

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

September 18, 2018

The Chairperson called the meeting to order at 6:35 PM. Motion was made by Mr. Bashaw and seconded by Mr. Coffin to go into non-public session to discuss a legal matter in regards to a letter from Town Counsel per RSA 91-A:3-e. Board member Lynne Merrill and alternate Board member Karen Layne recused themselves from the discussion and the meeting.

Roll Call vote on the motion:

Chris Bashaw – yes	Glenn Coppelman – yes	Peter Coffin – yes
Carol Croteau – yes	Ellen Faulconer (alt) –yes	Robert Pellegrino (alt) – yes

The Board reviewed a letter from Town Counsel; no motions were made; no actions taken. Motion to come out of non-public session and to seal the minutes indefinitely. (Motion by Mr. Coffin, second by Mr. Bashaw)

Roll Call vote:

Chris Bashaw – yes	Glenn Coppelman – yes	Peter Coffin – yes
Carol Croteau – yes	Ellen Faulconer (alt) –yes	Robert Pellegrino (alt) – yes

Public Hearing:

The Chairperson called the hearing to order at 6:55 PM and introduced the Board. There were no challenges to the legality of the meeting.

Members in attendance:

Glenn Coppelman, Chair	Lynne Merrill
Peter Coffin, V. Chair	Carol Croteau
Phil Coombs, BOS rep.	Robert Pellegrino, alternate
Karen Layne, alternate	Ellen Faulconer, alternate/admin. asst.

Members absent: Peter Bakie

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

Mr. Coppelman announced that Ms. Faulconer would be a voting member this evening due to Mr. Bakie's absence.

Laurie MacKinnon
54 Marshall Road
Tax Map R42-11

Mr. Coppelman explained this was not a public hearing, per se; the Board had previously received a letter regarding a home occupation and questioned whether the proposal met that threshold. Ms. MacKinnon was invited in to speak to the Board for clarification purposes. Mr. Coppelman explained that the Board did not approve or deny an in-home occupation; it is up to

the property owner to make sure it complies with the ordinance. Ms. MacKinnon explained that she has a space in her home for raiki healing and she also makes and sells jewelry. She just wants to use this space for her raiki work and to display the jewelry in that space; she clarified that all of this was occurring inside the house; none of the activity would be taking place in the garage. Mr. Greenwood referred the Board to Article 207 in the Town's Ordinance book. Ms. MacKinnon confirmed that if someone drove by the house, they wouldn't know a business was there. Mr. Coppelman stated that there was an allowance for a two square foot sign. Ms. MacKinnon said that she had read the requirements; all anyone would see was her car and one client's car at any one time. *<Board note: Mr. Coombs arrived at this time.>* Ms. Faulconer reminded the Board that the reason for meeting with Ms. MacKinnon was due to the language in her letter asking for a "jewelry boutique" in her garage. Mr. Greenwood read excerpts from the ordinance and the need to ensure that the home remains looking like a residence; he stated that all of the requirements can be met by Ms. MacKinnon; this proposal is not in the "prohibited" category. He stated if all of the requirements can be met, it is exempt from site plan review. Mr. Coppelman noted that the operation needs to comply with the ordinance. Mr. Greenwood added that a sign permit would be required. As the proposal was exempt, there was no Board action taken.

Mark Viens

Diamond Oaks Boulevard

Tax Map R3 Lot 4 Land Unit 2

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Mr. Coppelman read the public notice; noting that the start time for the hearing was 7:07. Mr. Coppelman reviewed the process stating that it usually begins with asking the applicant to make a presentation. Ms. Faulconer asked why the Board was proceeding since the required 4000 sq. ft. receiving area had not been added to the plan per the last hearing. Mr. Hatch stated that it had not been discussed at the last hearing. Ms. Merrill noted that it was reflected in the minutes for the last hearing. Mr. Hatch stated that it could easily be added to the plan. He added that he must have misunderstood the issue with the receiving area and asked to move forward to discuss the other comments from the Town Engineer. Mr. Coffin suggested that the Board should move forward with the discussion being aware of the missing requirements.

