

## KINGSTON PLANNING BOARD

Public Hearing  
January 20, 2015

Mr. Wilson called the meeting to order at 6:50 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Acting Chair	Stan Shalett
Adam Pope	Ernie Landry
Peter Coffin	Carol Croteau, Alternate
Mark Heitz (BOS rep.)	

Also in attendance: Glenn Greenwood, Circuit Rider Planner; Ellen Faulconer, Administrative Assistant

Absent: Richard Wilson, Rich St. Hilaire, alternate.

Mr. Coppelman announced that Ms. Croteau would be a voting member this evening.

### **Zoning Articles**

Mr. Coppelman opened the public hearing for tonight's zoning articles; he noted that other articles had already had public hearings and been moved to the warrant.

**Industrial Zone:** Mr. Greenwood explained that this had been continued to this date to meet the notice requirements and property owner notification by mail; this had been done. Mr. Coppelman noted that there was no public present for tonight's hearing. Mr. Greenwood stated that this was the same language as the addition to the Commercial Zone adding Alternative Treatment Center as a permitted use in the zone.

**MM&S to move the article adding Alternative Treatment Center to the Industrial Zone to the warrant for Town Meeting vote.** (Motion by Mr. Coffin, second by Ms. Croteau) **PUNA**

**Article 208 (Elderly Housing):** Mr. Greenwood explained that language had been removed from the last hearing so it was continued to this public hearing. Ms. Faulconer noted that there was one guideline for setbacks that did not have the phrase "a minimum of" included with it; the Board agreed to add that phrase for continuity. Mr. Greenwood confirmed that this was simply an editorial change and non-substantive so it could be done at this hearing.

**MM&S to amend the proposed language for Article 208 to include the editorial phrase "a minimum of" prior to "a 75 ft. setback" in Article 208.5 C (1).** (Motion by Mr. Coffin, second by Mr. Shalett) **PUNA**

**MM&S to move Article 208, language dated 10/3/14 with the amended language of 1/6/15 and 1/20/15, to the warrant for Town Meeting vote.** (Motion by Mr. Coffin, second by Mr. Landry) **PUNA**

Mr. Coppelman distributed Article 106 which included the editorial change at the 1/6/15 hearing. This article had already been voted to move to the warrant/ballot. The draft warrant was distributed; tonight's editorial change will have to be added for the final. There were no further comments; there was no public present.

Mr. Coppelman declared the warrant article public hearing closed.

### **Board Business**

The minutes from Dec. 16, 2014 were distributed.

### **Capital Improvement Plan**

The updated CIP plan was distributed. Mr. Coppelman recapped the last meeting's discussion. The updated table in the CIP was reviewed. Mr. Coppelman explained that this was an advisory document. Mr. Greenwood pointed out the changes in the table from the last hearing of 1/6/15; he added that the text for recreation and the Fire Department had also been changed to reflect the updates. Mr. Heitz questioned the culvert with Kingston and Newton in the CIP. Mr. Greenwood encouraged the Board of Selectmen to meet with the Road Agent about any of the projects to see if they should continue to be in the CIP or have any updates. Mr. Heitz stated that the Rubber Excavator might not actually be something the Selectmen would be receptive to buying based on the cost versus rental costs. Impact fees were discussed; it was confirmed that Highway costs are not currently part of the Impact Fee structure. Mr. Shalett asked about the location of the bridge on Main Street; it was explained that it was the outlet to Great Pond near the boat launch.

Mr. Greenwood suggested that prior to next year's CIP proposal requests, it might be time to have another meeting with Department Heads since Impact Fees have been enacted and review the CIP and its purpose.

**MM&S to adopt the 2015-2020 Capital Improvement Plan.** (Motion by Mr. Coffin, second by Ms. Croteau). Motion passes 5-0-2 with Mr. Heitz and Mr. Pope abstaining.

**ACTION ITEM:** Send out electronic copy of CIP to Mr. Coppelman; Board of Selectmen; Budget Committee Chair.

### **Board Business, continued**

#### **Correspondence:**

- Bond Balance list reviewed: by Board consensus, authorize Ms. Kenerson to release bonds still held for John's Truck and Auto and NE Paving.
- Letter from Attorney Kalman re: Standby Letter not acceptable to the Town. Ms. Faulconer will contact with the information for an amended Letter of Credit.

- 26 North Road (Bakie Brothers, LLC) – the Board has received information from the State that unpermitted activity may have allegedly occurred on the site; a series of emails between the State and the BOS office were read; there were questions raised by the State about possible current use fees; Mr. Greenwood explained that the Planning Board was the excavation regulator authority in the Town adding that it is incumbent on the Planning Board to make sure that excavation is reclaimed properly; he noted it was the Board’s responsibility, suggesting that they come in for a site inspection and compliance with stormwater, erosion measures. Mr. Greenwood said that he was unaware of any Town permits for excavation on that site; the Planning Board can’t ignore an excavation they have been made aware of by the State. Mr. Heitz said the Board could look at the site to see if there are Intent to Cut permits and Excavation Permits suggesting that perhaps the Property Owner had them and could show the Board that he had them prior to drafting any enforcement requests. Mr. Greenwood said there should also be a reclamation plan.

**ACTION ITEM:** Ms. Faulconer will contact the property owner and ask them to come in to meet with the Board.

- 51 North Road – the enforcement request was reviewed; there is not update yet; the Board will review at the next meeting.
- Letter received about the continuation of a car lot at 102 Rte. 125, tax map R8-48; the letter says that they will comply with the approved plan; the file and the approved plan was reviewed; there are notes on the plan restricting number of employees and other activity; it was noted that there was an amendment to the plan that was not mentioned in the letter to the Board.

**ACTION ITEM:** Ms. Faulconer to invite Mr. Kalik and Mr. Durbin (property owner) in to speak with the Board on Feb. 3<sup>rd</sup>.

- Letter received re: course in Planning and Zoning laws

Mr. Heitz asked about the status of the Early property; Mr. Greenwood said that we had a revised plan for the Board to review tonight for Plan Review. The excavation permit and permit renewal process was reviewed.

### **Plan Review:**

- SPE Realty (Early) plan: added to the Feb. 17<sup>th</sup> public hearing agenda.
- Montana Realty plan: Board okayed the plan going to Mike Cuomo at RCCD; Mr. Greenwood has an extra copy of the plan and will speak with Mr. Cuomo and get the plan over to him; added to the Feb. 17<sup>th</sup> public hearing agenda.
- SELT lot line adjustment – as the engineer is the listed applicant, Ms. Faulconer will confirm notarized affirmation from the property owners of the land involved with the lot line adjustment; if that is confirmed this can be placed on the Feb. 17<sup>th</sup> public hearing agenda.

The upcoming filing period was reviewed.

**MM&S to adjourn at 8:40.** (Motion by Mr. Landry, second by Mr. Pope) **PUNA**