

1 **KINGSTON PLANNING BOARD**

2 **JANUARY 2, 2024**  
3 **PUBLIC MEETING**  
4 **MINUTES**

5 Ms. Merrill called the meeting to order at **6:47 PM**; there were no challenges to the legality of the  
6 meeting.

7  
8 Ms. Merrill introduced the Planning Board ("PB" or "Board").  
9

10 **PLANNING BOARD MEMBERS PRESENT:**

11 Lynne Merrill, Chair Peter Bakie  
12 Robin Duguay, Vice Chair Peter Coffin  
13 Chris Bashaw, BOS Representative Rob Tersolo

14 **ABSENT:** Steve Padfield  
15

16 **ALSO PRESENT:**

17 Glenn Greenwood, Town Planner  
18 Robin Carter, Land Use Admin.  
19  
20

21 **PUBLIC HEARING**

22  
23 **Major Sanborn Seminary, LLC**  
24 **178 Main Street**  
25 **Map R34 Lot 17**  
26

27 **Design Review Application** to review the proposed conceptual plans to develop the property.  
28

29 Ms. Merrill explained to the audience what a design review is. It is an opportunity before a  
30 formal application is submitted for an applicant to come before the Board to give an idea of what  
31 the applicant is working on and gather feedback from the Board. Ms. Merrill gave an overview of  
32 the public hearing process.  
33

34 **Applicant:**

35 Paul Goodwin, Senior Development Manager for Chinburg Properties, presented on behalf of  
36 the applicant.  
37

38 Mr. Goodwin mentioned that this plan has been in the works for a while. Some of the  
39 background on the work done to date is:

- 40 ▪ They purchased the property in 2020 or 2021 from the SAU.
- 41 ▪ The site includes Swasey Gym which is leased back to the SAU for recreational  
42 purposes and is integral to the plan being presented.
- 43 ▪ They have worked with the Historic District Commission (HDC) in devising the plan, they  
44 have had 5 working sessions and their feedback is critical. Their feedback is considered  
45 in the plans.
- 46 ▪ The zone is Historic District I.

- They hit a number of roadblocks in getting the project off the ground. Some obstacles are interest rates being up is a big one that is sort of prevailing in the market. The other is early miscalculations with the septic design which required them to start over. They have been working with different consultants and the SAU to figure out how they can achieve the septic loading required here, which will require off-site septic rights be purchased or leased for the benefit of the site.
- They have received 79-E revitalization tax relief incentive for the site. He believes they have committed to 10% of the project as affordable and 80% median income for working families to afford, in general.

Mr. Goodwin stated that they wanted to get in front of the Board and get feedback so they can start finalizing plans for submission later this year.

Mr. Goodwin put a conceptual plan up on the overhead. He noted that the site is really driven around the historic Seminary building, and in its current state, restored without major alteration. It is a registered historic building. They fully anticipate to restore this and Chinburg has a deep expertise in adaptive reuse of historic structures. They have an eye for historic restoration and intend to apply that eye with care on the Seminary, this is important for the site and is what attracted them to the site. He mentioned that they own at least 16 different mill complexes in Vermont, Maine and NH. They are familiar with historic tax credits and the scope of work that is required for this that is regulated through the Department of Interior and the National Park Service. However, they are not doing historic tax credits here.

- Mr. Goodwin commented that the Seminary is not large enough to accommodate the amount of apartments required to make a project of its restoration feasible.
- They originally anticipated using the existing Science building to be converted into apartments and for a number of reasons proved to be infeasible. They will essentially be taking down the Science building largely in its footprint and constructing a new 3-story apartment building.
- The plan will require an updated septic system, new well and upgraded parking facilities.
- In working with the HDC one thing they talked about is wanting to maintain the Main Street retore and campus like feel to the site.
- They are proposing a total of 5 single family homes. Four (4) along Main St. and one along Church St. This is to create the campus like feel and create a visual screen along Main St. for what is a larger than average building located in the center of the site.
- Their intent is to try and keep the tree line iconic to the site, particularly along the main access. They anticipate keeping the site open to the public for walking, community activities as they currently exist. Keeping the gym for the SAU's and Town's use to the extent that the SAU coordinates that.

