

1 KINGSTON PLANNING BOARD

2 MARCH 21, 2023

3 PUBLIC HEARING

4 MINUTES

5 Mr. Coffin called the meeting to order at **6:30 PM**; there were no challenges to the legality  
6 of the meeting.

7  
8 **MEMBERS PRESENT:**

9 Peter Coffin, Acting Chair

Robin Duguay

10 Peter Bakie

Steven Padfield

11 Chris Bashaw, BOS Representative

Rob Tersolo

12  
13 **ALSO PRESENT:**

14 Glenn Greenwood, Town Planner

15 Dennis Quintal, Town Engineer

16 Robin Carter, Land Use Admin.

17  
18 **ABSENT:**

19 Lynne Merrill, Chair

20  
21 Mr. Coffin declared a quorum present and introduced the Planning Board ("PB" or  
22 "Board").

23 *<Mr. Greenwood arrived at 6:31 PM.>*

24  
25 **PUBLIC HEARING**

26  
27 **Request for a continuation to April 18, 2023:**

28 **Continued Hearing from February 21, 2023**

29 **Housing Support Inc.**

30 **186 Main Street**

31 **Map R34-21**

32  
33 *This is a **site plan review application** for the total renovation of the existing structure to  
34 create four (4) one (1) bedroom housing units, including a small addition at the rear. Also,  
35 the extension of the right-side driveway to accommodate one handicapped parking space  
36 and three extra parking spaces at the rear.*

37  
38 Mr. Coffin referred to the written request from Paula Newsom, Executive Director of  
39 Housing Support Inc, dated March 8, 2023, informing the Board that they will not be able  
40 to meet the submission deadline of March 9, 2023 to have the revised site plans, building  
41 layouts, unit size calculations, and the driveway permeability calculations to the Board for  
42 the March 21, 2023 public hearing. **They are requesting a continuation date to the**  
43 **April 18, 2023 public hearing.**

Mr. Greenwood explained that since is a continued hearing they will need to have their materials to the Planning Board office at least two (2) weeks before the April 18, 2023 public hearing.

*<Ms. Duguay arrived at 6:33 PM.>*

**Motion made by Mr. Bashaw to continue the hearing for Housing Support Inc. at 186 Main St. to the April 18, 2023 PB public hearing, with all required information and plans due to the Planning Board by April 4, 2023. Seconded by, Mr. Padfield. A vote was taken, all were in favor, the motion passed.**

**New Hearing:  
Christopher and Rose Trapani  
8 Farm Road  
Map R39-11-1**

**CONDITIONAL USE PERMIT APPLICATION (CUP) for an  
ACCESSORY DWELLING UNIT (ADU)**

*<Board note: This hearing began at 6:35 PM.>*

Mr. Coffin read the legal notice. This is an application for a Conditional Use Permit for an Accessory Dwelling Unit (ADU) in an existing detached garage. The proposed ADU is currently finished office space above the garage.

The applicant, Rose Trapani, came to the table and provided an overview of the ADU area. She explained this was finished office space in a detached garage that was finished ten (10) years ago by the previous owners. She described the space as having a galley kitchen with a dishwasher, refrigerator and sink. Also, a ¾ bathroom with a shower stall, toilet and sink. They would like to add a stove. Other than this, they will not be doing any further construction and there will be no external changes to the structure. Ms. Trapani mentioned there are two (2) points of entry, one off the back where there is a deck and there is also a stairway inside that goes down into storage space on the first floor of the garage with an exit/entry.

**Town Planner comments:**

Mr. Greenwood said that from his review of the floor plan of the ADU, it is appropriately sized. The required elements in Article 206 outlining the requirements for any ADU have been met by this proposal. They have off-road parking on the site. There is an approved septic system designed to handle the additional septic capacity of the ADU apartment. This is an existing structure and already completed finished space with no exterior changes.

**Motion made by Mr. Bashaw to invoke jurisdiction. Seconded by, Mr. Padfield. A vote was taken, all were in favor, the motion passed.**

90  
91 **Board comments:**

92 Mr. Bashaw said that based on the Town Planner's review that it meets all the  
93 requirements within Section 206.4 he is comfortable with moving forward after the Board  
94 hears all the Board and public comments.

