

KINGSTON PLANNING BOARD
June 16, 2020

Public Hearing
Minutes

The Chairman called the meeting to order at 6:40 PM declaring a quorum present through the Zoom platform for a remote hearing; there were no challenges to the validity of the meeting.

A roll call vote of the members present occurred; each member noted that there was no one present with them in the room while attending this meeting:

Members present:

Glenn Coppelman, Chair	Chris Bashaw
Peter Coffin, V. Chair	Lynne Merrill
Peter Bakie	Robin Duguay
Richard Wilson, Board of Selectmen (BOS) rep.	Ellen Faulconer, alternate/admin. asst.

Members absent: Steve Padfield, alternate.

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

Mr. Coppelman began the hearing by reading the Right-to-Know checklist explaining the requirements, workings and access information for the remote hearing via the Zoom platform; contacting the Planning Board through emails during the meeting was also noted as available. He noted that due to the COVID-19 Pandemic, this was the Board's first meeting since March.

Expedited Review:
Mill Brook RV Park
99 Route 125
Tax Map R10 Lot 5

(The hearing began at 6:45) Mr. Coppelman read the public notice. Lewis Poore, owner/manager of the RV Park, was present and reviewed the proposal for an 8 x 12 ft. shed to be used for a changing room and pool supply storage and a 20 x 24 foot shed with a 4 foot porch as a shed and entry building; it will not be a finished building but will be used as the RV park office. He added that there had been an incident that took out part of the entrance gate so he probably won't do this until after the close of the season. He expressed

1

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add “minutes”; P.9 add “s” after “trust”, p.10 replace “Town” with “Owners”, p.11 add motion that was cut off “MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a “yes” vote.

his concerns about the delay caused by the issues surrounding the COVID-19 virus. Mr. Coppelman confirmed that the Board got the plans electronically; Mr. Greenwood explained that accepting the plan for jurisdiction was not necessary.

Mr. Poore confirmed that the larger shed would not have any plumbing or heating; he will have electric service and emergency shut-off will also be at this structure; he added a possibility of a wood stove but was not sure yet as it will only be open from May to the first week of October. Mr. Coffin raised questions about the dumpster and fence and property lines in regards to an existing dumpster; it was determined that it was "proposed" not a reference to the property line.

Department comments: Building – the electric permit for the tank is not requested yet. Mr. Poore explained that he had not used the tank yet; he was waiting for the installation of the shed to do all of the electric work through the same permit at the same time. Mr. Coppelman explained that it was just an informational note to the Board. There was no public present for comment.

MM&S to approve the expedited review per the plans received electronically by the Board. (Motion by Mr. Bashaw, second by Ms. Merrill) Discussion: Ms. Duguay noted that this was the last expedited review available for this property; any additional changes would require an actual amended site plan. Mr. Poore is aware of this.

Roll Call Vote on the Motion:

Glenn Coppelman – Yes

Peter Bakie – Yes

Peter Coffin – Yes

Chris Bashaw – Yes

Richard Wilson – Yes

Robin Duguay – Yes

Lynne Merrill – Yes

Motion passed unanimously (PUNA) this hearing ended at 7:02.

Bresnahan Moving and Storage Co.

7 Marshall Road

Tax Map R41 Lot 7-2

Mr. Coppelman read the public notice. The Board received a request to continue from the applicant's engineer which was read aloud.

MM&S to continue to July 7, 2020 at 6:45 assuming the Board add that date back into its calendar. (Motion by Mr. Bashaw, second by Mr. Bakie)

Roll Call Vote on the Motion:

2

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA) This hearing ended at 7:05.

MM&S to add the July 7th hearing date to the Planning Board's calendar. (Motion by Peter Coffin, second by Ms. Merrill)

Roll Call Vote on the Motion:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA) This hearing ended at 7:02.

Mr. Bakie asked if the meetings would begin being held at the Town Hall. Mr. Coppelman stated, that to continue on with the hearing, this would be discussed under Board business.

Capri Realty and Management, LLC

6 Spruce Lane

Tax Map R20 Lot 6

(The hearing began at 7:05) Mr. Coppelman read the public notice. Mr. Pascoe joined the meeting via the Zoom platform although he noted that he was at the Town Hall hoping to get the mylar signed. He noted that he had provided multiple copies for the Board's review. He reviewed the proposal of a duplex with two townhouses to be sold as condominiums; he took down a mobile home with no changes to the driveway; he noted that the buyers of the first condo. were also on the line. He stated that he was advised by his attorney about getting the condo. docs. set up; his engineer, Mr. Lavalley advised that, for this type of condo. project, he could not find anything in the Town's regulations that said the Town had to review so he went ahead and did the closing already. He said that it was built as a duplex and since the Board was unavailable, he had to do the closing.