Mr. Goodwin put up a conceptual drawing and described the buildings and the campus.

- Mr. Goodwin mentioned that they are anticipating about 15 apartments in the Seminary and about 65 in the new structure for a total of 80 one bedroom or studio apartments. This number may vary some depending on the final architectural design and septic loading. They do anticipate having two-bedroom apartments but will figure those details in the end and the unit count will drop. They are showing 80 apartments which is realistically probably 72 apartments in total because eventually they will have some two bedrooms. This will all depend on the final septic design.

- They are proposing to maintain the historic fence.
- There are a number of trees on the site that they will identify and protect. This was part of the conversation with the HDC.
- From the Church St. view the new apartment building will be 4 stories because of the grade change and 3 stories on Main St. side.
- They are working with the HDC talking about material and color palette.

**Board comment(s):**

Mr. Bakie asked if there was a time offer for the use of the gym that was originally mentioned to the Town? Mr. Goodwin commented that he believes it is a 5-year lease with options to renew. From their perspective they do not even want to own it. He noted that they offered to sell it back to the SAU and they said, no thanks. So as long as the SAU wants to lease it, is the answer. If the Town or SAU want to buy it back, they may be open to that.

Ms. Merrill read the informal comments from Evy Nathan of the Conservation Commission (CC). The Conservation Commission isn't meeting until Jan. 11. Ms. Nathan shared her personal knowledge of the area and from looking at the plans that there would probably be comments and questions about the wetland and stream buffer from the CC. She believes there is a vernal pool present. There has been some degradation to the buffer in the past by dumping of asphalt on school ground debris, this may or may not be an issue at this point. The CC would like to ask for a site walk if the plan moves forward. There will be considerable buffer hurdles for this plan to be approved. Ms. Merrill noted to the applicant the fact that we are looking to make sure wetland buffers are in place.

Mr. Greenwood asked Mr. Goodwin if there was any time frame for the Science building demolition. Mr. Goodwin said that the demolition of the Science building will need to occur by the end of this year. He did not have a firm schedule but would anticipate late summer to fall. Mr. Goodwin brought up that another step they have taken in the proceeding 2 years is working with the Town to receive Invest in NH grant money for the demolition of the Science building. This grant money needs to be used by the end of 2024.

Mr. Greenwood mentioned that the septic is going to be very important to the Planning Board as well as determining what the exact final count of unit details is so can work out things like parking.

Mr. Greenwood confirmed that the single-family residences will be condoized, and that there will not be any subdivision activity. Mr. Goodway said, correct. Mr. Goodwin said they are assuming that the condo association would include different entities as different members of the condo association. Mr. Merrill noted that the Town attorneys will want to look at the condo docs when they are prepared. Mr. Goodwin asked if this was typically a condition of approval. Ms. Merrill acknowledged that it is and suggested the earlier they get working on that it is helpful.

Ms. Merrill commented that she was pleased to see that they were putting 10% aside for affordable housing.

Mr. Bashaw brought up that when this was voted on, the SAU's concern was the Seminary building being on the National Historic Registry was falling in a continuous disrepair but when

the SAU had vacated the building they lost all their grandfathering provisions to go back in there to use it as SAU offices or anything unless they brought it up to ADA compliance which would have been millions and millions of dollars to just try and use it as an office space. It was important at the time that the Towns of Kingston and Newton both voted to allow the SAU to engage in, in particular the offer to go to the applicant's company because of the specialization in restoring and maintaining historic buildings, understanding that they needed to create a project, understanding that they are in the business of making money, but an opportunity to restore the Seminary is a positive thing for the community.

Mr. Coffin referred to the shaded rectangular areas on the plan and asked if they refer to the septic. Mr. Goodwin replied that they are the diagrammatic leach fields. Each of the single-family homes will have their own and one of the major issues they had in the early work is that NHDES has gotten more rigorous in their regulations on septic design. They were caught up in this transition of policy and there is additional coordination around nitrate plumbous that make the site less efficient than it would have been under a different policy.

