

**Kingston Planning Board
Public Hearing
December 3, 2013**

The Chairman called the meeting 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, V. Chair	Adam Pope
Peter Coffin	Stanley Shalett
Mark Heitz, BOS rep.	

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

Absent: Rich St. Hilaire, alternate

Board Business:

Paul Nason
3 West Shore Park Road
R9-20-1

Mr. Nason met with the Board to review his application for transportation dealer plates. Mr. Wilson asked if he owned the property; Mr. Nason stated that it was owned by his cousin. Mr. Wilson asked if he had anything in writing granting this use by the property owner; Mr. Nason said not currently, but he could get it; he has been living on the property for three weeks. Mr. Nason explained that he hauls campers, office trailers, anything he can haul behind his truck; he confirmed that he does not park any of them at the property clarifying that occasionally he will have a vehicle for transport overnight on site. He currently has two trailers on the property that are registered to him; he stated that he used to have this type of license when he lived on Stoneybrook Lane; he stated that he does not anticipate storing any vehicles on the site. Mr. Coppelman noted that the property does not have any site plan approval for commercial activity; any of this activity would need Planning Board approval but a personal trailer or two would not require site plan review. Mr. Coppelman stated that no storage of anything else would be permitted without site plan review for a commercial activity; if nothing is being kept on the property than the transport license is okay. Mr. Wilson confirmed that the Board would require a letter from the property owner for approval. Mr. Coffin questioned if the vehicle he is used was a commercial vehicle; Mr. Nason stated that it was a one-ton Chevy. He stated that he may occasionally have overnight storage; Mr. Heitz said that as long as it was hooked up to the truck and ready to go in the morning, it should be okay as an occasional circumstance.

The Board agreed to approve the request for Transporter Dealer license upon receipt of the letter from the property owner.

Virginia Morse
Chairman
Historic District Commission

Ms. Morse was looking for help and input regarding a proposed warrant article permitting Bed and Breakfasts as a use in Historic District I; copies of the proposal had been previously distributed to Board members. Ms. Morse explained that the idea for this had initiated with Mr. Landry and the language in the proposal was based on ordinances from Ridge and Londonderry; the HDC is very much in support of this proposal.

Ms. Morse explained that the HDI is considered a mixed use district consisting of private homes, municipal and school buildings and businesses. The HDC would like to see growth and activity within the Historic District and a Bed and Breakfast is a reasonable use and should be permitted. She added that this permitted use should start in this zone and possibly spread, but should be limited initially; Ms. Morse referred to the 12 conditions listed in the proposal and asked for feedback and comments from the Board.

Mr. Coppelman stated that he supported it at the HDC meeting; he felt it was a good proposal that would encourage activity in the Town's center and support existing businesses already in the center; he added that it would also allow property owners to defray expenses without impacting the downtown area with a negative traffic impact; this would be an incidental use, limiting to HD1 is a good way to start and would be positive for the community.

Mr. Wilson stated that he was in support of the proposal but had some questions. He questioned the number of guest rooms in number 5 of the proposal; he wondered if the 30 day limit in number 10 was the appropriate wording, although he supported the principal behind it; he questioned not having smaller type of functions. Ms. Morse agreed that this section could be modified; the intent was to not allow a large wedding venue. Mr. Coffin said that inns are different from function rooms. In reviewing section viii, it was suggested removing "minimum" and letting it simply be the number of parking required. Mr. Pope stated that he liked the proposal although it may not need to be as restrictive. Ms. Morse said that intent was to not allow a barn, for example, to be converted for guest rooms or a function facility. Mr. Heitz thought the 30 day restriction was not unreasonable.

The warrant article process was reviewed. The Planning Board agreed that this was a proposal they could support and put on the warrant rather than requiring the HDC to submit as a petitioned article.

Ms. Morse reviewed the changes/input discussed including adding "or for guest" in "i", leaving 30 in "x", functions limited strictly to guests, amend parking, add state and local health and safety" to "ix", adjust "xii" to clarify incidental to B&B activity. She will make the changes an update the wording and send to Ms. Faulconer to distribute to the Board; the warrant article hearing is scheduled for December 17th; the second hearing will be on January 7, 2014. The Board re-iterated, by consensus, their support of the article to put forward for the public hearing. Ms. Morse ended the review by stating that she hopes it will encourage business.

Fitzgerald-Boyd Law, PLLC
Montana Realty Trust
17 Jericho Road
Tax Map R5-8-30

Mr. Wilson took this application out of order in deference to abutters in attendance. He stated that the applicant had asked for a continuance. The letter from Mike Cuomo of Rockingham County Conservation District dated 11/22/13 was read aloud; Mr. Wilson stated that a copy of the letter could be requested through the Planning Board office. Mr. Wilson re-iterated that the applicant had asked for a continuance and the Board had also received the timeline extension.

Richard LeClaire
Frederick Korn
Bucco's Restaurant
143 Main Street
Tax Map U9-42

Mr. Korn and Mr. LeClaire were in attendance. Ms. Faulconer confirmed that Mr. LeClaire had submitted an application for the January 21, 2014 public hearing that afternoon. Mr. Wilson asked Mr. LeClaire if he would be working under the approved hours until the hearing. Mr. Heitz asked what hours he was currently operating under; Mr. LeClaire stated Sunday noon to 9:00, closing Tuesday at 10, Wed, Thurs and Saturday at 11 and Friday until 12. Mr. LeClaire explained that he was asking to change to these hours with his new submission. Mr. Heitz asked if there had been any abutter complaints with these hours. Mr. Wilson said the Board had not received any. The activities that had led up to the possible revocation were reviewed.

Mr. LeClaire asked about outside tables being permitted on the property; he asked if he should add that to the submission. He was advised to include that by the Board; Mr. LeClaire was advised that he would need to provide a plot plan with accurate dimensions for this use provided to the Board with the application. Mr. LeClaire will provide these documents to the Board by the application deadline date and will amend his application to include this activity.

MM&S to not schedule a revocation hearing. (Motion by Mr. Heitz, second by Mr. Pope)
Motion carried 6-0-1 with Mr. Shalett abstaining.

Board Business, continued

Correspondence:

- Invoice: RCCD re: Montana Realty Trust, approved.
- Invoice: RCCD re: Solar Hills, approved.
- Archangel Escrow Release – approved.
- Holly Williams Escrow Release – approved.
- Bond Accounts were reviewed.
- Boundary Line survey received, informational only.
- Report from Town Engineer on Coopers Grove Road project, nine items are still needed.
- Report from Town Engineer re: Solar Hills, photos included.

- Invoice from Town Engineer re: Trendezza, approved.
- Invoice from Town Engineer re: Solar Hills, approved.
- PB 2014 Calendar approved; there will be no meeting on November 4th, due to elections.

Committee Review:

Mr. Coppelman announced the date of the next CIP meeting.

Warrant Article Review:

The Board reviewed proposals for the upcoming warrant. Mr. Coffin discussed a possible idea for the Board to work on for next year regarding Accessory Apartments. Mr. Landry also had suggestions regarding the Board's 2014 review regarding language changes/clarifications; Mr. Wilson explained governmental requirements for some classifications.

ACTION ITEM: Ms. Faulconer to send the current warrant article proposals to the Board for their review prior to the public hearing.

MM&S to adjourn at 8:00. (Motion by Mr. Coppelman, second by Mr. Pope) **PUNA**