Mr. Hatch reviewed the current plan and the last notes from Mr. Greenwood and Mr. Quintal; he said that this was almost identical to the previous plan; he stated that he was holding off on a final septic plan until the property is in the applicant's name. Mr. Hatch stated that the additional catch basin was found; they won't need to install a new culvert. He explained that the Town requirement is for an 18 inch culvert but the existing one is built with a 15 inch culvert; he stated that he was not sure if a waiver request was needed. Mr. Coppelman said that if it was being used for the proposed site, he would need to submit a written waiver.

Mr. Quintal reviewed his outstanding comments that included previous comments with the removal of comments already addressed: #1)easement requirements, #2)soil test pit data, #8)performance guarantee for groundwork and drainage concerns, not for the completion of the building, #11)recording of Stormwater Maintenance requirements, #12) corrections for mylar, #13)excavation on other lot (refer to #1), #15)seeding specs are outdated and need to refer to the

2008 manual, volume III, #16) check spelling, #17) calculations for outlet protection, #20) Stormwater Drainage Analysis must be revised to reduce the peak rate of run-off to pre-development conditions, #21) correct notation, #22) well labeled as both existing and proposed, needs correcting, #23) detention basin should be labeled, #24) Silt fence or silt sock needs clarification/details, #25) well bollard details need to be shown or construction/proper venting, #26) erosion control notes should be on Sheet 6, #27) rip-rap gradation chart needs to be changed. He noted that there would be room for the 4000 square foot receiving area even though it isn't shown on the plan. Mr. Hatch stated that he knows that they need easements and the well radius. He questioned item #8, bonding requirements; he said they will provide them for Mr. Quintal's review. The erosion control bond requirement was reviewed. Mr. Greenwood explained that it is for site stabilization. Mr. Hatch wanted to confirm that so he could provide the right items for the bond.

Mr. Greenwood noted that the septic system information that is a requirement was missing from the plan. He stated that the Fire Prevention was addressed. He reviewed the Town's parking requirements for 15 spaces with 11 being proposed; he stated that the proposal included sufficient parking but would require a waiver. Mr. Coppelman proposed the applicant simply show 4 more spaces and be done with it. Mr. Quintal agreed with simply adding the four more spaces with an explanatory note. Mr. Hatch pointed out that note #22 on the plan states that any changes to the plan would require Planning Board approval. Mr. Coppelman added that if items didn't meet the regulations, they could ask for a waiver. Mr. Hatch said he had no issue with asking for a waiver. Mr. Greenwood said that a loading space isn't required for this use and they could ask for a waiver from that requirement. Mr. Greenwood reviewed note #11 explaining that the applicant is stating that the location of the building accomplishes the screening; he would like a note on the plan stating that the yard will be continued to be screened from the abutting roadway and adjacent property. He continued reviewing his comments that included: #12) encroachment areas of a driveway and a structure; #13) he noted that there is lighting information now; Mr. Hatch said it is probably dimmer than at his residential property; Mr. Greenwood stated that he has reviewed it and it complies. Mr. Coffin asked about 3 areas of encroachment; Mr. Greenwood said that two would be done by easements; the other is pavement but it is a property owner issue. Mr. Coffin stated that the well radius and grading on Land Unit 3 will require an easement. Mr. Hatch agreed adding that they can note on the plan details regarding the deed.

Mr. Coppelman read other Town Department comments: Health: none; Building: none; Fire was from July and Mr. Hatch stated that he had addressed them with the Fire Department.

MM&S to continue to October 16, 2018 with the amended plans due to the Planning Board office by noon on October 4th. (Motion by Mr. Coffin, second by Ms. Merrill) PUNA

Mr. Coppelman noted that this part of the hearing ended at 7:45 PM.

**Hawks Ridge of South Kingston
Bent Grass Circle
Tax Map R3 Lot 4 Land Unit 4**

<Board note: Ms. Merrill and Ms. Layne stepped down from the Board for this hearing. The hearing began at 7:47 PM>

Mr. Coppelman read the public notice for this hearing; he announced that Mr. Pellegrino would be voting in Ms. Merrill's place for this portion of the hearing. Mr. Cummings appeared before the Board as the engineer representing Hawks Ridge of South Kingston for this project.