**Public comment(s):**

Public comment opened at 7:11 PM.

Al Magnusson, 10 Cottage Street –

- Mr. Magnusson mentioned that everything looks nice. His first concern about this is how one of their other sites looks in Exeter at the High Street, Portsmouth Ave. intersection. He commented that it is a mess and worried that this project is going to look tight and messy. It looks kind of spread out on the conceptual but concerned about it being so compact.
- Mr. Magnusson brought up that there will be 100 to 160 people living here and he did a conservative estimate on water use and there is no water on this property. So he is concerned where they are going to get a million gallons a year. Mr. Goodwin replied that his occupancy calculation is a little high. Mr. Goodwin mentioned that we are working with the SAU to locate a place for the well. Mr. Magnusson said that it is right next to his house, so is there anything protecting his well if the big well takes his well down. Mr. Goodwin said that any new well would need to meet state regulations so that would all be regulated by the state placement. Mr. Goodwin noted that the current plan is that existing well is going to continue to serve the gym. A new well will be created and not on the Chase field site most likely. Mr. Magnusson asked if the septic areas will be big enough to accommodate everything. Mr. Goodwin said they are working with consultants to make sure that this is compliant with state regulations to ensure that the treatment is of a high quality.

Ms. Merrill spoke and said that is something that the Planning Board would be very involved in.

- Mr. Magnusson asked what it means for off-site septic. Mr. Greenwood commented it will be over at the Bakie school parcel. Mr. Goodwin stated that all of the septic loading is going to be occurring on their property, all of it fits on the property. The soils can accommodate it and meets all the regulatory requirements. For paperwork purposes they essentially need a larger land area for the calculations to work so they need to buy

or lease, somehow get rights to a larger land area to meet the calculations. They will be treating their septic systems here and are going to be specifically designed to meet all the requirements within their footprint and will simply have paper rights hopefully at the Bakie site to meet their requirement for calculations. There will be no wastewater pumped offsite.

- Mr. Magnusson mentioned that they are going to take down one of the most beautiful trees in Town, it's a New England specialty. He'd call it a signature tree that should be maintained. As an ecologist conservationist it should be kept there.
- Mr. Magnusson described the current condition of the Seminary building with having broken windows and that the birds keep flying in and out of it. It should be better maintained and would like to see it cleaned up a little bit so that it looks nice when he walks around there. Kids were breaking into the science building and that took a long time to get this taken care of.
- He mentioned that with all the people there, there is going to be dogs and how is the dog waste cleanup going to be handled. Mr. Goodin said he does anticipate that there will be a fair amount of dogs and be sure that on a site this big will have a specific area for a dog run with bags. Mr. Magnusson commented that is good and makes sense.

Tamara Hamer, 149 Main St. –

- Ms. Hamer asked if the building will have ADA compliance and elevators. Mr. Goodwin said that it is not economically feasible in the Seminary building. The new building will have an elevator and ADA units so that the 2 buildings working together will have a compliant number of compliance units for accessibility.

Public comment closed at 7:20 PM.

There were no further comments from the Board.

*<Board note: this hearing ended at 7:20 PM>*

## **PUBLIC HEARING ON PROPOSED 2024 ZONING ARTICLES**

*<Board note: Zoning article hearing began at 7:21 PM>*

Ms. Merrill mentioned that these are the last 5 proposed 2024 zoning warrant articles.

**The Board voted on the remaining 5 proposed warrant articles for the 2024 ballot:**

### **1. Article PREAMBLE II: DEFINITIONS, B. DEFINITIONS – “Family” Replace the current definition of family with the following:**

Ms. Merrill read the proposed definition of “family”.

**“13. Family: For the purposes of the Kingston zoning ordinance the term “family” refers to those individuals that constitute the occupants of a single dwelling unit.”**

**Board comment(s): None**

**Public comment(s):**

Public comment opened and closed at 7:22 PM. There was none.

