

1 KINGSTON PLANNING BOARD

2 MAY 2, 2023  
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 Peter Bakie Rob Tersolo  
10 Robin Duguay, Vice Chair Peter Coffin  
11 Chris Bashaw, BOS Representative Steve Padfield

12  
13 **ALSO PRESENT:**

14 Glenn Greenwood, Town Planner  
15 Robin Carter, Land Use Admin.

16  
17 Ms. Merrill introduced the Planning Board ("PB" or "Board").

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19 **Board Business**

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21 **Proposed plan to handle additional solid waste costs for ADU's:**

22 Phil Coombs, Director of Public Works, Town of Kingston spoke to the Board regarding  
23 trash and recycling receptacles and proposed a plan to address the additional costs for  
24 an Accessory Dwelling Unit (ADU). Under the new Waste Management contract, the  
25 Town now has quantifiable costs on what an additional ADU or house generates.  
26 Currently \$687 is charged for an additional trash can based on the 5-year cost of disposal  
27 and \$70 for the barrel itself. Recycling is just the cost of the barrel.

28  
29 Mr. Coombs and the Board discussed that a possibility of capturing this expense upfront  
30 is to add \$140 to the impact fee schedule for a new ADU or any additional housing unit  
31 on a property that may want a barrel (recycling and trash). This would offset the expense  
32 for the solid waste service that wouldn't be included in the calculation for the current  
33 budget year. Mr. Greenwood explained that what is being assessed is a finite number for  
34 an actual capital expenditure and this should be ok. The Board recommended that Mr.  
35 Coombs bring this to the Board of Selectmen for further discussion and decision.

36  
37 **Approval of Minutes:**

38 **Motion made by Mr. Coffin to accept the 04/04/2023 minutes as written. Seconded**  
39 **by, Ms. Duguay. A vote was taken, all were in favor, the motion passed. (7-0-0)**

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41 **Motion made by Ms. Duguay to accept the 04/04/2023 non-public minutes as written.**  
42 **Seconded by, Mr. Coffin. A vote was taken, Mr. Padfield abstained, the motion passed.**  
43 **(6-0-1)**

45  
46 **Correspondence:**  
47

48 **266 Rte. 125**

49 Dennis Quintal of Civil Construction Management provided a letter to the Planning Board  
50 regarding an update on the septic systems at this property.  
51

52 **Motion for Intent to Excavate**

53 A Motion for Intent to Excavate for a property owned by Centerview Hollow, LLC on Small  
54 Pox Rd. was submitted to the Town and discussed at the Planning Board meeting. The  
55 new form is being provided because the ownership changed for the property and they  
56 want to make sure the Town agrees that the excavation that is being requested is the  
57 same as before, prior to proceeding with any new excavation.  
58

59 Planning Board decided that this should go to Dennis Quintal, Town Engineer, for review  
60 and to check the details on the Bond including making sure the road is being maintained  
61 accordingly. Upon completion of Mr. Quintal's review, a written report should be submitted  
62 to the BOS for final review and approval. Mr. Greenwood will talk with Paula Mahoney,  
63 Finance Director regarding the Bond and get back to Centerview Hollow. **[AI. 1-**  
64 **05.02.2023].**  
65

66 **Board Business Cont.:**  
67

68 **Site Walk at 186 Main Street, Housing Development, Inc.**

69 Ms. Merrill reminded the Board that there is a site walk scheduled at 186 Main Street on  
70 May 13, 2023 at 8:00 AM. A notice has been posted on the Town website for this site  
71 walk.  
72

73 **Historic District Ordinance review**

74 Ms. Merrill brought up that the Board previously discussed one of the goals for this year  
75 is looking over some of the zoning articles and putting forth recommendations as  
76 appropriate.  
77

78 Ms. Merrill looked over the Historic District Ordinance to see if it had any conflict with the  
79 Envision Kingston II proposal and there didn't appear to be any. Ms. Merrill mentioned  
80 some suggestions that had to do with logistics.

