

**Kingston Planning Board  
Public Hearing/Meeting  
Minutes**

**December 5, 2017**

The Chairperson called the meeting to order at 6:45 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Chair  
Carol Croteau  
Peter Bakie  
Chris Bashaw  
Ernie Landry, alternate

Peter Coffin, V. Chair  
Lynne Merrill  
Robert Pellegrino, alternate  
Ellen Faulconer, alternate/admin. assist.

Members absent: Mark Heitz, BOS rep.

Also in Attendance: Glenn Greenwood, Circuit Rider Planner

Mr. Coppelman announced the members present.

**Public Hearing: Amend Driveway Regulations and Planning Board Procedure**

Mr. Coppelman reviewed the items being heard this evening explaining that these items had been previously reviewed by the Board and moved to a public hearing for discussion and adoption; this is a continuation from the November 21<sup>st</sup> hearing.

First item: Amendment to the Driveway Permit Regulations, Article 901 to comply with the State Fire Code: Add 901.2 (C) #8: Driveways must be in compliance with the current State Fire Code regarding "Fire Department Access and Water Supplies". Mr. Coppelman noted that there was no public present. Ms. Merrill asked if the language in the Fire Code might create a conflict with the current regulations. Ms. Faulconer said that both the Fire Chief and Road Agent recommended adopting the language as informative to the public; whether the Town adopted it or not, the driveways would need to comply with the State Fire Code; adding this language just lets people know about it. Mr. Pellegrino said that it was tough to go along with the 10% slope and it should be changed; he was reminded that that requirement already existed and was not being changed this evening; any changes to it would require proper notification. Notification procedures were explained to Mr. Pellegrino. Mr. Coppelman added that it was a regulation; Mr. St. Hilaire is the agent acting on the Board's behalf; the Planning Board can waive regulations as needed. Mr. Coffin suggested that the Board could adopt this language and then deal with any conflicts that were found elsewhere. Mr. Bashaw said he was comfortable with moving forward as the Planning Board can always adjust and waive the regulation. Ms. Faulconer will get the language from the Fire Chief for the Board's review to confirm that it does not create conflict in other aspects of the ordinances/regulations.

**MM&S to adopt the changes to the Driveway Permit regulations as presented and posted.**  
(Motion by Mr. Coffin, second by Mr. Bashaw) **PUNA** (Passed unanimously)

Second Item: Policies and Procedures: 2.0 Officers and Duties; Mr. Coppelman explained that this was to codify the Board's election process and read the amendment as shown in "red" on the hand-out. Mr. Coppelman noted that there was no public present for this hearing. Mr. Bashaw reviewed the previous procedure; this had been discussed as a better option so that anyone could put their name or another member's name forward for Chair or Vice-Chair. Mr. Coppelman added that it had been done this way this year and the Board decided to adopt the procedure; he clarified that Chair and Vice-Chair are voted separately.

**MM&S to accept the amendment to the Board's Policies and Procedures as posted.**  
(Motion by Mr. Bashaw, second by Mr. Coffin) **PUNA**

### **Board Business**

#### **Correspondence:**

- Fit Body Transformations at CT Plaza received the letter from the Board and has applied for a Business Occupancy Permit (BoP); Mr. Coppelman read the email from Pearla Phillips regarding the activity for the business: M-Th from 5 AM to 8 PM, F – 5 AM to 5 PM, Sat 7 AM to Noon, Sunday – closed. Mr. Coppelman asked if there was any need for any further review from the Board. Mr. Coffin said it was similar to the physical therapy operation that had been there. Ms. Merrill suggested a letter to the plaza owner reminding him that new tenants needed a BoP and needed to contact the Planning Board. The Board agreed that Ms. Faulconer should send this letter.

**MM&S that no further review is required for Fit Body Transformations per the information in the email dated 12/4/17.** (Motion by Mr. Coffin, second by Ms. Croteau)  
**PUNA**

- Questioned where the Town stood with the ECSI site; Ms. Faulconer will follow-up on this with the BoS.
- Budget received and reviewed
- Information received from NH Division of Historical Resources for 4 Marshall Road noting that no historical properties are affected.
- Letter from NH DES re: Alteration of Terrain (AoT) permit for 7 Marshall Road; the Board had no comment as Mr. Greenwood explained the State has a very strict process.

**MM&S to accept the November 7, 2017 minutes as written.** (Motion by Mr. Coffin, second by Ms. Croteau) **Motion carries 3-0-3** with Ms. Merrill, Mr. Bakie and Mr. Bashaw abstaining.

