

1 KINGSTON PLANNING BOARD

2 NOVEMBER 1, 2022

3 PUBLIC MEETING

4 MINUTES

5 Ms. Merrill called the meeting to order at **6:45 PM**; there were no challenges to the legality
6 of the meeting.

7
8 **MEMBERS PRESENT:**

9 Lynne Merrill, Chair

Glenn Coppelman, Vice Chair

10 Richard Wilson, BOS Representative

Robin Duguay

11 Peter Coffin

Steve Padfield

12
13 **ALSO PRESENT:**

14 Glenn Greenwood, Town Planner

15 Robin Carter, Admin. Assistant

16
17 **ABSENT:**

18 Peter Bakie

19 Chris Bashaw, BOS Representative

20
21
22
23 **BOARD BUSINESS**

24
25 **Approval of the October 4, 2022 meeting minutes:**

26
27 **Motion** made by Mr. Coppelman **to approve the 10/04/2022 minutes as written.**
28 **Seconded** by Mr. Coffin. Mr. Wilson abstained. Ms. Duguay was not present for the vote.
29 **A vote was taken, the motion passed.**

30
31 **Correspondence:**

- 32
- 33 a. Invoice from Civil Construction Management, Inc. for services of Dennis Quintal,
34 PE (5-23-22 to 6-28-22) dated July 11, 2022, Inv. #22083 in the amount of \$585.
35 RE: R2-13 Fieldstone Industrial Park Inspections. **The Board approved this**
36 **invoice.**
 - 37
 - 38 b. Letter from Mr. Greenwood to Tim Roache, Executive Director, Rockingham
39 Planning Commission, dated Oct. 27, 2022 re: Water Protection Grant program
40 (RPC Grant Proposal to Assist Municipalities with Stormwater Regulations). **The**
41 **Board approved this letter.**
 - 42
 - 43 c. Notices of upcoming meetings were sent to the Planning Board Office by email,
44 one for the Energy Forum; Workforce Housing Collation; and Municipal

Association Meeting. [AI.1-11.01.2022] Ms. Carter to send this information via email to the Board.

2023 Planning Board Budget:

<<Ms. Duguay joined the meeting at 6:50 PM.>>

Motion made by Mr. Coppelman to approve the 2023 draft budget as presented by the Chair. **Seconded** by Ms. Duguay. Mr. Wilson abstained. **A vote was taken, the motion passed.**

Article 206 - Accessory Dwelling Unit (ADU) Ordinance discussion:

- Include schedule of fees with the application, including the information on Impact Fees.
- Septic system requirements: It was suggested that Section J. of the Ordinance regarding septic systems be updated to include language, as such, *in the instance of a new septic system being designed and not actually installed, the property owner must have a septic inspection by a licensed septic inspector and provide that information to the Health Officer to show that the system is a properly functioning system.*

Motion made by Mr. Coppelman to bring the additional wording for Section 206.4.J. as Mr. Greenwood discussed to the Public Hearing on 12/06/2022. **Seconded** by Mr. Padfield. **A vote was taken, all were in favor and the motion passed.**

Zoning Continued:

Article A – 1000: **Amendments, Conflicts and Penalties, Administration, Enforcement, and Severability** referenced in Mr. Greenwood’s handout dated, November 1, 2022. This proposes adding a new Article to consolidate this information in one place and removing the following sections. 107.8 Separability; 205.10.B. Enforcement; 209.5 Enforcement; 302.9 Violations, Legal Actions and Penalties; 303.3.E. (current F to become new E), 402.2 and 402.3 (current 402.4 becomes new 402.2); Article 406 Town Landfill Ordinance; 408.2 Penalty; 409.13 Enforcement Procedures; 409.14 Penalties and Violations; 409.15 Saving Clause; 411.2.B. and 415,.8 Penalties.

- Mr. Greenwood suggested that the proposed language be brought to Town Counsel for review.