Board discussion: None

**MOTION** made by Mr. Bakie to move Article Preamble II: Definitions, to add a new definition of #13. "Family" to the ballot. Seconded by Ms. Duguay. A vote was taken, all were in favor, the motion passed. (6-0-0)

**2. Article 102: HISTORIC DISTRICT, Section 102.5 DESCRIPTION AND PERMITTED USES, A. HISTORIC DISTRICT I, 2.**

**Amend Article 102.5 A.2 to read as follows:**

Ms. Merrill read the proposed language.

"Every building lot in Historic District I that has a dwelling or dwellings thereon shall not have more than one additional structure for use as permitted in accordance with Article 102.5.1. The only instance where two dwellings are allowed to be in separate structures is when one of these is an accessory dwelling unit (ADU) approved to be in a stand-alone structure (i.e., garage, barn, carriage house or other structure). See Article 206 for ADU definitions and requirements."

**Board comment(s):** None

**Public comment(s):** Public comment opened and closed at 7:23 PM. There was none.

Board discussion: None

**MOTION** made by Ms. Duguay to move Article 102 Historic District, Section 102.5 Description and Permitted Uses, A. Historic District I, 2. (102.5, A.2) as amended to the ballot. Seconded by Mr. Bakie. A vote was taken, all were in favor, the motion passed. (6-0-0)

**3. Article 110: COMMERCIAL ZONE C-III, Section 110.3 PERMITTED USES, O.**  
**Amend Article 110 Commercial District III, Section 110.3 Permitted Uses, O.** by adding "Warehouses" to read:

Ms. Merrill read the proposed language.

"O. Wholesale Businesses **and Warehouses**"

**Board comment(s):** None

**Public comment(s):** Public comment opened and closed at 7:25 PM. There was none.

Board discussion: None

**MOTION** made by Ms. Duguay to move Article 110: Commercial Zone C-III, Section 110.3 Permitted Uses, O. Wholesale Businesses and Warehouses (110.3, O.) to the ballot as amended. Seconded by Mr. Bakie. A vote was taken, all were in favor, the motion passed. (6-0-0)

288 **4. Article 206: ACCESSORY DWELLING UNIT ORDINANCE, Section 206.4. ADU**  
289 **REQUIREMENTS, E.**  
290 **Amend Article 206 Accessory Dwelling Unit Ordinance section 206.4 ADU Requirements,**  
291 **E. to read as follows:**

292  
293 Ms. Merrill read the proposed language.

294  
295 “E. The size of the ADU shall not be smaller than 600 square feet. The maximum size of the ADU  
296 shall not exceed 50% of the size of the Gross Living Area, aka GLA (heated or air-conditioned  
297 space), as defined in the Town’s tax card, of the primary single-family dwelling. In cases where  
298 the ADU is attached to the existing home, internal renovations are not permitted to result in the  
299 new ADU being equal in size to the original dwelling unit. The original dwelling unit must be larger  
300 in square footage so that the ADU remains accessory. Single family dwelling units that are smaller  
301 than 1,200 square feet are not permitted to create an accessory dwelling unit. The reason for this  
302 is that an accessory dwelling unit in a structure smaller than 1,200 square feet would be more  
303 than 50% of the size of the existing structure and no longer deemed to be accessory to the primary  
304 unit.

305  
306 Accessory dwelling units located in a detached structure shall comply with these same size  
307 requirements.”

308  
309 **Board comment(s):** None

310  
311 **Public comment(s):** Public comment opened and closed at 7:27 PM. There was none.

312  
313 Board discussion: None

314  
315 **MOTION** made by Ms. Duguay to move Article 206: Accessory Dwelling Unit Ordinance,  
316 **Section 206.4 ADU Requirements, E. (206.4, E.) to the ballot as amended. Seconded by Mr.**  
317 **Bakie. A vote was taken, all were in favor, the motion passed. (6-0-0)**

318  
319 **5. Article 402: RECREATIONAL CAMPGROUNDS AND CAMPING**  
320 **This Proposed Ordinance will replace the current Article 402.**

321  
322 Ms. Merrill did not read the article (it was lengthy) and mentioned that the proposed article is  
323 available, and has been available, online on the Town website for the public to read. She explained  
324 that this article is completely replacing the current Article 402 (Campground Ordinance).