Mr. Coppelman stated that Mr. Lavalley, who had been submitting work to the Town for a long period of time, should know that a condo. conversion needs subdivision approval.

Mr. Greenwood said that he has spoken with Mr. Pascoe advising him that he thought he had gone forward with an illegal subdivision and Town Counsel agrees with that statement. He read Article 905.3, Definitions that describes a subdivision including "condominium

3

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

conveyance”; he continued that for Mr. Lavallo to say there is nothing in the Town’s regulations is incomprehensible. Mr. Pascoe said he tried to do everything he was told. Mr. Coppelman noted that this is an after the fact issue as Mr. Pascoe had already sold one as a condo. and recorded it. Ms. Faulconer wanted to clarify that the Inspectors were not given any information regarding the project that the end result would be a condo.; Mr. Pascoe said that they were all aware. Ms. Merrill asked if that information was on the building permit; Mr. Pascoe answered that he was not sure he put that information on the building permit.

Mr. Greenwood read his review comments for the submitted plan. His comments noted that while waiting to appear before the Board, the applicant had subsequently sold the units as condominiums and recorded deeds, the condominium site plan and condominium documents at the RCCD. His comments included 10 items needed to bring the plan into compliance with the Town’s regulations. Mr. Pascoe said that he had previously missed a meeting due to needing revisions and he questioned why there were now more things needed for the plan; there were multiple changes needed for him to submit the revisions. Mr. Greenwood suggested that about ½ of the revisions were pointed out could be asked to be waived by the Board. Ms. Faulconer added that part of reason why the original submission did not go forward on the agenda was due to the plan not being portrayed accurately and once the Board was informed by the Inspectors that it was inaccurate, he had to resubmit an accurate plan. She added that the condo. docs, that are required, was not part of the original submission. Mr. Pascoe stated that it was unfair that he had to wait until the hearing to hear of the needed changes.

Mr. Quintal read his comments of his review of the revised plans; he noted that he did not review the original plans due to required changes that were being submitted. His review included 20 comments to meet the Town’s requirements; he noted that many could request a waiver from the requirements but any waivers that were granted would need to be added as a note to the final mylar.

Mr. Coppelman read Department comments that included Health: ensure that the property owner is aware that no sewage piping is to be coming from the garage. Mr. Pascoe confirmed that there is no plumbing in the garage; Mr. Greenwood said there is a plan note to that effect. Mr. Wilson discussed information from an Inspector’s meeting that included if the buildings were being made into condos, a separate pump was needed for each unit; he added that the Inspectors had said that this building wasn’t initially permitted as condos.

Mr. Coffin asked why the “garage” was not mentioned in the condo. docs; he said that the docs. simply refer to 2 units with no mention of the garage. Mr. Pascoe said that the garage

shows on the plan; Mr. Coffin said that no mention of the garage is a significant problem. He continued that the common area is the septic system. Mr. Pascoe said that each unit has its own tank with a common leach field. Mr. Coffin said that no common area shows in the docs and there did not appear to be a common area shown on the plans. Mr. Pascoe will reach out to his attorney. Mr. Quintal suggested that the driveway shows as a common area, Mr. Coffin pointed out that the driveway had a line down the middle for Area A and Area B and that it didn't show as an actual common area. Mr. Quintal agreed. Mr. Coffin stated that the condo. docs and plans need to be revised. Ms. Merrill noted that whoever owns Unit B may have difficulty conveying the property, in the future, if the garage isn't in the condominium docs. Mr. Quintal said that the leaching area is shown as "A" and not designated as common; this could be an issue for future repair as unit "B" can say they don't need to pay for it. Mr. Pascoe said it is a good point; it is called out in the condo. budget. He agreed that the condo docs needed to be fixed; many good points were raised, there are flaws. It was noted that the condo docs say that the septic system is common to both units but that is not reflected on the plan. Ms. Merrill stated that condo docs can be amended and recorded. Ms. Faulconer said that the statement usually required by the Planning Board regarding any changes to the docs. needing prior Planning Board approval was not in the document. Mr. Coffin said that it is clear that there are changes needed in both documents, the plan and condo. docs. Mr. Pascoe asked about differences from State and Town requirements. Mr. Quintal said there are some things required by the State and some things required by the Town; he added that the State approval number should be noted on the plan. He asked if the issues being addressed were more of a Town concern and not the State. Mr. Coppelman said there are State requirements and Town regulations; when an engineer does a plan, they are obliged to comply with the regulations or ask for a waiver. Mr. Pascoe asked how many more meetings he can expect; he is going back to his engineer, Mr. Lavalley to be able to nip this in the bud. Mr. Coppelman suggested that he take tonight's comments to the engineer. Mr. Greenwood said he would be glad to speak with Mr. Pascoe again to indicate the items where a waiver could be considered. There was continued discussion on how long it would take to get an approval; it was suggested that all of the requirements could be achieved upon careful review by the applicant's engineer. Mr. Coppelman said faster timing would assume he take the comments and do some diligent work with Mr. Lavalley and also request waivers where appropriate; it will depend on how well the engineer addresses the comments and modifies the submittal. Mr. Wilson commented that, regarding Mr. Pascoe's statement that Mr. Lavalley didn't know of any reason the Town needed items regarding condominium approval, the engineer should have done his due diligence. Mr. Pascoe stated the Mr. Lavalley told him that he didn't even need to go to the Town. Mr. Wilson explained that most of these issues are there to protect the buyers; this was done and sold without Planning Board review and approval.