95  
96 **Public comment:**

97 Mr. Coffin opened the floor for public comment at 6:45 PM. There was none. Public  
98 comment was closed at 6:45 PM.  
99

100 **Motion made by Mr. Bashaw to grant a Conditional Use Permit (CUP) on 8 Farm Rd.**  
101 **to Christopher and Rose Trapani regarding their Accessory Dwelling Unit**  
102 **application for a CUP based off meeting the requirements for RSA 676:3 and the**  
103 **Town Planner affirming that they have met the requirements set forth in the Town**  
104 **Article 206.4. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the**  
105 **motion passed.**

106  
107 Mr. Coffin asked Ms. Trapani if she had the information on the Impact Fee Schedule for  
108 an ADU. She has received it and is aware of it. Mr. Coffin cited what the current ADU  
109 impact fee amount is of \$2,157.50.

110  
111 Mr. Coffin explained that there is a thirty-day appeal period. This is already built space,  
112 however, there are regulations on building permits, and they may still need a building  
113 permit, so advised Ms. Trapani that they talk with the Code Enforcement Officer on those  
114 details.

115  
116 *<Board note: This hearing ended at 6:51 PM.>*  
117

118 **Continued Hearing from January 17, 2023:**  
119 **Robert and Nancy J. Griffin**  
120 **68 Danville Road**  
121 **Map R22 Lot 45**

122  
123 **SUBDIVISION APPLICATION**

124  
125 The applicant is requesting the subdivision of a 20.6 acre parcel into two (2) residential  
126 lots.

127  
128 Mr. Coffin explained that this applicant went to the Zoning Board of Adjustment (ZBA) for  
129 an appeal for a variance for the road frontage requirement. He stated that because he is  
130 Chair of the ZBA he will be standing down from the Chairmanship for this hearing. Mr.  
131 Coffin nominated Mr. Bakie to be the Chairperson for this hearing.

132  
133 **Motion made Mr. Coffin to nominate Peter Bakie to stand in for Acting Chair for this**  
134 **hearing. Seconded by, Mr. Bashaw. A vote was taken, all were in favor, the motion**  
135 **passed.**

136 <Board note: This hearing began at 6:52 PM.>

137  
138 Mr. Bakie accepted and was Acting Chair for this hearing. He opened by referencing that  
139 this hearing is for Robert and Nancy Griffin of 68 Danville Rd, Map R22 Lot 45. He invited  
140 the applicant to the table. Mr. Quintal is the engineer for the Griffin's on this project and  
141 spoke on their behalf. Mr. Griffin was present and available for questions. Mr. Quintal  
142 displayed the subdivision plan on the overhead. Mr. Quintal described the plan by saying  
143 it is a 20 acre +/- acre property that Robert and Nancy Griffin own. Their intent is to  
144 downsize and sell their existing home. They intend to create a 3-acre lot, which is the  
145 minimum amount allowed for this zoning, and subdivide off the remaining 17 +/- acres.  
146 Mr. Quintal said that there is plenty of area, but not quite enough frontage for the two (2)  
147 lots. There is 200 feet of frontage for the remaining land (17-acre portion) and 175 feet  
148 for the proposed 3-acre lot that has the existing house. They went to the ZBA on March  
149 9, 2023 and got approval for the frontage variance. Therefore, now the applicant can  
150 proceed with the subdivision plan.

151  
152 Mr. Quintal went over the plan to point out where the proposed new house, septic system,  
153 well and driveway would go. He explained that the building would be in the center of the  
154 lot so it is unlikely that it would be developed beyond this. He then referred to the second  
155 sheet of the plan that shows more detail with contours, grading for the existing lot and the  
156 proposed lot. It shows wetlands and a stream that runs through the back of the lot. The  
157 upland is all good soils, they are Canton and Hinkley sand and gravel type soils. Test pits  
158 were done by a conservation agent, Mike Comeau, and his report has been provided as  
159 well.

160  
161 Mr. Quintal noted that they have submitted three (3) waivers.

