

**Kingston Planning Board**

**January 21, 2020  
Public Hearing  
Minutes**

Mr. Coppelman called the hearing to order at 6:45 PM; there were no challenges to the legality of the hearing.

Members present:

Glenn Coppelman, Chair  
Peter Coffin, Vice Chair  
Chris Bashaw  
Phil Coombs, BOS rep.

Peter Bakie  
Robin Duguay  
Lynne Merrill  
Ellen Faulconer, alternate/admin. asst.

Members Absent: Steve Padfield, alternate

Also present: Glenn Greenwood, Town Planner; Dennis Quintal, Town Engineer

Mr. Coppelman introduced the Board.

**Joseph Falzone**  
**53 Marshall Road**  
**Tax Map: R41 Lot 07 and R41 Lot 8K**

Mr. Coppelman announced that a request had been received to continue the Lot Line Adjustment (LLA); the original subdivision has changed and been withdrawn and has been resubmitted for February; this is requested to be continued for that same date.

**MM&S to continue the LLA to February 18, 2020.** (Motion by Mr. Bashaw, second by Mr. Coffin) **PUNA**

Mr. Coppelman stated that the abutters will be notified for the new subdivision design but not for the LLA.

**Bresnahan Moving and Storage**  
**Marshall Rd.**  
**Tax Map R41 Lot 7-2**

Mr. Coppelman read the request to continue to the February 18<sup>th</sup> public hearing.

**MM&S to continue to Feb. 18, 2020.** (Motion by Mr. Bashaw, second by Mr. Coffin) Discussion on the motion: Ms. Duguay referred to the reports received by the Board adding that there seemed to be different recommendations; Mr. Coppelman explained that they had different levels of expertise. Mr. Greenwood said that he is hoping that both consultants will be able to attend the hearing. Vote on the motion: **PUNA**

**New England Automation, LLC**

**4 Main Street**

**Tax Map R21 Lot 22**

<Board note: This hearing started at 6:55 PM.> Mr. Coppelman read the public notice. Jeffrey Green, Land Surveyor, represented the applicant; he reviewed the proposal which had previously been an auto salvage yard. He continued that the proposed use was basically for engineers working in the office with some storage of parked trucks in the back containing some equipment used for the business between jobs; they want to keep as an office and storage space; the other garage type area will just be used for storage; there will be no “garage” and vehicle repair on-site. He continued reviewing the details of the proposal and the site: there is a drainage system with grease traps, four 9x18 parking spaces with one handicap space, back areas are fenced and gated and will remain that way, no proposed changes to the existing asphalt. Mr. Green said that there is an existing sign, 10 x 4, that will be used as it is now and might be a little smaller; the plan is to leave the light on the sign pole and the lights on the building as they currently exist. He reviewed the lot coverage calculations. He added that the ownership has changed hands and the applicant is now the owner. There is no intention of using the wooded area; they have requested a couple of waivers. Mr. Green reviewed the Environmental Analysis – Phase I and Phase II; the wetland was delineated; the flow goes through a cleaning system prior to getting to the wetland; the gravel parking in the back shows approximate parking area of the tractor trailers as needed. He added that the hours of operation would be 7-5, M-F and 7-4 Saturday; there is not a customer base coming to the office; there is usually one person in the office while the other employees are working on the job site. Mr. Green clarified that there is 62,000 sq. ft. compacted gravel area for parking and access; 81,414 sq. ft. of impervious surface that equals 27% lot coverage.

Mr. Coppelman stated that the Board had previously done extensive site walks with the previous owner and the Board of Selectmen (BOS) so the Board is familiar with the property. He asked if the Board had received verification that the catchment systems are functioning properly. Mr. Green said that he tried to get in touch with the engineer to confirm it and has been unable to; he was told that it was functioning but that has not been confirmed. Mr. Coppelman suggested that he add it to the things to do as there will be vehicles and run-off and while it is a different use, there still needs to be protection for the wetlands. Mr. Coppelman noted that the Board needed to consider invoking jurisdiction.