Mr. Coffin noted that he was able to find a Common Area listed on the driveway although he may need a waiver request for the driveway as it is not meeting setbacks. He re-iterated that the condo docs and plan need to agree and look less like a subdivision and more like a condo.

Public Comment:

Brian Chevalier, the current owner of one of the condos., expressed his displeasure of the delay due to the continuation of the hearing due to the Pandemic; he had called to ask for an emergency hearing and told that the Planning Board had not been meeting; he was very disappointed that this couldn't have been taken care of sooner and done several months ago; it was very disruptive and they had no choice but to go forward with the sale. He stated that every other Town in NH had hearings. Mr. Coppelman commented that this was not the only Town that had to postpone hearings. Ms. Faulconer stated that there were reasons why this happened but that was not the point to Mr. Chevalier so there was no point in explaining, it would not change the effects of these issues upon him and his family. The Board apologized for the problems cause to him during this time.

Mr. Pascoe asked to speak about issues he was having on Mill Road. Mr. Coppelman said that it was nothing to do with this hearing. Mr. Greenwood said the bottom line was that the ZBA required the PB review and he has to make an application to the Planning Board.

Mr. Coppelman said that the hearing was done and asked the Board how they wanted to proceed. The timelines needed to get on the Board's July 7th or July 21st agendas were reviewed with Mr. Pascoe. He said that he would demand that his engineer meet the July 7th requirement of returning the revised plans by noon on June 25th. Mr. Quintal said he can over all of the concerns with the engineer. Mr. Bakie reminded Mr. Pascoe that some of the items can be asked to be waived through a waiver request.

MM&S to continue this hearing to July 7th at 6:30 with revised plans and condo docs received by noon on June 25th. (Motion by Ms. Merrill, second by Mr. Wilson)

Discussion: Mr. Bashaw commented that no one wanted to conduct business the way things happened in the past few months and would like to say that we recognize needing some flexibility with things moving forward. Ms. Merrill added that everyone had been frustrated by not being able to meet.

Roll Call Vote on the Motion:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA)

Mr. Pascoe asked how long it would take to get Mr. Quintal and Mr. Greenwood's comment as he would need them to get moving as fast as possible. Ms. Faulconer stated if he emailed her this evening with his email address, she was monitoring emails during the meeting and would send it to him as soon as he provided it.

This hearing ended at 8:15.

Fieldstone Industrial Park

34 Route 125

Tax Map R2 Lot 13

(The hearing began at 8:18) Mr. Coppelman read the public notice. Doug McGuire, of the Dubai Group was present via the Zoom platform representing the applicant, John Wilder, who was also present. Mr. McGuire reviewed the site for the proposal adding that it doesn't lend itself to retail development; the proposal is a contractor-bay type proposal that he felt was more viable to the site; the property has an easement access right directly to the south; there is an existing used road through the Comcast property and they obtained easement rights to the property for a single point of access to the two properties and they are proposing to improve it and reduce the grade. He continued that the site layout shows the access way maintaining the connection to the cell tower and then up to a pad area with the three commercial areas. Mr. McGuire stated that the intent is for bays to be used by contractors looking to store large equipment and allow for vehicles and also a mezzanine for any bookkeeping and the like; the bays are broken up into 25 foot increments for large equipment; there are two buildings with shared access and then a third building tucked in the back corner. He reviewed the drainage system, detention pond and treatment swale. He stated that they have applied for the AoT (Alteration of Terrain) permit and DOT (Dept. of Transportation) driveway permit. Mr. McGuire confirmed that the plans being reviewed by the Board were updated from the original submission. Ms. Faulconer noted that this meant that the Department Heads had not reviewed this plan set.