325  
326 She gave a few reasons for this; 1) is that we were currently out of date with the definitions and  
327 usage of this, and 2) we needed to cite where these could be located. Therefore, we have  
328 determined that recreational campgrounds and camping will be allowed in Commercial zones I, II  
329 and III; and Rural Residential zone. Also, in the ordinance, is that the land size has to be at least  
330 10 acres or more. This will also contain new language which says these are seasonal only and  
331 residents camping on the campground will not become Kingston residents while living on the  
332 campground. All of this was written by Town Counsel.

333  
334 **Board comment(s):**

335 The Board mentioned that campgrounds is mentioned in C-III but is being added as a permitted  
336 use.

Mr. Greenwood explained that this proposal does include a number of amendments to a number of different sections adding those permitted uses, but it is all going to be one warrant question on the ballot. So, it is all going to pass or all going to fail in March. This is done this way to make sure stuff wasn't added that wasn't getting passed somewhere else.

**Public comment(s):** Public comment opened and closed at 7:30 PM. There was none.

Board discussion: No further discussion.

(This language was posted on the Town website for public viewing and a hardcopy was made available at the public hearing).

"This provision is enacted to allow the placement of seasonal Recreational Campgrounds and/or Camping Parks within specific areas of the community, to provide standards for their use, and to promote growth of the Kingston economic base.

A. DEFINITIONS:

1. "Approved disposal system" means a system:
  - (a) Constructed prior to July 1, 1967; or
  - (b) Constructed in accordance with plans submitted to and approved by:
    - (1) The former New Hampshire water supply and pollution control commission; or
    - (2) The department of environmental services.
2. "Campsite" means a parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants.
3. "Campground owner" means the owner or operator of a recreational campground or camping park, or their agents.
4. "Dependent vehicle" means a recreational vehicle which does not have toilet and lavatory facilities.
5. "Individual sewage disposal system" means any sewage disposal or treatment system, other than a municipally-owned and operated system, which receives either sewage or other wastes, or both.
6. "Recreational campground or camping park" means a parcel of land on which two (2) or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency.
7. "Recreational camping cabin" means a structure on a campsite, 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.
8. "Recreational vehicle" means any of the following vehicles:



- 387 i. Motorhome or van, which is a portable, temporary dwelling to be used for  
388 travel, recreation and vacation, constructed as an integral part of a self-  
389 propelled vehicle.  
390 ii. Pickup camper, which is a structure designed to be mounted on a truck  
391 chassis for use as a temporary dwelling for travel, recreation, and  
392 vacation.  
393 iii. Recreational trailer, which is a vehicular, portable structure built on a  
394 single chassis, 400 square feet or less when measured at the largest  
395 exterior horizontal projections, calculated by taking the measurements of  
396 the exterior of the recreational trailer including all siding, corner trim,  
397 molding, storage space and area enclosed by windows but not the roof  
398 overhang. It shall be designed primarily not for use as a permanent  
399 dwelling but as a temporary dwelling for recreational, camping, travel or  
400 seasonal use.  
401 iv. Tent trailer, which is a canvas or synthetic fiber folding structure, mounted  
402 on wheels and designed for travel, recreation, and vacation purposes.  
403  
404 9. "Sanitary station" means an approved facility used for accepting and disposing of  
405 wastes from recreational vehicle holding tanks, portable recreation toilets, or  
406 portable sanitary service vehicles.  
407  
408 10. "Tent" means a portable canvas or synthetic fiber structure used as a temporary  
409 dwelling for vacation or recreation purposes.  
410