Mr. Quintal, Town Engineer, reviewed his 16 comments that included: complying with registry requirements, show building setbacks from wetland with justification of type of wetlands, benchmark, drainage plan, entrances, elevations, location of propane or oil tanks, landscaping, buffer, dumpster location, parking/fire lanes, additional parking on pavement, Fire Department requirements, Performance Guarantee amount and in place, details for Stormwater Management, requirements of 908.16.6 must be provided. Mr. Bakie asked if the Board would have copies of prior inspections; Mr. Quintal said that he didn't think so. Mr. Quintal said that there may need to be some sort of delineation regarding the setbacks to the wetlands.

Mr. Greenwood read his 9 comments that included: temporary benchmark needed, note regarding the Aquifer Protection District, snow storage delineation, compliance with Stormwater Management, photos were needed and received, requirement that dumpster be enclosed by fencing, waste water disposal system location, trailer parking on paved surface unless vehicle that tows them aren't located in the area; site walk if required by the Board.

Town Department comments were read by Mr. Coppelman: Health, Building, Highway have no comment. Mr. Coppelman suggested the applicant reach out to the Fire Department for any comments/requirements. Ms. Duguay questioned the fencing along the rear of the property; Mr. Green said that is it proposed to be a 6 ft. high fence on top of the concrete blocks with the berm/retaining dirt; it will be similar to a stockade fence. Mr. Coppelman said that this should be detailed. Mr. Coffin questioned the Phase I and Phase II studies; Mr. Green said that they were completed prior to the applicant purchasing the property and were received by the BOS.

**ACTION ITEM:** Mr. Greenwood will send a copy of the Phase II study around to the Board and confirm that a copy is in the file.

**MM&S to invoke jurisdiction of the plan.** (Motion by Mr. Bashaw, second by Mr. Coffin) **PUNA** Mr. Coppelman noted that this started the 65-day window; it was noted that two waivers had been submitted.

Mr. Coppelman opened the hearing up for public comment. Mark Delaney, 6 Main Street, said that he has a fence right on the property line that he would like access to in order to fix and repair; Mr. Green said that there is already area for him to work on the fence; Mr. Delaney and the applicant will work out the access through the fence to the back of the property and other fence/access concerns. Mr. Delaney asked about truck traffic and activity in the back as he was concerned with noise issues. Mr. Green explained that there are no more than 4 employees that will most likely be working off-site so basically one care in and out on a daily basis and 4 trailers parked out back. The applicant/property owner, Hicham Mziguir, said that they will park the 4 trailers in the backland, close to the trees but away from the water; they will be parked and then leave, not go in and out daily. He clarified that the dumpster would be behind the "big garage" area; Mr. Green said that they will move the dumpster away from Mr. Delaney's property. Mr. Mziguir said that the dumpster will be inside the gate; he will be exchanging the current gate for a rolling gate. Concerns were raised regarding Fire Department (FD) access. Mr. James suggested a Knox box would be provided for FD access. He added that the fence will be solid; the gate will remain to give access around the building. Mr. Mziguir confirmed that truck deliveries will only occur during regular hours Monday through Friday, not on Saturdays. Mr. James said that they will add a note that there will be no weekend deliveries. Mr. Mziguir clarified that he has a backhoe on site for snow removal but he can park it so the abutter doesn't see it.

Dan Loik, 21 Windsong Drive, stated that he had recently stopped by to introduce himself to the owner who displayed sincere and genuine neighborly attitude toward him and was willing to address any concern. He said this was not the case with the previous owner; he added that Kingston needs good neighbors like this Mr. Loik noted that this appears to be a low impact proposal for the site. There was no further public comment.

Mr. Coombs asked if the comments about the dumpster location was now moot; Mr. Greenwood explained that even if located behind a fence, it still needed to be enclosed adding that the Board could discuss the issue. Mr. Quintal added that it seemed like a low profile business. There was discussion regarding unused space on the property and possible space rental opportunity for the future.

There was discussion regarding the wetland scientist stamp; Mr. James will get that addressed shortly; Mr. Quintal added that the applicant will need to give the functional analysis of the wetland to the Board.

The Board discussed the waiver requests: Waive Item #11 b (2) re: wetlands delineation on the back portion of the lot. Mr. James clarified that the area was the soil division line at the back, beyond the tree line.