- 162 1) Article 905.4 – Mandatory Preliminary Review  
163 2) Article 905.14.A.2.d. – Professional Review Account fee (from \$5,000 to \$500)  
164 3) Article 905.14.C.19. – Site-Specific Soil Map  
165

166 Mr. Coffin asked Mr. Quintal about the report (dated 11/11/2022) from the Natural  
167 Resources Conservation Services (NRCS). Mr. Comeau witnessed the test pits, and he  
168 didn't see any wetlands around there. The wetlands were flagged on the lower side of the  
169 big hill. Mr. Quintal said he didn't have a high intensity soil map and that is what the waiver  
170 is being requested for.

171  
172 **Town Planner comments:**

173 Mr. Greenwood said that the PB should consider invoking jurisdiction for this proposal.  
174 The applicant needed ZBA relief because one of the lots does not have 200 feet of  
175 frontage. The relief was granted at the March 9, 2023 ZBA hearing. He acknowledged the  
176 three (3) waivers the applicant asked for and said the PB needs to vote on each waiver  
177 request separately. Upon review of the plan for Subdivision Plan of Land as Drawn for  
178 Robert C. and Nancy J. Griffin (Tax Map R22 Lot 45), prepared by CCMI and dated  
179 November 2022:

- 180 1) If the waivers above are approved, they should be noted on the final plan. Mr.  
181 Greenwood said he has no concerns with any of the waiver requests.

- 2) State subdivision approval is required and should be noted on the plan.
- 3) Professional stamps should be signed on the final plan.
- 4) The variance granted in March should be noted on the final plan.
- 5) If a roadway easement for future maintenance is required by the Highway Department this should be reflected on the plan.
- 6) Upon setting the bounds indicated on the plan a monument certification must be provided to the Board.
- 7) The required note regarding roadways must be added to the final plan.
- 8) The required note regarding Fire protection must be added to the final plan.
- 9) The Town approved new lot numbers shall be added to the final plan.
- 10) Existing and proposed impervious area must be provided for each lot.

Mr. Quintal referred to the plan shown on the overhead screen and read the notes added to the proposed subdivision plan regarding the ZBA ruling on March 9, 2023. *At the March 9, 2023 meeting of the Board of Adjustment of the Town of Kinston, the Board voted to approve the request for a variance of 25' to Article 301.1, A of the Town of Kinston Zoning Ordinance, allowing a frontage of 175' on Lot 45 in lieu of the 200 required by ordinance.* The other note is, this plan set consist of two sheets, sheet one is to be recorded in the Rockingham Registry of Deeds and sheets one and two shall be placed on file with the Kingston Planning Board.

**Motion made by Mr. Bashaw to invoke jurisdiction. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed.**

**Public comments:**

Public comments were opened at 6:57 PM. There was none. Public comment closed at 6:57 PM.

**Mr. Bashaw read the three (3) waiver requests** dated November 11, 2022:

- 1) Article 905.14.A.2.d. – Professional Review Account fee (from \$5,000 to \$500)

**Motion made by Ms. Duguay to approve the waiver of Article 905.14.A.2.d. Professional Review Account Fee be reduced to \$500 for the reasons requested for this project in a letter from Mr. Quintal. Seconded by, Mr. Coffin. A vote was taken, all were in favor, the motion passed.**

- 2) Article 905.14.C.19. – Site-Specific Soil Map

**Motion made by Ms. Duguay to approve the waiver of Article 905.14.C.19. Site Specific Soil Map for the reasons requested for this project in a letter from Mr. Quintal. Seconded by, Mr. Padfield. A vote was taken, all were in favor, the motion passed.**

228 3) Article 905.4 – Mandatory Preliminary Review

229 **Motion** made by Ms. Duguay **to approve the waiver of Article 905.4 Mandatory**  
230 **Preliminary Review for the reasons requested for this project in a letter from Mr.**  
231 **Quintal. Seconded** by, Mr. Padfield. **A vote was taken, all were in favor, the motion**  
232 **passed.**

233  
234 Mr. Greenwood mentioned that if the driveway easement for future maintenance is a  
235 requirement for conditional approval it will be included. Mr. Greenwood will follow up with  
236 the Highway department on this.  
237