411 **B. GENERAL.**

- 412 1. Licensing. All recreational campgrounds and camping parks shall be properly  
413 licensed by State and other applicable government agencies.  
414  
415 2. Temporary Occupancy. No tent, trailer or recreational vehicle shall remain on the  
416 premises more than 100 days per year. The camping season shall be from May 1<sup>st</sup>  
417 through October 15<sup>th</sup>. No campground may be occupied during off-season.  
418 Temporary occupancy in a recreational campground shall not establish permanent  
419 residency in the Town of Kingston. No one shall be considered a resident of the Town  
420 of Kingston who uses as his local address a site in a recreational camping park.  
421  
422 3. Applications. The Planning Board shall have authority to accept applications, impose  
423 application fees, review site plans, and approve or deny applications for any new or  
424 proposed recreational campground or camping park and/or the expansion thereof.  
425  
426 4. Permitted Locations. A recreational campground or camping park shall be located  
427 only in a zoning district where it is classified as a permitted use or is permitted by  
428 Conditional Use Permit.  
429  
430 5. General Conditions. A recreational campground or camping park shall adhere to the  
431 following requirements:  
432  
433 a. Minimum Acreage. The Recreational Campground or Camping Park shall  
434 contain a minimum of ten contiguous acres.  
435

- b. Density/Campsite Size. The minimum campsite size for a recreational vehicle or tent shall be one thousand square feet (1,000 sq. ft.) and one thousand five hundred square feet (1,500 sq. ft.) for a cabin or cottage.
- c. Parking. Every recreational camping park shall have a suitable parking area large enough to accommodate one vehicle per campsite.
- d. Recreational Camping Cabin. The maximum size of a recreational camping cabin located in a Recreational Campground or Camping Park is 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.
- e. Restriction Against Permanency. No camper unit shall be installed on a camping site in such a way as to consider it permanent. This shall include but is not limited to the following methods.
1. No removal of tires.
  2. No removal of towing arms, hitches, etc.
  3. No mounting on blocks, except for the purpose of leveling.
  4. No skirting around the base of any camper unit.
  5. No porches or enclosed areas shall be attached to any camper unit unless the porch or enclosed area has been designed to be removed and packed for travel.
  6. All water, electric, telephone, and septic systems shall be disconnected from all recreational vehicle sites during off-season.
- f. Placement. No site within the recreational camping park shall be located within one hundred feet (100 ft.) of any boundary, except the waterfront boundary of the park. The minimum boundary setbacks may be reduced to as little as fifty feet (50 ft.) by Conditional Use Permit. All sites shall be set back from the waterfront boundary to comply with setbacks in the zoning district within which the campground is situated.
- g. Internal Setbacks. All setbacks within the campground or park shall be as follows:
1. Campsite perimeters shall be setback 30 feet from surface water and very poorly drained wetlands (unless larger minimums are established elsewhere in these regulations).
  2. Campsite perimeters shall be setback 50 feet from any permanent or incidental structure.
  3. Campsite perimeters shall be setback 10 feet from internal roads.
  4. Cabins or cottages shall be setback 20 feet from other cabins or cottages.
  5. Minimum campsite width shall be 15 feet.
  6. Minimum distance between Campsite perimeters shall be 12 feet. All other setbacks shall comply with setbacks in the zoning district within which the campground is situated.

- 486 h. Marking. Each site shall be clearly marked by non-removable metal stakes,  
487 clearly identifiable permanent vegetation, or other approved methods.  
488  
489 i. Permanent Residence and/or Office: One residential home/office occupied by  
490 the recreational campground or camping park owner or manager and his or  
491 her immediate family will be permitted. This building will be required to meet  
492 the full lot requirements for a single-family residence based on the Zoning  
493 District in which the recreational campground or camping park is located, as  
494 well as to comply with local building and other codes and regulations.  
495  
496 j. Shoreland Frontage Requirement. For parcels with water frontage, the  
497 minimum requirement for a recreational campground or camping park is 150  
498 feet of continuous shoreland frontage. Provided the parcel in question  
499 satisfies the minimum shoreland frontage requirement, the parcel shall  
500 contain no more than 12 campsites and/or recreational camping cabins. For  
501 each additional unit or camping cabin beyond 12, a minimum of 12.5 feet of  
502 additional continuous shoreline frontage is required.  
503