**MM&S to grant the request for the waiver of the wetland delineation for the portion of the property that is west of the soil division line as it is not being developed or used for the proposal.** (Motion by Ms. Merrill, second by Ms. Duguay) **PUNA**

Mr. Coppelman read the second waiver request for #9, topography for the back of the lot.

**MM&S to grant the request for the waiver of the topography for the portion of the property that is west of the soil division line as it is not being developed or used for the proposal.** (Motion by Ms. Merrill, second by Mr. Coombs) **PUNA**

Mr. Coppelman reminded Mr. James that the granted waivers should be noted on the revised plan. There was Board discussion as to whether there should be a more substantial line shown or additional language in a note that the land is not to be developed or used; Mr. James said that a "limit of" note will be added to the plan. Mr. Quintal noted that most of his comments are easily addressed. Ms. Merrill would like the catch basin situation clarified. Mr. Coppelman said that the applicant has to speak with the Fire Department; none of the Board members felt a site walk was required.

Ms. Faulconer asked if there were any issues with compliance with the proposal for signage and lighting. Mr. Coombs stated that the current sign was illegal and had received a cease and desist. Mr. James said that he will propose a new sign meeting the requirements of the Sign Ordinance; he will also check regulations to make sure the lighting is in compliance; Mr. Coppelman suggested that some of the existing lighting might not meet the requirements of the Lighting Ordinance, Mr. Delaney agree that some of the lighting is an annoyance. Mr. Coppelman reviewed the outstanding issues discussed during the hearing.

**MM&S to continue to February 18 at 6:45; plans are due to the Planning Board office by noon on Thursday, Feb. 6<sup>th</sup>.** (Motion by Ms. Merrill, second by Mr. Coffin) **PUNA**

Mr. Coppelman announced that this would be the notice for the abutters. *<Board note: this portion of the hearing ended at 8:20 PM>*

### **Warrant Articles**

The Board briefly discussed the warrant articles as the hearings had already occurred and no petitioned articles had been received.

**MM&S to waive the full reading of the warrant articles as the Board had already had the hearings and any discussion; there is no public present for any further discussion.** (Motion by Ms Merrill, second by Mr. Coffin) **PUNA**

### **Board Business**

#### **Correspondence:**

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KPB

01/21/2020

Pending Acceptance

- Letter dated 12/20/19 received from William Newman regarding commercial proposal; Mr. Greenwood stated that he had spoken with Mr. Newman previously.

**ACTION ITEM:** Ms. Faulconer will contact Mr. Newman regarding the site plan review process.

- CEDS Visioning notice received
- ZBA decision letter re: Camp Lincoln

**ACTION ITEM:** Ms. Faulconer will send a copy of the decision letter to the Board members to review at the Feb. 4<sup>th</sup> meeting.

- Individual letters regarding upcoming legislation for the Board members were received and distributed
- Kings Landing Condo. Association annual age census verification, per Town requirements, was received; Mr. Coppelman publicly thanked them for complying.

Ms. Merrill suggested two corrections to the 12/10 minutes.

**MM&S to accept the minutes of 12/10 as amended: P. 6, 8 lines up “no” should be “not” and p. 7, 10 lines down from paragraph beginning “MM&S” “had” should be “hand”.** (Motion by Mr. Coffin, second by Mr. Coppelman) **Motion carries 6-0-1** with Mr. Bashaw abstaining.

The Board discussed the public hearing process. Mr. Bakie suggested that applications are received for the next available hearing and if it is full the Board should be able to move them to the next meeting date to be more beneficial to the applicant.

**MM&S to add a hearing on the Planning Board’s March 3<sup>rd</sup> work session date and to add the new applications received to that date.** (Motion by Mr. Bakie, second by Mr. Coombs) **PUNA**

Mr. Quintal reviewed another Town’s procedures that include any application opened before 9:00 will be heard and end at 10:00 PM. Mr. Coppelman added that two other Towns he is aware of have a cut-off at 10:00 PM. Mr. Bashaw liked the idea of the Board setting a time limit. Ms. Merrill suggested the Board discuss after Town Meeting. The Board agreed to add this as an agenda item to discuss after the election.

**MM&S to adjourn at 8:50.** (Motion by Mr. Coombs, second by Mr. Bakie) **PUNA**