238 **Motion** made by Mr. Bashaw **to grant Conditional Approval for 68 Danville Rd.**  
239 **subdivision application Tax Map R22 Lot 45, proposal for a two (2) lot subdivision**  
240 **based on the following conditions: 1) that the three (3) waivers that were granted**  
241 **tonight will be noted on the final plan, 2) state subdivision approval is required and**  
242 **needs to be noted on the final plan, 3) professional stamps should be signed and**  
243 **noted on the final plan, 4) the variance granted by the ZBA on March 9, 2023 should**  
244 **be noted on the final plan, 5) if it is a requirement of the Highway Department,**  
245 **Department of Public Works that the roadway easement for future maintenance**  
246 **should be reflected on the plan, 6) upon setting the bounds indicated on the plan**  
247 **and Monument Certification must be provided to the Board, 7) the required note**  
248 **regarding roadways be added to the final plan, 8) the required note regarding Fire**  
249 **protection must be added to the final plan, 9) the Town approved new lot numbers**  
250 **shall be added to the final plan, 10) existing and proposed impervious area must**  
251 **be provided for each lot. Seconded** by, Ms. Duguay. **A vote was taken, all were in**  
252 **favor, the motion passed.**

253  
254 **Motion** made by Mr. Bashaw **that the Conditions of Approval be met within 90 days.**  
255 **Seconded** by, Ms. Duguay. **A vote was taken, all were in favor, the motion passed.**

256 *<Board note: This hearing ended at 7:05 PM.>*  
257

258 Mr. Bakie turned the floor back over to Mr. Coffin as Acting Chair.  
259

260 **266 Rte. 125, LLC**

261 **266 Rte. 125**

262 **Tax Map R41 Lot 17-1**

263 *<Board note: This hearing began at 7:05 PM.>*  
264

265 Mr. Coffin read the legal notice for this hearing. The Planning Board will consider making  
266 amendments to the conditions of approval for the applicant's Site Plan application as  
267 detailed below.  
268

269 Mr. Coffin noted that this is just for their 2<sup>nd</sup> condition of approval.  
270

271 **2. ~~within 1 year of date of condition of approval, and~~ prior to ~~start of construction~~**  
272 **issuance of a Certificate of Occupancy, receipt of New Hampshire Department of**  
273 **Transportation Driveway Permit and approval of proposed roadway mitigation and**

Transportation Demand Management (TDM) as developed by the applicants Transportation Engineer and reviewed by the Town's consulting Traffic Engineer (Duval of TF Moran). All traffic mitigation including the new intersection light (located at the junction of NH Route 125 and NH Route 107) shall be in place prior to issuance of a certificate of occupancy; **changes to the driveway design as may be required by the New Hampshire Department of Transportation for the issuance of a Driveway Permit and approval of the mitigation with Route 125 may be processed as an administrative review;**

Mr. Coffin explained that the applicant wants to eliminate the "within 1 year of date of condition of approval" and eliminate prior to "start of construction" issuance of a Certificate of Occupancy. Mr. Coffin mentioned that the Conditions of Approval haven't been met yet, mostly because the State Department of Transportation (DOT) is in delay.

Attorney Morgan Hollis of Gottesman & Hollis located at 39 E. Pearl St. Nashua, NH spoke on behalf of his client 266 Rte. 125, LLC. Mr. Hollis said he wrote two letters to Mr. Greenwood, and as correctly stated tonight, the request being presented tonight to the Board is for amendment for condition #2 of the Conditions of Approval when this site plan was approved two (2) years ago. At the suggestion of Mr. Greenwood, Mr. Hollis provided a status report on the Conditions of Approval which he has provided to the Board. The only purpose in coming back to the Board is to deal with a limited portion of condition #2. Mr. Hollis read condition #2 as described above, previously read by Mr. Coffin.

Mr. Hollis explained that what has happened in the past two (2) years is they have worked on a number of Conditions of Approval with Town consultants, traffic consultants, and traffic engineer to work towards getting DOT driveway permit approval. They continue to go back and forth on what the DOT would like to see in terms of off-site mitigation, what the applicant would call improvements to Rte. 125. Mr. Hollis said that they are trying to minimize any impact to the Town and neighbors as far as the reconstruction or modifications to Rte. 125 and DOT obligations to the public and make sure whatever is proposed is safe. The DOT has provided a set of criteria to follow, the applicant is attempting to follow that. He further explained that here we are two (2) years later, thousands of dollars in hours and time and not there yet.