Mr. Cummings stated that they had met with Mr. Quintal and the homeowners; he has seen Mr. Quintal's comments and he now understands that Mr. Quintal wants more detail; they walked the and made comments on what to do. Mr. Quintal reviewed his comments (see submitted comments for complete list) that were dated 9/18/18 that included:

1. Utility easement plan; Mr. Cummings stated that the easement has been drafted; Ms. Faulconer stated that she wanted to see the easements granted from the 4 property owners not just the language adding that if one property owner would not sign the easements than the plan wouldn't work.
2. LCA issue – see unit 17
3. Sewer piping for unit 20
4. Culverts need inverts were shown
5. 12 inch culvert needs a 15 inch culvert – needs a waiver
6. Drain manhole #4 issue
7. Asphalt berm and stone lined swale proposed is unacceptable
8. Stormwater infiltration basin #2 has to be installed by 9/30/18 per the requirements in the State's AoT Permit. (Alteration of Terrain)
9. Catch basin design as presented requires a waiver
10. Issue at units 25 and 26-inlet and outlet elevations.
11. Utility plan as presented is inadequate
12. Amended grading plan is inadequate
13. Detention basin and prevention – outlet structure as noted in December, 2017 is still not complete.
14. Road Cross section

Mr. Quintal stated that the plan falls short of what is needed by the Town. He said that some things were done such as the drain manhole that was added near unit 4 and the pipe at units 25 and 26. He said the note for the retaining wall is shown on the plan; graveled shoulder are shown on the plan to re-establish the graveled shoulder; the existing landscaping and lighting plans are still in effect, he hasn't seen any changes.

Mr. Quintal added that the original plans have tables and charts regarding information that he expects any amended plans to have them revised.

Mr. Cummings stated that he knows what Mr. Quintal wants; they will be shown on an as-built; he said these are things to be amended so the details aren't shown yet. Mr. Cummings said that

he thinks they are closer and halfway to the middle; he said that he thinks there is progress even though it doesn't look like it. He said the brush has been mostly taken care of; construction has started on detention basin #2 and might be completed this week. He would like to talk to Mr. Quintal about the swales at 24 and 23.

Mr. Greenwood stated that he is deferring to the Town Engineer and has no comments.

Mr. Coppelman said that this application need to come to a conclusion next month as it has been going on way too long. Mr. Cummings agreed. Mr. Coppelman suggested that the applicant needs to get any waivers before the Board to see if they are accepted. Ms. Faulconer asked why a 12 inch culvert would have been recently installed knowing that a 15 inch culvert was required. Mr. Cummings said he was unsure but believed that it had something to do with the existing conditions in order to cover the culvert. Mr. Bashaw suggested that the Board needed to invoke jurisdiction as the process had been going on for a long time and the Board needed to make a decision.

MM&S to accept for jurisdiction. (Motion by Mr. Bashaw, second by Mr. Coffin) Mr. Coppelman explained that this allowed the Board up to 65 days to make a decision; it starts the official clock for a conclusion. Vote on the motion: **PUNA** (Passed unanimously)

Mr. Coppelman read the comments from the Building Inspector that included:

- Diamond Oaks Blvd. entrance is still mis-identified as Bent Grass Circle. (Ms. Faulconer pointed on the error on the plan for Mr. Cummings)
- Plan is not signed by a surveyor as required
- Units 4 and 20 have the numbers reversed and are not in compliance
- Units 18 and 19 are not in compliance with the accepted plan.

MM&S to continue to October 16th with revised plans, waiver requests and signed easement documentation received by October 4th. (Motion by Mr. Coffin, second by Mr. Bashaw) Discussion: Mr. Coffin said that the plans, as they are currently approved, are how the site is to be built. Mr. Bashaw stated that, speaking for himself, he will defer to the Town Engineer; currently he is not seeing a plan that he is confident with it being an acceptable plan; he is looking to the Town Engineer that the intent is met to protect the owners, developer and the Town. Vote on the motion: **PUNA**

<Board note: The hearing ended at 8:20 PM; Ms. Merrill and Ms. Layne returned to the Board.>