Mr. Greenwood read his comments; there were lines drawn through the previous comments due to the amended plan, leaving just 4 remaining that included whether zoning relief was required for lot frontage access; soils report required due to buffer proposal and wetlands and need to substantiate buffer as shown on the plan; parking spaces not meeting requirement; 4K areas and test pits needing to be reflected. Mr. McGuire stated that the 4K areas had been added to sheets 8 and 9; the parking calculations had a typo which was addressed in this submission. He continued to explain the proposal which would be a mixture of two uses with a small amount of office space but the vast majority of space will be "warehouse" space as operator's equipment and supplies; it is not a heavily used

7

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

building with two employees per unit; he reviewed the amount of parking spaces needed for the development; he added that two cars could be parked in front of the overhead doors. He clarified that he is not assuming cars in the building but is assuming 2 spaces parked in front of the garage doors and not impeding the other units and only assuming that parking on one side of the building. Ms. Merrill stated that there is an issue in front of the end unit with the handicapped spaces. Mr. McGuire said that they can shift the space and have a larger hatched area. Mr. McGuire said that they were working with Gove Environmental for Wetland Delineation. Mr. Quintal said that he had received a copy of the wetland function information. Ms. Faulconer asked if anyone had reviewed the previous remediation plan in relation to what was shown on this plan.

Mr. Quintal stated that a “wetland was a wetland” and needed to be treated as such. He read his comments; he stated that he had removed many previous comments since the initial submission leaving the following comments: #2 – concerns re: buffer based on previous plans in 2015; he suggested a third party review; #10 re: sanitary waste disposal plan; #11 – asphalt/parking requirements; #12 – need not re: FD regulation compliance; #13 – vehicle service, storage or reconditioning and test wells detail should be shown; #16 – handicap space will be blocked – needs to be moved and there are 36, not 44, spaces in front of the buildings in front of the first building; the plan shows that there is no parking in the front of the section; #18 – parking mitigation, areas should be grassed if not for parking as the intent of the regs. are not met; #20 – permits; #21 – test pit data; #25 – documents re: working on abutting property; #34 – infiltration pond info. also suggesting 3rd party review; #35 – details for pond P3 and P4; #36 - operation and maintenance procedure docs. to be recorded in the registry; #37 – stormwater measures must meet BMP’s; #38 – subsurface disposal to meet NHDES requirements for open drainage; #39 – Drainage report needs revised calculations; #43 – turning radius template for fire trucks and large delivery trucks at last parking area need review and acceptance by FD; #46 – snow storage area not in wetland buffer or infiltration basin; #47-Sheet 7 need note #4 completed; #48 – trees not planted in the basin (sheet 10); #49 – provide North arrow. Mr. McGuire said that it was unfortunate they couldn’t get the comments sooner as he could have had another review with staff sooner. He noted that he wasn’t saying that the comments aren’t valid as many listed are important.

Mr. McGuire discussed the use of Reclaimed Asphalt (RAP); regular asphalt paving includes the driveway and parking spaces along the southern perimeter; other areas have reclaimed asphalt to support large constructed related vehicles; he added that this is not fully impervious as water can and will get through; it was not taken into the drainage analysis. The RAP in front of the first building is not for conventional parking but could be a supplemental parking area for contractors. Mr. McGuire stated that there is an intercept swale so it doesn’t get to the wetland; he said that the wetland was not a high-functioning

wetland. He asked for input from the Board re: use for the RAP and parking. Mr. Coppelman said that sheets 2 and 3 need to have the zone indicated as CII and should be CIII; he said that this meets the list of permitted uses in the Zone.

Mr. Coppelman read the Department comments. Building: concerns with proposed driveway and slopes; questioned the fill leaving and coming into the site; no info. on buildings or uses re: comments for structures. Highway: question regarding the elevation of driveway and need to fill the land that they don't own, is there an easement; at 350 degrees, they are cutting soil away and making the driveway to the cell tower steeper than it is; parking lot encroaches on parking lot setback; question regarding wetlands and suggests that they have another authority confirm. Mr. Coppelman will send copies of the Department comments to Mr. McGuire.

