

**Kingston Planning Board
Public Hearing
Minutes**

May 1, 2018

The Chairperson called the meeting to order at 6:46 PM. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Chair	Carol Croteau
Peter Coffin, V. Chair	Peter Bakie
Phil Coombs, BOS rep.	Lynne Merrill
Chris Bashaw (Arrived with mtg. in progress)	Robert Pellegrino, alternate
Ellen Faulconer, alternate	

Also in Attendance: Glenn Greenwood, Planner, Dennis Quintal, Town Engineer

Mr. Coppelman announced that Mr. Bashaw would be late; Ms. Faulconer will fill in until he arrived. He introduced the Board.

**Kings Landing Condo Association
7A Monarch Way
Castle Court and Monarch Way
Tax Map R33 Lot 27**

Mr. Coppelman read the public notice. Bob Marley and Rich Sylvain introduced themselves as representatives of the Condo. Association; they reviewed the issues brought up at the previous hearing. They stated that they met with the Town Engineer about stormwater calculations; they have changed the requirements to include pervious materials for all units in the Limited Common Areas (LCAs) even though the calculations for anything added to the site would be well below requirements in the drainage analysis; the few that have already been done that are impervious will not negatively impact the site. Mr. Marley reviewed the units that are now compliant with the setbacks due to some relocation; they have accepted the Conservation Commission's (KCC) recommendations around the vernal pool for units 24 and 25; a land swap was done for the LCA's for units 29, 32, 33; the hand-out provided by the Association showed the area in "pink" being given up; the yellow is the "swap". Mr. Coppelman noted that this would be approximately an additional 1000 sq. ft. of open space. Mr. Quintal had reviewed the original plan and the area of the vernal pool and agrees with the plan around the vernal pool as the area is really steep and any wildlife from the vernal pool would not migrate up the steep slope. He said that this is a reasonable request regarding the encroachment. He added that the swapping of the areas works out a positive increase of the open space and did not object to the proposal. Mr. Greenwood re-affirmed the information was correct and agreed with the discussion regarding the migration of the animals; he stated that the Board still needed to vote on the Conditional Use

Permit (CUP). Mr. Coppelman asked Evy Nathan, the KCC chair for comments. Ms. Nathan said that they feel strongly about vernal pool protection; the radius does not always have to be circular for proper protection and in this instance creatures within the vernal pool would be unlikely to be going uphill so the protection provided does not create a problem. She stated that vernal pools are a special type of habitat and the proposal is a good compromise. Mr. Coffin questioned the setback line on the plan; Mr. Quintal pointed out the line and area shown that was the open space. Mr. Coffin stated that the areas should be labeled as the building setback, limit of open space and a note on the northwest side. There was discussion regarding the labeling of the plan specific to building setbacks, wetland setbacks and open space and noting the specific designations on the plan. Ms. Faulconer stated that the plans need to have the correct information noted for the future. Ms. Nathan questioned two little spurs opening for the vernal pool and how they would be delineated. Mr. Marley explained that they were at the bottom of the hill and no one could get to them; Mr. Quintal said it was a wooded area. Ms. Nathan stated that she would go out and take a look.

Mr. Greenwood read the ordinance for the CUP and the three conditions.

- **MM&S that granting the CUP was essential to the productive use of the land for units 24 and 25 due to the topography and the steep slopes.** (Motion by Ms. Faulconer, second by Mr. Bakie) **Motion carries 6-0-1** with Mr. Coombs abstaining.
- **MM&S to affirm that the design and construction of the proposal which includes all the LCAs using pervious materials will minimize any detrimental impacts to the wetlands and no restoration is needed.** (Motion by Mr. Coffin, second by Ms. Merrill) **Motion carries 6-0-1** with Mr. Coombs abstaining.
- **MM&S to affirm condition #3 as it is not applicable since there is no crossing of a wetland in the proposal.** (Motion by Mr. Coffin, second by Ms. Croteau) **PUNA**

MM&S to grant the CUP for the LCA of units 24 and 25. (Motion by Ms. Faulconer, second by Mr. Coffin) During the discussion of the motion, Mr. Coffin noted that units 32 and 33 were within the 100 foot setback of the wetland boundary; Mr. Quintal confirmed they were at 85 feet; Mr. Greenwood added that Unit 29 was also a problem; he clarified that the CUP would need to include units 24, 25, 29, 32, and 33.