86 **Motion** made by Ms. Merrill to approve the language as written and to send to Town
87 **Counsel. Seconded** by Mr. Coffin. **A vote was taken, all were in favor and the motion**
88 **passed.**

89
90 **Amended Motion** made by Ms. Merrill to add preparatory language and delete
91 **referenced sections. Seconded** by Mr. Coffin. **A vote was taken, all were in favor and**
92 **the motion passed.**

93
94 **Article 207.4 Enforcement** under **Residential Home Occupation Ordinance:**

95
96 This proposed Article (discussed at the 10/04/2022 Board meeting) will be moved to the
97 new proposed section on Enforcement.
98

99 **Motion** made by Ms. Duguay. **Seconded** by Mr. Padfield. **A vote was taken, all were in**
100 **favor and the motion passed.**

101
102 Mr. Coppelman brought up Ordinance **sections 201.4.E.4. Prohibited Uses and**
103 **201.4.E.14.** Noting that Town Counsel has informed the BOS that the current project
104 would be grandfathered even though it hasn't gone to Planning Board yet because held
105 up due to litigation.

106
107 Mr. Coppelman would like to discuss these following two Articles again.

- 108
109 • 201.4.E.4. Prohibited Uses: propose not allowing gas stations, so remove the
110 language "*except for gas stations where allowed.*"
- 111
112 • 201.4.E.14. remove the following language, "*In Zone B such facilities require a*
113 *special exception from the Zoning Board of Adjustment that imposes additional*
114 *protections for groundwater.*"

115
116 These recommendations are consistent with the existing **2015 NH DES Model Ground**
117 **Water Ordinance**, and more recently the **2020 DWGB 22-20 fact sheet - Preventing**
118 **Groundwater Contamination at Gas Stations – What Municipalities and Water**
119 **Suppliers Can do.**

120
121 Danna Truslow, Hydrologist did do a Hydrogeologic report for the Town. It helped define
122 Zones A and B.
123

124 **Motion** made by Mr. Coppelman to **bring the following changes to the Public Hearing**
125 **on 12/06/2022.** To make the following changes to **Article 201.4.E.4.,** to remove the
126 following words "***except for gas stations where allowed.***" For **201.4.E.14.,** remove
127 **this section,** "*In Zone B such facilities require a special exception from the Zoning Board*
128 *of Adjustment that imposes additional protections for groundwater.*" And **renumber the**
129 **remaining sections under this Article.** This is consistent with the existing 2015 NH DES
130 Model Ground Water Ordinance. **Seconded** by Ms. Duguay. Mr. Wilson abstained. **A**
131 **vote was taken, the motion passed.**

132
133 **Lighting Ordinance:**

134 [AI.5-09.20.2022]

135 – Terminology needs to come from the electrical inspector. Follow up is needed and
136 possibly bring this to the November 15, 2022 hearing.

137
138 **Setbacks:**

139 [AI.6-09.20.2022]

140
141 – Follow up with Mr. Bashaw at next Board meeting to see if he has an update.
142

143 **1 Little River Road – R34-54:**

144
145 Overview:

146 – Letter from Sarah Roland dated 9/29/2022 regarding the property located at 1 Little
147 River Road (R34-54).

- 148
149 ○ Ms. Roland was granted a Variance by the ZBA for a Veterinary Clinic
150 business. Refer to the letter from the Kingston Zoning Board of Adjustment,
151 dated June 14, 2022.
152
153 ○ Ms. Roland would like to have a white vinyl fence professionally installed to
154 the side entrance to walk dogs without risk of them escaping onto Rt. 111
155 and 125. Also, fencing installed at the rear of the building to enclose a chest
156 freezer.
157
158 ○ The purpose of Ms. Roland's letter to the Planning Board is to ask "if these
159 changes can be made with an expedited site plan review".

160 – **Next steps:**

- 161 ○ Mr. Greenwood will contact Ms. Roland and explain what is needed.
162 ○ Ms. Roland will need to submit a complete application and necessary
163 requirements (i.e., abutters labels, fees) for a Site Plan Review for adding
164 an exterior fence to the Planning Board office.
165 ○ She will need to attend a Public Hearing. The application submission
166 deadline is November 10, 2022 for the December 13, 2022 Public Hearing.
167 ○ She can request a waiver for the site plan review and ask for an expedited
168 site plan review with her application.
169 ○ Ms. Roland will need to provide a letter that gives proposed hours of
170 operation, number of employees and other required description of the
171 business criteria.
172 ○ Board will need to invoke jurisdiction.
173 ○ The Board will need to make a motion for a Facts of Findings for an Affidavit
174 to be recorded at the Registry of Deeds.
175

176
177 – **Interior building plans:**

- 178 ○ Plans have been dropped off at the building department for interior
179 renovations.
180

181 **Motion** made by Mr. Coppelman to move forward as discussed. **Seconded** by Mr.
182 Padfield. **A vote was taken, all were in favor and the motion passed.**
183

184 **Article 106 - Age Restricted Multifamily Housing:**

185 – Mr. Greenwood's recommendations are to remove the allowance in the Scotland Road
186 district of having up to six bedrooms.