### **Projects Update**

The proposals worked on by Ms. Merrill and Mr. Greenwood were distributed; Mr. Greenwood added the Ms. Merrill had done the "heavy-lifting". Ms. Merrill reminded the Board of the previous discussion regarding next year's review of zones and that these changes were the "low-hanging fruit" for the Board to discuss for this year's warrant. She continued that these changes included removing some unusual, confusing language such as "public" garages. Mr. Coppelman

clarified the procedure for amending ordinances and that the vote from the Board would be to move to bring to a public hearing; the Board would vote at the public hearing whether to move it to the warrant. He added that this was not a public hearing for these changes, it was just the discussion. Mr. Greenwood stated that a lot of the changes were good; it streamlined and cleaned up the language a lot. Ms. Merrill reviewed the proposal.

#### **Article 107.3, Industrial Zone Permitted Uses:**

Ms. Croteau asked if repair shops as it currently exists mean any repair shops as she wanted to make sure that an existing use wasn't eliminated. To address this, the Board added "including, but not limited to, sales and repair" after "Tradesperson's shop" in proposed section "D".

Mr. Coppelman reviewed the proposed changes per the Board's discussion and proposed amendments:

- (A) Current language eliminated and changed to "Sale and repair of vehicles, boats, farm, industrial, construction equipment."
- (B) Current language eliminated and changed to "Retail, wholesale and warehouse facilities"
- (C) Current language eliminated and changed to "Care, treatment, training and boarding of animals."
- (D) Current language eliminated and changed to "Tradesperson's shops including, but not limited to, sales and repair."
- (E) Current language eliminated and changed to "Manufacturing, fabricating, or assembling plants"
- (F) Current language eliminated and changed to "Research and testing laboratories"; the Board noted that the Aquifer Protection Ordinance would take care of anything that might be hazardous.
- (K) Current language eliminated and changed to "Service and retail businesses"
- (N) Add this to the existing ordinance: Agricultural Businesses (this phrase may be reviewed and addressed again at the next hearing).

#### **Article 108.5 Commercial Zone I – Permitted Uses:**

The Board reviewed the proposed changes and discussed workforce housing and multi-family housing. There was discussion as to whether manufacturing "plants" should be included in a zone that was allowing smaller uses mixed with residential housing; the use could be included but scaling back the size so it was not a "plant" that was allowed in the Industrial Zone.

The proposed amendments as reviewed and amended for Article 108.5:

- (C) Current language eliminated and changed to "Tradesperson's shops including, but not limited to, sales and repair and non-automotive repair shops."
- (D) Current language eliminated and changed to "Manufacturing, fabricating and assembling facilities". (The Board will be reviewing this phrase at the next hearing; the intent is to clarify that the scale of this use is less than that allowed in the Industrial Zone (plant).)
- (F) Eliminate this language as redundant.
- (N) Current language eliminated and changed to "Multi-family Housing with a Conditional Use Permit"

#### **Article 109.5: Commercial Zone C-II**

The Board reviewed the proposed changes. Ms. Faulconer suggested that when the zones are reviewed next year for changes, this might want to be reviewed; the way it is included now often gets overlooked by the residential lots in this zone.

(I): the language is the same, add the asterisk (\*)

(J) Remains the same

(K) Add this letter and the following language: Retail stores, medical facilities, child care facilities, commercial recreational activities.

(Notation) Add an asterisk (\*) before the paragraph “These uses are permitted....”

### **Article 109.6 Prohibited Uses**

(A) The proposed “Residential Single Family Homes” was changed to just “Residential” as it would also include duplexes.

(D) Add this letter and the following language: Adult Oriented Businesses

### **Article Commercial Zone C-III**

Remove:

(D) Overnight kenneling of animals, unrelated to medical care, is prohibited.

(E) Adult oriented businesses are prohibited.

This discussion will be continued to the 12/12/17 hearing to hopefully finalizing for the January public hearing.

### **Board Business, continued:**

- HD I and HDII corrective amendments; Mr. Landry apologized for not completing this project prior to tonight’s meeting.
- Mr. Landry announced that the draft of the Historic Resources Master Plan Chapter had been received; it will be discussed on Dec. 19<sup>th</sup> at 7:00 PM at the Library; Mr. Landry has asked that as many Planning Board members as possible participate in that meeting. He will send it to Ms. Faulconer to distribute to the Board members.
- Mr. Bashaw has continued reviewing the Ordinances for any discrepancies in definitions; he asked Mr. Greenwood to help provide information from other Towns; he will continue working on the project to hopefully bring forward for the 2019 warrant.

**MM&S to adjourn at 8:20 PM. (Motion by Mr. Coffin, second by Mr. Bashaw) PUNA**