**All American Assisted Living
(Main Street)
4 East Way
Tax Map R34-71B**

Mr. Coppelman read the public notice. <The hearing began at 8:25.> Mr. Coppelman announced that the application met the intent of the expedited review process. Mr. Greenwood

confirmed that the amended plan showing the expanded utility shed and propane tanks met the standard as a minor change. George Chadwick appeared before the Board, representing the applicant. He explained that during the final design for domestic water and fire, the engineer wanted to use a vertical-type pump in the mechanical building; the pump room moved to the heated shed; the original was 12 x 18, the proposal is for a 36 x 18 shed to allow for the 2 water components for domestic and fire use; the shed is in the same location and will not be visible to the street and will have the same architectural style. He continued that they want to relocate the propane tanks as they are near the well access drive and they don't want to drive over them. He pointed out all the area on the plan; the propane tanks are underground and they will be moved as shown on the plan. Mr. Pellegrino asked if they tried fracking; Mr. Chadwick answered that they got an acceptable quantity of water with the second well. He noted that the cross-hatched area is for parking and fire access; it is not pervious pavement, they are pavers. Mr. Quintal stated that the has been to the site several times adding that the basins and swales are to be done at the beginning of the project and they are not completed yet but there is no excuse not to complete them now as it is an ideal time. He said it would have been good to have the "check" dams and hay bales installed in case of a storm event which the Town had today. Mr. Quintal stated that he hadn't spoken with the BOS yet; he had been told that the work was going to be done ASAP, but it wasn't. Mr. Chadwick said this was news to him; he will make sure the drainage structures and stabilization is done. It was noted that the parking areas that are adjacent to the detention basins are below them at this time. Mr. Quintal said that the grass should be started to grow now. Mr. Pellegrino asked if there was anything paved yet. Mr. Quintal said the parking area would be built soon and there would be run-off. He said the stabilization needs to occur now. Mr. Coombs asked Mr. Chadwick to provide a date to get this done. Mr. Chadwick said he would speak to the contractor to get it done now. Mr. Coppelman noted that there were no comments from HDC, Health and Building. Ms. Faulconer stated that the Fire Department may have some concerns and Mr. Chadwick should contact them. Mr. Greenwood explained that this expedited plan would not be recorded; it is placed on file. Mr. Coombs said it is a smarter design. Mr. Chadwick confirmed that the proposal was out of the wetlands setbacks; he clarified that it is in the District but there is no further expansion into the District than what was there before.

MM&S to approve the plan as presented. (Motion by Ms. Merrill, second by Mr. Bashaw)

PUNA Mr. Coppelman will sign the pages to confirm the approval.

<Hearing ended at 8:45 PM.>

Board Business

Correspondence:

- Renewable Energy – the Board reviewed the ZBA minutes and action that included the need for a site plan; by Board consensus, the applicant needs to have site plan for the proposal.
- RCCD estimate to review plan done by Town Engineer; escrow request is for \$2500; based on estimate, the Board will accept \$3000 for the review. Ms. Faulconer will contact the applicant. Mr. Coppelman signed the estimate; Mr. Greenwood will follow-up with RCCD.

- Invoice from Town Engineer for Hawks Ridge – signed by the Chair.
- Invoice from Town Engineer for Bresnahan project – signed by the Chair.
- Request for escrow release for Viens/North Road – signed by the Chair.
- Whitney’s Garage – DMV request for Auto Inspection/Repair Plate; this site had been discussed at the previous meeting; no change in use; Board consensus to approve and forward to BOS for signature.
- Update on Solar Energy
- Bond Balance list
- Town and City magazine
- E-quote for the computer will be held for the budget discussion

Ms. Faulconer told the Board that the Nov. 6th meeting was also election day; a meeting will not be held that day.

Mr. Greenwood stated that the Natural Hazards Chapter wasn’t adopted for the Town; a Hazard Mitigation Plan was recently done and serves as this chapter upon adoption by the BOS. Ms. Faulconer will contact the Fire Chief to ask where the new plan stands.

Correspondence continued:

- Email re: 182 Main Street and a proposed business re: horse and carriage; Mr. Coppelman suggested that since it is in the historic district, it should go to the HDC (Historic District Commission) first and then come back to the Planning Board. Ms. Croteau asked to clarify the intent of the use; the Board discussed the proposal and agreed with Mr. Coppelman that it would need to go to the HDC first. Ms. Faulconer will contact the applicant to tell her that the Board can’t say it is an approved use; she would need to go the HDC and then possibly back to the Planning Board.
- Wetlands permit – Eagle Scout permit; description was read from the Natural Heritage Bureau – the Board determined this to be informational and no board action was needed.

MM&S to accept the June 24, 2018 minutes as written. (Motion by Mr. Coffin, second by Ms. Croteau) **Motion passed 5-0-2** with Mr. Coombs and Mr. Bashaw abstaining.