187 – Under 208.4 – Mr. Greenwood suggested that the density be changed from three units
188 to two units per developable acre.

189 – These changes are being recommended to comply with NH House Bill 1661.
190

191 **Motion** made by Mr. Coppelman to **make appropriate zoning changes to the elderly**
192 **district, so we are not creating a greater effective density requirement in the elderly**
193 **district than in workforce housing.** This should be **added to the 12/06/2022 Public**
194 **Hearing. Seconded** by Mr. Padfield. **A vote was taken, all were in favor and the**
195 **motion passed.**
196

- 197 • Feather Banner/Flags: Keep as is at this time.

198 **Other discussion:**

- 199 • **Town Ordinances:** Ms. Merrill brought up that it may be a good idea to look over
200 our Ordinances throughout the next year and see if anything looks outdated and
201 to evaluate if they are in line with the overall planning and vision of the Town. To
202 take a look at the big picture of things in accordance with changes that may have
203 taken place in the Town. This is in addition to the Ordinances the Planning Board
204 is working on for the March 2023 meeting.
205

- 206 • **RPC Correspondence:** Mr. Coffin shared information from the RPC on the Age
207 Friendly Community Assessment.

208 Mr. Wilson asked that this information be sent to, Susan Ayer, the BOS
209 Administrator to distribute to the BOS. Possibly have a meeting set up with Scott
210 Bogle of the Rockingham Planning Commission and invite other applicable or
211 interested groups. This would be a diverse group of people to oversee this. This
212 is beyond the Planning Board. **[AI.2-11.01.2022] Mr. Greenwood will follow up**
213 **with Scott to get a status on this assessment.**

- 214 • **Planning Board Subcontractors:** Ms. Merrill asked the Board to think about
215 possibly coming up with concrete evaluation criteria for subcontractors. i.e., Town
216 Planner, Town Engineer. It was mentioned that a description of their role and
217 responsibilities is outlined their contracts, however, evaluations are not part of
218 the contracts. She would like the Board to think about this and come up with
219 recommendations.
220
- 221 • **Code Enforcement Officer:** Mr. Wilson informed the Board that, Jess Nesbit,
222 the Code Enforcement Officer is available to attend Planning Board meetings if
223 the Board needs him to.
224
- 225 • **Lone Tree Sumner Camp, LLC.:** Mr. Wilson asked the Planning Board to go
226 over their understanding of the approved use at the Lone Tree Scout
227 Preservation Camp (Lone Tree Scout Summer Camp, LLC), the old Boy Scout
228 Camp property. Mr. Greenwood explained that Mr. Towne provided a letter,
229 dated March 21, 2022, to the Board. The letter was reviewed by the Board at the
230 April 5, 2022 Public Meeting. Mr. Towne was present at that meeting. Mr.
231 Greenwood sent a follow up letter, dated April 6, 2022, to Mr. Towne reiterating
232 the determination of the discussion with the Board and the agreed use of the
233 property (refer to the letter for more detail). Property is supposed to be used as a
234 summer camp and not for year-round use. Mr. Wilson explained that it appears
235 that the property is being used year-round and for more than summer camp
236 purposes. The BOS will send a letter to Mr. Towne explaining that he is in
237 violation of their use and to come in to see the Planning Board if he is requiring
238 changes.
239
- 240 • **Fieldstone:** Sold all units in the 1st building and do not have occupancy permits
241 yet. If permitted in accordance with Town Ordinances, Mr. Greenwood suggested
242 the BOS approve permits. Mr. Greenwood suggested the BOS/Planning Board
243 should work with him.
244
- 245 • **Old Sanborn High School Property:** Mr. Greenwood called Chinburg regarding
246 the Old Sanborn High School property. Mr. Greenwood said they informed him
247 that they are having difficulty finding septic capacity for what they want to do.
248

249 **ADJOURNMENT:**

250
251 **Ms. Duguay made a Motion to adjourn. Seconded by Mr. Padfield A vote was taken,**
252 **all were in favor and the meeting adjourned at 9:35 PM.**
253

254 ****Next Public Hearing is scheduled for Tuesday, November 15, 2022 at 6:30 PM.**
255 **Subject to change.****