Mr. Hollis referred to the condition of "within 1 year" and commented that the Board did grant the extension for the continuance extension of this 1 year to February 28, 2024. What they are focusing on is asking for or relief from the provision that says "prior to start of construction" that must be received from the NH DOT Driveway Permit. Mr. Hollis explained that because of this condition, everything they are doing on that site, everything they are getting ready to do for construction, everything they are doing with regard to the perspective tentative user has to be put on hold until they receive the driveway permit. He brought up that they keep renewing and updating approvals they have received, such as, the fill permit from the State of NH. They have paid the mitigation fee which has been used by a non-profit group to acquire additional land in Kingston. A condition of approval is they may not start construction. This is interpreted by the Town to mean any

319 construction, they can't fill any wetlands, cut any trees, starting driveways; they are on  
320 hold on everything until the DOT permit is provided.

321  
322 The other two (2) permits are permits that require permits through the state, they are not  
323 asking for any relief on these. The two (2) approvals are for the septic design and the  
324 approval for the well. The status for the water supply has been submitted and they have  
325 a response from DES authorizing two (2) additional wells. Their consultant has advised  
326 them that the drilling and testing will take place in the next several weeks and will be  
327 reported back to the DES. Simultaneously, they have a septic system design permit  
328 approval. The septic design is completed, but it couldn't be submitted until they received  
329 the information back from DES on the water supply and now that it's been received, they  
330 can submit that. This will take about a month as long as the wells and septic test out.  
331 They don't plan on starting any construction until they receive approvals for these two (2)  
332 permits. He stated it is simply the DOT that is driving the permit.

333  
334 Mr. Hollis commented they have received preliminary responses from the DOT and that  
335 is the direction they are going, however, for these types of projects there is preliminary  
336 design, feedback, another preliminary design, construction design and then final design.  
337 He said they do not anticipate they will have this before the end of this year. They would  
338 like to get started on some site work and if their request was granted it would essentially  
339 say it is their business developer, and if they proceed forward with construction knowing  
340 they cannot get out of, can't use, can't occupy that site, nothing can happen until they get  
341 their DOT permit and satisfy all conditions of approval; but you are allowed to go forward  
342 with the construction.

343  
344 Mr. Hollis mentioned that a benefit to the Town is if the property owner is allowed to  
345 proceed with the construction, and if the property comes out of current use, the Town has  
346 the ability to charge the land exchange tax and goes under current taxation. He said there  
347 are some benefits to allowing this construction to proceed even though they don't have  
348 the DOT permit.

349  
350 Mr. Hollis went over the drawbacks to this request and if they don't receive the DOT  
351 driveway permit, they won't have a use for the property. This is a risk the developer would  
352 take on. He explained that the development would have a review process from the DOT  
353 because no owner must get too far ahead. The applicant does feel comfortable with  
354 proceeding in the direction primarily received from the DOT, it's a matter of working on  
355 some design concerns the DOT has in regard to impact to the neighbors and if they can't  
356 work them out, they won't be in a position to get a permit, so they have to deal with those  
357 issues.

358  
359 Mr. Hollis went on to talk about the second request in his letter of March 2, 2023, that they  
360 want to add the words **"changes to the driveway design as may be required by the**  
361 **New Hampshire Department of Transportation for the issuance of a Driveway**  
362 **Permit and approval of the mitigation with Route 125 may be processed as an**  
363 **administrative review;"**  
364



Mr. Hollis gave a scenario that if the DOT tells them they have to move the driveway slightly from the site plan approval location, then the normal process would be they would have to go back to the PB and the PB would have to be involved with the decisions on this. This is a singular jurisdictional area where the DOT would decide where the driveway cuts will be.

Mr. Hollis said that they are not seeking to change any other Conditions of Approval.

**Town Planner comments:**

Mr. Greenwood said that it is a legitimate request, however, he had a concern with the secondary request as an administrative review. If there was a lot of change that ended up impacting the stormwater management, he would be less comfortable with this being an administrative review. If there is a substantial change there would have to be a public process.

Mr. Hollis spoke and said he'd like to remove this second request. He said they will be back to the PB if the DOT requests that they make a driveway change.

**Town Engineer comments:**

Mr. Quintal explained that he does not advise the Board to allow the work to begin on the site. The Town could certainly require a Bond for all the work to be done on the site. He said he would be uncomfortable with this too but it is an option for the Town to consider.