Review of July 17, 2018 minutes: There was discussion about corrections for clarifying statements made at the meetings; the Board decided if it wasn’t actually said at the meeting, it shouldn’t be clarified through amendments of the minutes. Corrections: add Ms. Croteau’s comment to the minutes re: discussion with abutters on p. 8; “Aubert” instead of “Auger” on p. 8.

MM&S to accept the 7/17/18 minutes as amended per the Board’s discussion. (Motion by Mr. Coffin, second by Ms. Croteau) **PUNA**

Review of August 21, 2018 minutes: P. 16, change “unless” to “unlike”; on p. 11 – add comment from Mr. Pellegrino about him requesting giving the applicant a waiver for the bond requirements; p. 6 change 223 to 23; p. 14 – remove “and”; p. 8 correction.

MM&S to accept the 8/21/18 minutes as amended per the Board's discussion. (Motion by Ms. Merrill, second by Mr. Coffin) **Motion passed 6-0-1** with Ms. Croteau abstaining.

Budget: The draft budget submission was reviewed. Ms. Merrill brought up the projector for use during Planning Board meetings and also for other boards to use. Mr. Coombs said he had brought this up to the BOS (Board of Selectmen) previously; he will follow-up with Chief Briggs; he asked that Ms. Faulconer also speak with Chief Briggs about getting a projector. Mr. Pellegrino suggested changing out the cassette recorder to a digital recorder; Ms. Faulconer said it would require the purchase of a transcription machine that was compatible; the Town just purchased one.

MM&S to approve the proposed draft budget of \$68,679 and present to the BOS and BudCom. (Budget Committee) Motion by Ms. Merrill, second by Mr. Coffin. **PUNA**

Capital Improvement Plan(CIP): Mr. Coppelman said that the CIP submissions are due August 30th; several have not been submitted; if not submitted, items won't go into the plan. The committee consists of Lynn Merrill, Glenn Coppelman, Peter Coffin, Carol Croteau is the BudCom representative and Mr. Coombs is the BOS rep. The Committee will meet on 9/24 at 6:30. Ms. Faulconer will confirm availability of meeting space and post the meeting.

Zoning Amendments: Mr. Greenwood told the Board that there were proposed changes involving agriculture that have been being worked on; they will be discussed at the first meeting in October; he will get the proposals out to everyone to review prior to that meeting. He added that a representative of a large commercial interest is interested in change of lot coverage from 50% with Stormwater Management to 60%; Mr. Greenwood will send his proposal to the Board for review prior to the meeting. Mr. Coffin said he would like scientific input regarding the feasibility of the proposal. Mr. Coombs said that they would have to modernize the parking facility which would be an improvement.

Mr. Pellegrino stated that since the word Planning is in the name of the Board, would it be possible to advocate for what the Town wanted to put on specific parcels of land; if there was any way to advocate for a doctor's park, as an example. Mr. Coppelman answered that the Board would have to zone for particular uses; he added that the Board doesn't come up with projects. Mr. Pellegrino asked if the Board could, in a way, plan our own city. Mr. Coppelman explained that the Board could zone an area for specific uses and not allow other uses but the Board can't handpick projects; it can set up zoning. Mr. Bashaw said that the Planning Board is here to facilitate allowable uses; it is not for the Board to get involved with steering uses on specific property. Mr. Coombs said that what Mr. Pellegrino is talking about would be an economic development committee. Ms. Faulconer said it would take the impartiality out of the process. Mr. Greenwood added that long-range planning is the Board's responsibility and there could be visioning sessions to direct development in a sophisticated way by zoning development.

Ms. Merrill referred to the ADU (Accessory Dwelling Unit) noting the vision was to have ADU's in SFR (Single Family residences); she expressed concern that there was an

interpretation that a SF unit is a unit within a condominium. Mr. Greenwood said that on p. 206-3, the Town Ordinance says that it can't be converted from a condominium.

Proposed items for ordinances and regulations, including any updates of definitions, will be added to the agenda.

The Board approved Ms. Faulconer and Mr. Greenwood working with Department Heads to begin updating the Community Facilities Chapter of the Master Plan.

MM&S to adjourn at 10:40 PM. (Motion by Mr. Coffin, second by Mr. Bashaw) **PUNA**