MM&S to reconsider the CUP. (Motion by Mr. Coffin, second by Ms. Croteau) **PUNA**

MM&S to accept the other three units, 29, 32, 33, to the previously voted CUP requirements as the proposed land swap is a positive addition to the plan by adding more open space and include in the previous motion to grant the CUP. (Motion by Mr. Coffin, second by Mr. Bakie) **Motion carried 6-0-1** with Ms. Faulconer abstaining.

The Board discussed the approval and motion which included an original motion and an amendment to come up with the final motion for approval. The discussion included adding reference to notations of the setbacks and adding the original plan number to the revised plan.

MM&S to accept the revised plan dated 4/16/18 with the condition that the open space and setbacks be clearly identified on the plan prior to acceptance and recording; a note #5 that

this plan is part of the plan set that includes the recording number of the original plan. (Motion by Ms. Merrill, second by Mr. Coffin) **Motion carries 6-0-1** with Mr. Coombs abstaining. Mr. Coppelman explained that there is a 90-day deadline for the return of the mylar.

Robert Pellegrino
Solar Hills
Lefevre Drive
Tax Map R6-13, R6-14-2, R6-14-6

Mr. Coppelman read the public notice. Mr. Pellegrino (who had stepped down from the Board for this application) asked for a two-week continuance; he was still waiting for State subdivision approval, the DES review of the area near the vernal pool; the Board did not have the updated plan. Mr. Quintal noted that there was an area with a lot of stumps piled near an abutter property line and there needs to be clarification via a note on the plan; the cost estimate for the road construction was still pending. Mr. Quintal continued that he had spoken with the engineer, Paul Nichols as the plan set he originally received was not the plan set submitted to the Board. Mr. Quintal had not reviewed them in detail although they appear to have addressed his previous concerns. Mr. Quintal said that the plans should have a note about the proposed way of dealing with the stumps; Mr. Pellegrino will add a note. Mr. Quintal added that the note should say where they will be buried on an “as-built” plan so it can be documented somehow. Mr. Greenwood told the Board that the Town Attorney just got the ROW (right of way) “note” language but still didn’t have the easement language to review. He explained to the applicant that the protocol would be to have the proposed language come to the Planning Board first and then it would be submitted to the Attorney.

MM&S to continue to May 15, 2018, third on the agenda. (Motion by Ms. Faulconer, second by Mr. Bakie) **PUNA**

Board Business

Board Alternate: Mr. Coppelman explained that there was one alternate spot available; previously the Board had advertised that positions were available with applicants invited in to speak with the Board. Mr. Coppelman announced that there were two interested residents, Steve Padfield and Karen Layne. Mr. Padfield was introduced and spoke to the Board about his interest in volunteering for the Board. The Board reviewed meeting schedules, site walks and opportunities to participate on subcommittees. Karen Layne was introduced and spoke to the Board about her interest in volunteering for the Board. The Board voted by paper ballot by putting the name of the applicant they wanted to appoint to the position. Ms. Layne received 5 votes; Mr. Padfield received 2 votes.

MM&S to appoint Karen Layne as the Planning Board alternate for a 3 year term based on the Board vote. (Motion by Ms. Faulconer, second by Mr. Coffin) **PUNA**

Mr. Coppelman thanked Mr. Padfield for his interest.

HDC Amendments – tabled; Mr. Greenwood will coordinate with Ms. Morse and Mr. Coppelman to finalize for the Board’s review.