Mr. Hollis mentioned to the Board that this project will take approximately two (2) years from the start of construction, and 2 /12 years from site plan. He said they are trying to time this so that the off-site mitigation occurs and is completed, and the building is also complete.

**Board comments:**

Mr. Bashaw stated the entrance is part of the driving force of the stormwater management and protections for the aquifer that had to be put in place. If construction begins and the DOT requests the driveway to be shifted the applicant's new plan would require different protection requirements. If the lands have already been disturbed, then there is no one overseeing this to ensure that the applicant complied with the new entrance requirements. The fact that this is taking so long with DOT raises concern that there could be substantial changes that may need to go back to the Board, including engineering review.

Mr. Hollis explained they have a wetlands permit that is going to expire soon and that perhaps the Board would consider allowing them to fill in some wetlands. Mr. Bashaw said he would need to see some review from the engineer to see where that particular wetland is in relation to the entrance. Mr. Bashaw, added that this is such a large-scale project.

Mr. Tersolo questioned that it appears from the statement "within 1 year of the date of the conditions of approval" that this appears to be an open-ended project. Mr. Hollis explained that they have a 1 year extension for all conditions of approval which was granted by the

Board and expires at the end of February 2024. It's their intent to get the DOT permit satisfied before then. Mr. Hollis said they are not looking to continue anything beyond next year.

**Public comments:**

Public comments opened at 7:35 PM.

Mr. Coffin explained to the audience that when they approach the microphone to state their name and address and limit their conversation to no more than three (3) minutes. Comments must be directed only to this request to amend the Conditions of Approval on the topic that has been brought forth tonight.

Richard Tracy, 17 Monarch Way brought up the fence with an acoustical barrier. Before any construction would start, he'd like to see the construction of the fence and 50' of plantings take place to help divert the noise of the construction.

Paul Laliberty, 23 Castle Court. Mr. Laliberty said he doesn't believe that this project should be started without DOT approval.

Jocelyn Lavoie, 17 Castle Court spoke and said this is such a sensitive environmental area. When they start moving land this will change the eco system. If DOT has issues and they have to stop the project, then they have impacted this parcel. Anything that impacts the stormwater should have to go back to the Planning Board.

Mike Norton, 49 Little River Rd. brought up that the DOT is concerned about traffic and how it affects the traffic flow on Rte. 125. If the DOT has certain requirements for this project the applicant should follow them for safety reasons.

Bob Magnusson of Brentwood spoke and was there to represent the Magnusson Farm and Phyllis Magnusson Trust on Rte. 125. He said it would be a poor precedent for the Board to allow this construction to proceed without knowing what the DOT might approve.

Bob Marley, 20 Monarch Way commented that it is reckless to start this project without DOT approval/permits.

Walter Dehart, 16 Monarch Way brought up the discussion earlier that there was back and conversation between the DOT and the applicant and that the DOT has good reasons for their comments to the applicant for this project.

Paul Laliberty, 23 Castle Court spoke again and asked if the EPA has been involved with any of this project. He commented that the EPA has not been notified for a project of this size. Mr. Coffin explained that the applicant would go to NH DES and whether DES has a requirement to follow any regulations in regard to involving the Federal Government, that would be a question for the DES. Mr. Bashaw brought up that the DES is the State's version of the EPA and if there was a project that would alert at the State level that would require notification of the Federal EPA, he believes it would be triggered at the DES. Mr.

Laliberte said he spoke to the EPA and they felt they should be involved in this project. Mr. Coffin said that this is outside the scope and Mr. Laliberte is welcome to pursue this with the EPA.

Public comments were closed at 7:50 PM.

#### **Board comments:**

Mr. Coffin commented saying it has been a long time with DOT and his concerns are that if DOT produces a plan that is acceptable to them but is too expensive to make this project viable then and the Board has allowed construction to go ahead and the project is abandoned. Or if after 3 or 4 years the political or economic climate has changed the people who invested in this project no longer want to consider it. He mentioned that even if this is done at the applicant's risk, they have had projects a lot smaller where they started and couldn't be completed. The Town probably couldn't bond the amount of money it would take to restore this parcel if something happened. The Board does not have any control over the DOT, these are two (2) State highways that this property is between. The DOT controls the entire access and traffic patterns. Mr. Coffin said that the Board would be starting a precedent to allow construction before the Conditions of Approval have been met.

