

**Kingston Planning Board
Public Hearing
September 16, 2014**

Mr. Wilson called the hearing to order at 6:45 PM. There were no challenges to the legality of the hearing.

Members in attendance:

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

Also in Attendance: Glenn Greenwood, Circuit Rider Planner; Dennis Quintal, Town Engineer; Ellen Faulconer, Administrative Assistant

Absent: Mark Heitz, BOS rep., Rich St. Hilaire, alternate

**Berkshire-Dominion Holdings
92 Route 125
Tax Map R8 Lots 40, 40A**

Mr. Wilson announced that the Board had received a request from the applicant to continue tonight's hearing.

MM&S to continue to October 21, 2014 at 7:45. (Motion by Mr. Coppelman, second by Mr. Pope) **PUNA**

Board Business

Correspondence:

- Board approved Bond release for Shuman
- Copy of letter requesting continuance for Berkshire-Dominion
- Comments re: Berkshire-Dominion from Inspector's meeting – will be held for the continued hearing.
- Letter from Attorney Loughlin re: Montana case
- PO for nameplates for the Board; this will be held for a future meeting.
- Two letters reviewed that were sent re: sign ordinance compliance, per the Board's previous action
- Town Engineer's report #11 re: DOGC
- NHDES letter dated 8/28/14 re: acceptance of permit application for 22 Marshall Road
- Test pit witness report from RCCD for Trendezza project
- Budget report
- Notice of Decision for Shuman signed by the Chairman
- Letter from Cappa's Kennels regarding re-zoning of 6 Page Road; the property is SFR but abuts RR and has had a kennel on-site for over 40 years. Mr. Greenwood confirmed that

the site has always had a kennel on it, being in the SFR zone means that anything they want to do would require a variance. Mr. Wilson asked if any Board member had any objection to placing this on the ballot. Mr. Coppelman said that he would probably feel positive about it if it had originally been RR and the Board moved it to SFR when the tax maps and zoning were amended. He was concerned that if that wasn't the case, this might be considered spot zoning. Mr. Greenwood said that it didn't meet the definition of spot zoning as the lot bordered the zone. Mr. Pope suggested that this lot might have been one of the lots split by two zones that the Board had cleaned up. The Board reviewed the 2010 tax maps to see what the original zoning had been for the lot; Mr. Wilson confirmed that it had been split-zoned previously. Mr. Coppelman noted that while the frontage of the lot was in the SFR zone, the majority of the lot had originally been in the RR zone. Mr. Wilson said that based on this information, it should be a legitimate action to return it to the RR zone.

MM&S to move the change of Lot R22-8 (6 Page Road) from SFR to RR to the ballot for Town Meeting. (Motion by Mr. Coffin, second by Mr. Shalett) **Motion passed 5-0-1** with Mr. Wilson abstaining.

- Letter forwarded from BOS re: Alternative Treatment Centers/Cannabis Zoning/HB 573; Mr. Greenwood said that this change does require some response from the Board for zoning and the Board should be ahead of the curve for this; he will research the issue and contact other communities to see if they have worked on regulations for this.
- Mr. Wilson noted information received from Ms. Truslow regarding Board training for next week. He stated that next week's meeting could be full and last longer but would allow for the Board to eliminate the Oct. 7th meeting.
- Shane McKeen submitted expedited plans; this will be added to next week's agenda.
- The Board reviewed activity occurring on Stanley property re: Martha Stanley's boutique van; the Planning Board will ask the Board of Selectmen to follow-up on the Cease and Desist.
- A letter from the Padfield's re: Memories, date 8/29/14 was read which included photos of ice cream being made on the property. Mr. Pope said that the owners were asked to provide information to the Planning Board that the ice cream was made on site. Mr. Wilson said that the Board did not have any other pertinent information that contradicted this information. Unless the Board receives different information, there is no further action at this time. The Board also noted that the owners had been informed on multiple occasions about complying with the sign ordinance and no further information needed to be provided at this time.
- Email from Fremont Pizza and internal expansion; the Board does not require any further review.
- Voucher for Stationery purchase approved and signed by the Chairman.

David Smith
White Cedar Farm
35 Powwow River Road
Tax Map R27-49

David Smith explained the proposal; he stated that he had received a grant from the NRCS to put up a greenhouse; he picked a location that allows an agricultural building per the Conservation Easement on the property. He described the greenhouse as having a galvanized steel frame but it did not have any concrete or footings; it falls under the State of NH non-taxed structure. Mr. Coffin agreed with this. Mr. Smith added that it will have electricity and a heating system. Mr. Wilson said that upon review of the Department comments, there were no comments other than from Highway questioning the Conservation Easement requirements, which Mr. Smith already addressed. Mr. Coppelman confirmed that the Board had already waived the requirement for an engineered plan.