Circuit Rider Contract Discussion: an email received from the Director of the Rockingham Planning Commission (RPC) was read regarding the circuit rider contract; Mr. Greenwood is currently contracted to the RPC to work for Kingston; he has proposed contracting directly with the Town instead of through the RPC. The Board had considerable discussion regarding this proposal that included: current contract, new contract of \$68/hr., Mr. Greenwood’s proposal of \$67/hr., possibility of increasing the planner’s hours, need for Master Plan update, Mr. Greenwood as a known commodity, better coordination with the planner and other boards, initial discussion with RPC about going to \$85/hr., moving the 4 hours planned for the third monthly time, previous advocating for more planner hours, increased office activity. Mr. Quintal said that it is very helpful to have the availability of the planner; as an applicant, it is very helpful to be able to meet with the planner and saves time at the meetings as the plans can be more complete and more productive; keeping him here is well worth doing. The Board continued the discussion that included concerns with the budget; budget proposal for next year; planner office coverage of a minimum of once a week. Ms. Merrill suggested once a week and possibly when Ms. Faulconer wasn’t in the office. The discussion continued with Mr. Pellegrino asking for details as to what the dues for RPC provided to the Town. Mr. Coombs questioned budgeting for other Board’s use of the planner’s services. Ms. Merrill stated that she expects more activity for the Planning Board, especially commercial activity, in the next two years. Upcoming proposals were discussed regarding increased activity; Board of Selectmen involvement, bid process, determining Board needs, saving money versus experience, comparing both proposals. Mr. Pellegrino stated that hiring Glenn with his Kingston experience was more cost effective in achieving the Board’s goals. The Board discussed that hiring Mr. Greenwood directly guaranteed more services to the Town by giving more than 25% of his time as with RPC. Mr. Coombs suggested getting the parameters for the services needed to review the proposals objectively; he noted that just wanting a “Chevy” didn’t mean you didn’t get the “ford” although he agreed that Mr. Greenwood did know the needs of the Town’s public. Multiple motions were proposed about working on a contract or a proposal which were all withdrawn. Board consensus was for Ms. Merrill, Ms. Faulconer and Mr. Greenwood to work on developing the needs of the Board and send out to the Board for review prior to the next meeting.

Critical Correspondence:

- PO (Purchase Order) for Mr. Coppelman for conference – okayed by consensus.
- Letter from Chris Langlois re: 102 Rte. 125 and vehicle sales; the Board read the letter and reviewed the file; no additional review required.
- Letter from East/West Mechanical Inc. re: 34 Church Street, R30-10, unit 4 for use for office and stocking of HVAC and refrigeration parts; not sold to the public, open only by appointment. The Board discussed this use; Mr. Bakie stated that he had concerns about what was being stored on site.

ACTION ITEM: Invite East/West Mech. in to the next meeting to meet with the Board about the proposal.

- Hawk Ridge – bond re-established with addition of \$2500.
- AAAL – bond re-established with addition of \$2500.

- Invoice from Danna Truslow- approved by the Board
- Intent to Excavate, Torromeo – this was brought to the Board by a request by Selectperson Coombs asking about the Board inspecting open pit excavations. There was discussion regarding “Bureau of Mines” and restoration.

ACTION ITEM: Mr. Greenwood will follow-up on pursuing the permit again to make sure that restoration is taking place; he will get back to the Board.

- Info. re: subdivision from RCCD; no application received at this time.
- Memo re: question from Anthony Matias regarding moving from one unit to another; Board determined that no further action is required.
- Invoices from Town Engineer for North Road and AAAL reviews – approved and signed.
- Email from Ducks on the Pond re: constructing covered landing and stairs. The Board determined that an amended site plan was required.

ACTION ITEM: Mr. Greenwood will review to see if an expedited review is a possibility.

- Dredge and Fill from the State – no Board jurisdiction.
- Budget/Transaction Detail received.

Minutes:

March 20, 2018 corrections: p.5: should say homes will use “pervious” material; p. 4, par.2, line 7 – KCC submitted a “proposal”; p.5, line 6, change “than” to “then”

MM&S to accept the March 20, 2018 minutes as amended. (Motion by Mr. Coffin, second by Ms. Merrill) **Motion carried 5-0-2** with Mr. Coombs and Mr. Bashaw abstaining.

April 3, 2018 corrections: p.4, Par. 5, line 5: “manor” should be “manner”; Ms. Merrill suggested that addresses be included in correspondence in the future; p.3, line 2 the “doors do” instead of face; 4 lines down: “noted” should be “notes”.

MM&S to accept the April 3, 2018 minutes as amended. (Motion by Mr. Coffin, second by Mr. Bakie) **Motion carries 5-0-2** with Ms. Croteau and Mr. Coombs abstaining.

Mr. Pellegrino noted that the minutes have been excellent.

Ms. Croteau asked where things stood with ECSI. Mr. Coombs will get an update for the next meeting.

Mr. Quintal said that he had received a call from the engineer from Hawks Ridge to meet; Mr. Coombs suggested that Mr. Quintal contact Town Counsel prior to meeting on the site.

MM&S to adjourn at 10:10. (Motion by Mr. Coombs, second by Ms. Croteau) **PUNA**