504 C. WATER SUPPLY AND WASTE DISPOSAL.

- 505 a. Water Supply. – An accessible, adequate, safe and potable supply of water shall  
506 be provided in each recreational campground or camping park. Where a public  
507 supply of water of sufficient quantity, quality, and pressure is available,  
508 connection shall be made to the supply and that supply shall be used exclusively.  
509 When a satisfactory public water supply is not available, a private water supply  
510 system may be used if approved by the department of environmental services.  
511  
512 b. Disposal System.  
513 (1) An approved disposal system shall be provided in all recreational  
514 campgrounds or camping parks.  
515 (2) Septage or wastewater shall be discharged from recreational vehicles  
516 into individual sewage disposal system connections, or sanitary  
517 stations.  
518 (3) Flush toilets or other approved toilet facilities, such as self-composting  
519 toilets or incinerating toilets, shall be provided in all recreational  
520 campgrounds or camping parks.  
521 (4) No recreational vehicle which is not a dependent vehicle (such as a  
522 pick-up camper, tent trailer, or van) shall be located in any camping site  
523 that does not have a proper hookup to an approved septic system. No  
524 individual holding tanks will be permitted.  
525 (5) The disposal of refuse in recreational campgrounds or camping parks  
526 shall be conducted in a manner that will prevent health hazards, rodent  
527 harborage, insect breeding, accident or fire hazards.  
528 (6) A recreational camping cabin which has water plumbed to it shall have a  
529 connection to an approved sewage disposal system.  
530

531 D. CAMPFIRES

- 532 a. Recreational campground or camping park owners or operators or their agents  
533 shall obtain a fire permit each year from the Kingston Fire Department.  
534

- b. All fireplaces in recreational campgrounds or camping parks shall be on an area cleaned to mineral soil at least 8 feet across. Where fires are built on the ground, there shall be at least 6 inches of sand or gravel under the fire.
- c. All tree limbs or other burnable material within a height of 10 feet above the fireplace area shall be removed.
- d. Fireplaces shall not be moved.
- e. Fire shall not be kindled except in fireplaces provided by recreational campgrounds or camping parks.”

- 
- Amend **Article Preamble II: Definitions, B., Definitions** by adding a new section 21, to read as follows:

**“21. Recreational Campgrounds and Camping Parks:** A parcel of land on which two (2) or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency.”  
*Subsequent sections to be re-numbered.*

- Amend **Article 104: Rural Residential District section 104.4 Permitted Uses** by adding a new **section L.** to read as follows:

**“L. Recreational campgrounds and camping parks.”**

- Amend **Article 108: Commercial Zone C-I, section 108.5 Permitted Uses** by adding a new **section P.** to read as follows:

**“P. Recreational campgrounds and camping parks.”**

- Amend **Article 109: Commercial Zone C-II, Section 109.5 Permitted Uses** by adding a new **section N.** to read as follows:

**“N. Recreational campgrounds and camping parks.”**

- Amend **Article 110: Commercial Zone C-III, Section 110.3 Permitted Uses** by adding a new **section W.** to read as follows:

**“W. Recreational campgrounds and camping parks.”**

*And*

Deleting **campgrounds from 110.3, H.**

- H. Commercial recreation establishments such as, but not limited to: indoor theaters, bowling alleys, golf courses ~~and campgrounds~~.

**MOTION** made by Ms. Duguay to move to replace the existing **Article 402: Campground Ordinance** with an entirely new **Article 402: Recreational Campgrounds and Camping** to the ballot.

In addition, move the following articles to the ballot as amended:

- **Article Preamble II: Definitions, B., Definitions** by adding a new **section 21**.

- **Article 104: Rural Residential District section 104.4 Permitted Uses** by adding a new **section L**.

- **Article 108: Commercial Zone C-I, section 108.5 Permitted Uses** by adding a new **section P**.

- **Article 109: Commercial Zone C-II, Section 109.5 Permitted Uses** by adding a new **section N**.

- **Article 110: Commercial Zone C-III, Section 110.3 Permitted Uses** by adding a new **section W**.

- **Article 110: Commercial Zone C-III, Section 110.3 Permitted Uses, H.** by deleting **campgrounds** from **110.3, H**.