Mr. Wilson announced that the Board had also received a request for lot line mergers for the site. Mr. Smith explained that he was merging multiple wood lots into one lot for tax bill purposes. Mr. Coppelman confirmed that all setbacks were met. Mr. Smith said that rather than digging a trench from the house to the building, he will be adding a utility pole and may need another well dug for this use; there is no septic in the area that would impact the well. Ms. Faulconer told Mr. Smith that he would need permits for the well and electricity. Mr. Coppelman suggested this information should be provided to the Board. Mr. Greenwood told Mr. Smith to bring a copy of the plan being submitted to the Inspectors for the permits to the Planning Board so it can be attached to the plan.

MM&S to approve the greenhouse as shown on the submitted plan. (Motion by Mr. Coffin, second by Mr. Coppelman) **PUNA**

The lot line merger for Mr. Smith was reviewed.

MM&S to authorize the Chairman to sign the lot merger form. (Motion by Mr. Coppelman, second by Mr. Landry) **PUNA**

YMCA/Camp Lincoln
67 Ball Road
Tax Map R25 Lot 3

Jeff Gleason, representing the applicant, explained the proposal to the Board. Mr. Wilson noted that the applicant had been to the ZBA and the use approved; he read the decision; pictures and a description of the proposal were distributed to the Board. Mr. Gleason stated that this spot had been chosen to avoid any environmental concerns; they were working with a structural engineer to find the best way to build the structure; they will probably be using telephone poles.

Mr. Wilson read department comments; Highway asked about usage, traffic and what seasons the structure was being used. Mr. Gleason said that there was no added traffic; it was being used for existing groups/campers; it will accommodate handicapped accessibility; it is not winterized and only being used for the seasonal camp; there is no electricity or water. Mr. Greenwood had no concerns; he said it looked like a beautiful structure. Mr. Greenwood said there was documentation included that showed the location in relationship to everything else. Mr. Coffin added that the location meets all the setbacks for Shoreland and Wetlands; there are no concerns regarding lot coverage. Mr. Wilson read the distances shown for setbacks on the submitted

schematic. Mr. Coppelman said it looked like it will be a nice facility. Mr. Gleason said that it will primarily be made of wood.

MM&S to approve the plan as presented. (Motion by Mr. Coppelman, second by Mr. Pope) **PUNA**

Public Hearing for Adoption of Amended Site Plan and Subdivision Regulations

The updated regulations were distributed by Ms. Faulconer and reviewed by the Board members.

MM&S to approve the Subdivision Regulations as presented; draft dated 09/04/14. (Motion by Mr. Coppelman, second by Mr. Pope) **PUNA**

MM&S to approve the Site Plan regulations as presented; draft dated 09/04/14. (Motion by Mr. Pope, second by Mr. Coppelman) **PUNA**

Board Business, continued

MM&S to accept the August 5, 2014 minutes as written. (Motion by Mr. Coffin, second by Mr. Coppelman) **Motion passes 5-0-1** with Mr. Pope abstaining.

MM&S to accept the August 19, 2014 minutes as written. (Motion by Mr. Coppelman, second by Mr. Coffin) **Motion passes 5-0-1** with Mr. Pope abstaining.

Committee updates:

CIP: Mr. Wilson stated that the CIP had met recently. Mr. Coppelman reviewed the meeting; the CIP requests were sent out and due back on Oct. 1st; their next meeting will be Oct. 1st to review the submissions with the next meeting scheduled for Oct. 23rd. Ms. Faulconer told the Board that the contract for the construction of the Highway garage was recently signed.

Heritage Commission: Mr. Landry discussed issues the Selectmen were having regarding the Bandstand and vandalism and mis-use, lighting concerns and impact on abutting neighbors. There will be a meeting about this on Sept. 29th; the Board had questions and concerns about possibilities; Mr. Wilson suggested going to the meeting to ask questions, make suggestions.

HDC: Mr. Coppelman had no updates; Mr. Shalett said the HDC had also talked about the issues regarding the Bandstand and lighting.

ZBA: Mr. Coffin briefly reviewed actions taken by the ZBA at their last meeting.

Copies of the draft changes to the Performance Guarantee regulations and the draft change to the CI zone were distributed for the Board to review and discuss at the next meeting.

MM&S to adjourn at 8:02. (Motion by Mr. Landry, second by Mr. Shalett) **PUNA**