s files and plan on file does not show an apartment. Mr. Wilson stated that Mr. Young’s office used to be in the upstairs of the building. The files and history of the site were reviewed; previous tax card information was reviewed. The Planning Board files did not support the approval of the apartment; since there was a current site plan, this would meet the requirements for an Expedited review.

ACTION ITEM: Mr. Greenwood will contact Mr. Young and advise him to apply for an expedited site plan review.

MM&S to approve the minutes of April 2, 2013 as written. (Motion by Mr. Coffin, second by Mr. Landry) Motion passed 5-0-1 with Mr. Pope abstaining.

MM&S to approve the minutes of March 26, 2013 as written. (Motion by Mr. Coffin, second by Mr. Coppelman) Motion passed 5-0-1 with Mr. Pope abstaining.

Committee Updates:

Mr. Landry discussed the progress of the Heritage Commission; the first meeting is May 23 at 7:00 at the Kingston Community Library.

Mr. Coppelman and Mr. Shalett reviewed the HDC meeting.

Mr. Coppelman said that the CIP committee should be re-constituted to begin the new update; the Planning Board has already chosen their members.

ACTION ITEM: Ms. Faulconer will check on MBC member and the BOS member.

ACTION ITEM: Mr. Coppelman will establish the first meeting after the group is re-established.

Mr. Coffin reviewed the upcoming ZBA meeting.

Mr. Coffin reviewed the Flood Plain program; he noted that the Town will eventually see changes to the Flood Plain maps which may require changes to the Flood Plain ordinance; insurance costs can be mitigated with Innovative Zoning in the Flood Plain.

ACTION ITEM: Mr. Coffin will discuss the Flood Plain updates with the Building Inspector.

Project List: Prioritization

The Board reviewed the list established at a previous meeting. Agriculture/Commercial requirements in zoning and the Sign Ordinance was added to the list of projects. The Board established the priorities; it looked like all of the list could be accomplished. Ms. Faulconer will provide a new list to the Board. The Board will add this to the agenda for the first meeting of the month and it will become a Board business item at other “short” meetings.

Mr. Wilson asked about the economic development group project; he noted that Epping did a marketing campaign. Did the Board want to determine a specific segment of development to encourage; what ideas did the Board have about this project.

ACTION ITEM: Mr. Wilson asked that the Board review and think about the “Economic Development group” project to see where they wanted to go with that one.

Gravel Pit Site Walk:

ACTION ITEM: Ms. Faulconer will ask if the Town Engineer and Road Agent can do the site walk for the Early pit.

Town Engineer Review: Ms. Faulconer asked the Board if they wanted to approve the Town Engineer’s on-site review of the Solar Hills project; previously he had only done an on-site review of the site distance. The Board approved the review and suggested it be done in conjunction with Mr. Cuomo’s review, if possible.

Other Business:

Mr. Coffin stated that the Planning Board, and again the ZBA, had requested that the sign at the former “Harry Hull” building, provide the total number of lumens that the signs produced to see if they are in compliance with the Town’s Outdoor Lighting Ordinance; they need to provide the total number of lumens at the highest point; the owners had previously agreed to provide this information to confirm that they were in compliance with lighting and the Town had not received it yet. Mr. Coffin said if the owner’s wished to simply supply him with the manufacturer’s information, he would be glad to get the manufacturer’s specifications and convert to lumens if necessary. He also wondered if anyone had checked on the condition that the firmware had been removed from the operating system.

ACTION ITEM: A compliance request will be sent to the Board of Selectmen.

Chase Street mylar: Mr. Wilson noted that there was no signature block on the mylar; the Board did not approve for signature.

ACTION ITEM: Ms. Faulconer to contact Mr. Lavalle to provide a corrected mylar.

MM&S to adjourn at 8:20. (Motion by Mr. Pope, second by Mr. Coppelman)