- 81 • Article 102.4 - The Board discussed the definition of mobile homes vs  
82 manufactured homes.
- 83 • Manufactured homes: there are two types, one is a mobile home, and one is  
84 modular. They both arrive at the site the same way. Mr. Coffin brought up that  
85 there are two different building codes for the two types.
- 86 • Mr. Bakie commented that there are 3 different definitions found in the Town  
87 ordinances. The Board referred to Article Preamble II: Definitions, Section B, #14,  
88 18 and 24.  
89

- Mr. Greenwood suggested that the definitions for the units be redefined somewhere in the ordinances and bring them up to date with current standards; separate from where it is mentioned in the HD ordinance. Mr. Greenwood will draft this and bring it to the next Board business meeting. **[AI. 2-05.02.2023]**
- Ms. Duguay referred to a portion of #18 in the Preamble II: Definitions, Section B. It reads ... "in sections which may be temporarily or permanently affixed to real estate." And that since this refers to permanent structures, the word temporarily should be removed.
- Ms. Merrill read other recommendations from her handout.

This discussion was to begin the process of outlining ideas for modifications to the HD ordinance. The Board noted that any formal recommendations and changes should be in conjunction with the Historic District Commission (HDC). The Planning Board will reach out to the HDC and see if they would like to attend the June 6<sup>th</sup> PB meeting to review this ordinance together. A copy of the handout outlining the topics discussed should be sent to the HDC. **[AI. 3-05.02.2023]**

#### **Summit Distributing, LLC., 249 Rte. 125, Map R40-15&16**

Mr. Coffin and Mr. Greenwood brought up that the Summit Distributing, LLC application is on the agenda for the next PB hearing (May 16, 2023). Mr. Greenwood said that the Board should consider whether or not they want to declare this project as having regional impact (DRI). The statute requires the Board make a decision on this matter. Mr. Coffin explained that the Board needs to evaluate this on a series of criteria and should be done before the hearing because technically the hearing shouldn't be held until this decision has been made. He commented that the RPC and whatever communities are affected need to be notified.

The criteria to determine if regional impact exists is development of regional impact under NH RSAs 36:54 through 36:58. Local land use board is defined in RSA 672.7. Mr. Coffin read the text below found in the DRI RSA.

"A local land use board, as defined in RSA 672:7, upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact. "Development of regional impact" means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock.
- II. Proximity to the borders of a neighboring community.
- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.

132 V. Proximity to aquifers or surface waters which transcend municipal  
133 boundaries.  
134 VI. Shared facilities such as schools and solid waste disposal facilities.

135 Mr. Coffin noted that this property is in the vicinity of the aquifer protection zone.  
136 Brentwood is in the area of the 249 Rte. 125. Little River flows into Brentwood. The  
137 Board discussed if Little River flows into other neighboring towns. East Kingston was  
138 brought up; the Board didn't believe it went into East Kingston. Mr. Greenwood said he  
139 could check into this further. The RPC and Town of Brentwood should be notified and  
140 granted abutter status.

141 Mr. Bashaw referenced the section of the RSA that talks about noticing. "At least 14  
142 days prior to public hearing, the local land use board shall notify, by certified mail, all  
143 affected municipalities and the regional planning commission of the date, time, and  
144 place of the hearing and their right to testify concerning the development."

145 Mr. Coffin mentioned that the ZBA will also have to hold a meeting to determine if the  
146 Summit Distributing, LLC ZBA application has regional impact.

147 **Motion made by Mr. Coffin to make the determination of regional impact for the**  
148 **Summit Distributing, LLC plans for the filling station in Kingston based on criteria**  
149 **in RSA 36:54 – 36:58. The community that has been identified as being impacted is**  
150 **Brentwood, N.H. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the**  
151 **motion passed. (7-0-0)**

152 **ADJOURNMENT**

153 **Motion made by Mr. Bakie to adjourn at 7:55 PM. Seconded by, Mr. Coffin. A vote was**  
154 **taken, all were in favor, the motion passed.**

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156 **\*\*Next Public Hearing/Meeting is scheduled for Tuesday, May 16, 2023. Subject to**  
157 **change.\*\***