**Seconded** by Mr. Bashaw.

*\*See Board discussion below -*

**A vote was taken, all were in favor, the motion passed. (6-0-0)**

*\*Ms. Merrill said that a question was brought to her today that asked how this article would apply to current campgrounds. In particular, they were considering the residential requirement. Mr. Bashaw explained that unless anyone had a preexisting approved use that allowed a residency requirement, which technically they don't, we are just making it clear that it doesn't establish residency and that was on the advice of Town Counsel. Because we had people staying at campgrounds then coming in to apply for Town welfare benefits that the Town was then obligated to provide them with because they were applying for through the Town of Kingston. Mr. Coffin noted that this is an important distinction that Mr. Greenwood has brought up before that pre-existing non-conforming uses have to be legal and approved. Mr. Coffin said that the ordinance already says that camping season ends October 15<sup>th</sup> and, therefore, any use of campgrounds outside of those dates wasn't legal. Mr. Bashaw mentioned that to his knowledge there are no campgrounds that are authorized to use it to claim residency already.*

*<Board note: Zoning article hearing ended at 7:33 PM>*

## **BOARD BUSINESS**

### **Correspondence:**

- **266 Route 125, LLC** – (266 RT. 125, R41-17-1)

Ms. Merrill read a letter from David R. Jordan, Vice President, Director of Project Delivery – Land Development from GPI dated 12/11/2023 regarding the proposed Warehouse Development, **266 RT. 125**. On behalf of 266 Route 125, LLC **requested an extension** of the timeframe for satisfaction of the Conditions or Approval for the subject project for one additional year to provide additional time that is needed to satisfy the conditions of approval. **"Specifically they are requesting a) a waiver of the 45-day extension limit in the regulations, and b) a 12-month extension to February 28, 2025."**

Board comments: Mr. Bashaw commented that the Board has granted numerous extensions for all sorts of reasons that are a much smaller scope of project. At the end of the day they are still spending a tremendous amount of money to ensure they comply with the standards the Board has ordered them to comply with. As long as they are making efforts with NHDES and NHDOT and actively working on it, it is appropriate to grant the waiver and extension for time period requested.

**MOTION** made by Mr. Bashaw to grant a waiver of the 45-day extension limit and grant an extension to February 28, 2025. Seconded by Mr. Bakie. A vote was taken, all were in favor, the motion passed. (6-0-0)

- **Invoice from Civil Construction Management, Inc.**, dated 12/22/2023 in the amount of \$525 for engineering consultant services for review of the proposed Stormwater Regulation changes provided by the Rockingham Planning Commission. **The Board approved this invoice.**

**Approval of the December 5, 2023 meeting minutes:**

**MOTION** made by Ms. Duguay to approve the 12/05/2023 minutes as presented. Seconded by, Mr. Coffin. A vote was taken, all were in favor, the motion passed. (6-0-0)

**Benevento Asphalt Plant - (1 Roadstone Drive, R3-18)**

Mr. Greenwood brought up that the Benevento asphalt plant. They came before the Board for a site plan review approximately 2 years ago when they did a renovation that increased the size of the operation. They also built a small lab for testing the materials required for the NH DOT and the MA DOT. The MA DOT now won't let them use the same testing facility as the NH DOT. Therefore, they would like to add to their small lab about 500 S.F. There is no change in impervious surface because the structure is already on the asphalt that exists there. This doesn't constitute a change in use and doesn't constitute a change to the site drainage. The Board could just approve for the sake of the need to do a building permit for this additional space. This is a mirror inspection area to what NH DOT requires so they can sell asphalt to both NH DOT and MA DOT.

**MOTION** made by Mr. Coffin that the Board considers this a natural expansion of the permitted use and will advise the building inspector that it's approved for the site plan. Seconded by, Ms. Duguay. A vote was taken, all were in favor, the motion passed. (6-0-0)

**2024 Zoning Warrant Articles for the ballot -**

- Mr. Greenwood distributed a copy of the draft ballot for the proposed zoning article for the Board's review and comments.
- The Board mentioned that there were no citizen petitioned zoning warrant articles that have been submitted.

**ADJOURNMENT**

Ms. Merrill called the meeting adjourned at 7:48 PM.

**\*\*Next Public Hearing/Meeting is scheduled for Tuesday, January 16, 2024. Subject to change.\*\***