**Motion made by Mr. Bashaw that the Kingston Planning Board deny the consideration for the amendments to the Conditions of Approval for the applicants site plan application as detailed on the notice regarding site 266 Rte. 125, LLC at 266 Rte. 125, Kingston, NH Map R41 Lot 17-1. Seconded by, Mr. Padfield. A vote was taken, all were in favor, the motion passed.**

*<Board note: This hearing ended at 7:55 PM.>*

#### **BOARD BUSINESS**

#### **Approval of the February 21, 2023 Minutes:**

**Motion made by Ms. Duguay to accept the 02/21/2023 minutes as written. Seconded by, Mr. Bakie. A vote was taken, all were in favor, the motion passed.**

#### **Election of Officers:**

**Motion made by Mr. Bashaw to postpone the election of officers until the April 4, 2023 Planning Board meeting. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed.**

#### **Fieldstone, 34 Rte. 125, Map R2-13:**

Mr. Greenwood brought up that the Building Inspector asked him to bring these requests before the Board. He explained that these are individual commercial condo units.

- 1) Unit 1. CPM Properties, LLC would like to store cars using a lift system that would stack three (3) cars high. Mr. Greenwood brought up to the Board, because these are not disabled vehicles does the PB want to do a site review. The Board asked if the Fire Department was aware of this. The business owner, Paul Murcherheide,

was in the audience and provided some more details. He explained that half of the business was a residential cleaning service and the other half, he would like to store classic/muscle cars. He stated that there is no automotive maintenance. He explained he does hydro shield, a residential cleaning service. This is C3 zoning, each unit should get a Certificate of Occupancy, and each new business has to be listed as a permitted use in C3. Mr. Coffin requested that the owner submit an Application for Business Occupancy Permit and the Board will determine if it is compatible with the use. Mr. Greenwood said that there is nothing in permitted uses that would deny this.

2) Unit 6. WAS Realty LLC submitted an Application for Business Occupancy Permit to the Building Department for office space for an asbestos removal company. There will be no asbestos on site. The Board stated that no asbestos can be kept on site or brought onto the property. Copy of this application to be provided to the Board.

3) Unit 3. Application for Business Occupancy Permit from Ultimate Glass Services, LLC. This is a permitted use.

**Motion made by Mr. Bakie that no further review is necessary of the Ultimate Glass Services, LLC application for 34 Rte. 125, Unit 3. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed.**

#### **Galloway, Roadstone Rd., Map R3-18:**

Mr. Greenwood mentioned that they would like to add a batch house building to the lot. The size has doubled from the original size on the site plan. An amended site plan application will have to be submitted to the Board. Mr. Greenwood will follow up with them.

#### **Registry of Deeds:**

Mr. Greenwood brought up that the Registry of Deeds has been recording site plans, subdivision plans, and condominium site plans with no Planning Board approval sign off on them. Plans are being recorded without our knowledge that end up creating issues. Mr. Greenwood would like to contact the Registrar and ask what the Board can do to help avoid this situation.

#### **Welcome to new Board member Rob Tersolo:**

Mr. Coffin introduced Mr. Tersolo and the Board welcomed him as a new member.

#### **Change of time for the official start of Planning Board meetings/hearings:**

Ms. Duguay asked the Board if they would consider changing the start time of Board meetings/hearings from 6:30 PM to 6:45 PM to accommodate her work schedule.

**Motion made by Mr. Bakie to change the start time of the PB meetings to 6:45 PM to relax the after-work activities to arrive and be more in tune with members schedules. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed.**

**ADJOURNMENT**

**Motion** made by Mr. Padfield **to adjourn the meeting at 8:30 PM. Seconded** by, Mr. Bakie. **A vote was taken, all were in favor, the motion passed.**

**\*\*Next Public Meeting is scheduled for Tuesday, April 4, 2023. Subject to change.\*\***

Minutes accepted as amended on April 18, 2023:

- Pg. 7, line 292 – change seven (7) to two (2)
- Pg. 10, line 455 – add an “ ‘ ” to State’s