Mr. Coppelman asked if the Board was okay as the driveway was proposed regarding frontage. Mr. Coffin said that it was okay but he needed to see the easement; Mr. Wilson okay with it as was Ms. Merrill. Ms. Faulconer suggested reviewing the previous plan before making a commitment. Mr. Coffin said that the Town's normal procedure is to get our own soil scientist as a back-up due to the discrepancy with the wetlands. He suggests that we get a second opinion for that and a soil remediation as it is normal for the Board to do that. The Lighting plan was discussed; Mr. McGuire stated that they will be night-sky compliant and will add that note.

MM&S to accept jurisdiction of the plan. (Motion by Ms. Merrill, second by Mr. Coffin)
PUNA

Roll call vote on the motion:

Glenn Coppelman – Yes

Peter Bakie – Yes

Peter Coffin – Yes

Chris Bashaw – Yes

Richard Wilson – Yes

Robin Duguay – Yes

Lynne Merrill – Yes

Motion passed unanimously (PUNA)

Public comment: Mr. Wilder said he is okay with everything right now.

Mr. McGuire said that they are bringing the drive down from 16% to under 10%; Comcast is the co-signer for the DOT application. Mr. Coppelman stated that a waiver request is needed to act on a waiver. Mr. Bashaw said that he didn't need a site walk if it would add delay. Mr. Bakie agreed. There was continued discussion on a third party review. Mr. Coffin suggested that it is better to refer to the list of approved uses in the CIII zone. Mr. Greenwood said it is the most permissive zone and can go to the ZBA for a special

exception. Mr. Coffin said he wouldn't mind a site walk but it isn't necessary. There was no motion for a site walk.

MM&S to waive the 4 inch asphalt pavement requirement and allow the use of reclaimed asphalt in its place as shown on the proposed plan reviewed at this hearing. (Motion by Mr. Bashaw, second by Ms. Merrill)

Roll call vote:

Glenn Coppelman – Yes

Peter Coffin – Yes

Richard Wilson – Yes

Lynne Merrill – Yes

Peter Bakie – Yes

Chris Bashaw – Yes

Robin Duguay – Yes

Motion passed unanimously (PUNA)

Mr. McGuire asked for any comments to be given to him as soon as possible. Mr. Coffin asked Mr. Quintal to comment on a need for a third party review. Mr. Quintal said there was a discrepancy from 2015 to the current report that could affect the development; he said a third party review would make the Planning Board more comfortable re: the wetlands and can ask at the same time for review the soils.

MM&S to have the wetlands and soil analysis reviewed by a third party for an independent wetlands and soils analysis. (Motion by Mr. Coffin, second by Mr. Coppelman) Discussion: Mr. Wilson stated that he had walked it before it was reclaimed and he can see the need for a third party review. Mr. Coppelman said that he trusts in Mr. Quintal's recommendation. Timing and non-delays were discussed.

Roll Call vote:

Glenn Coppelman – Yes

Peter Coffin – Yes

Richard Wilson – Yes

Lynne Merrill – Yes

Peter Bakie – Yes

Chris Bashaw – Yes

Robin Duguay – Yes

Motion passed unanimously (PUNA)

Mr. Greenwood will reach out to RCCD pending availability or an alternate as needed. Mr. Bashaw does not want to delay unnecessarily. Mr. Quintal noted that most of his comments can be corrected or be dealt with by waiver requests. He is not sure the layout for parking and tree planting meets the requirement. He suggests that Mr. Greenwood look at it a little more especially the parking along the southern line. Mr. Greenwood said his concern with the formula for parking was met. Mr. Quintal suggested to Mr. McGuire that if parking is out front, it should be designated appropriately as if it is not shown as potential parking

10

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add “minutes”; P.9 add “s” after “trust”, p.10 replace “Town” with “Owners”, p.11 add motion that was cut off “MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a “yes” vote.

spaces; it could be a problem in the future. Mr. Wilson said that he would support the plan on parking on the grounds that emergency vehicles and get in and out; he doesn't have a problem to allow some plantings and waive some; Ms. Merrill said she likes the parking plan but thinks parking on the left should be designated; she does want some trees. Ms. Duguay asked if "truck terminal" which was under prohibitive use would impact this proposal. Truck terminal was explained as an active trucking site with trucks pulling in and out; stopping and unloading and refueling and therefore not meeting this application's proposed use. Mr. Coppelman said that the third party review should be okay by the 21st. Mr. McGuire asked to be on the June 7th agenda to review items that could be reviewed and address waivers and then continue to the 21st when the third party review would be received.

MM&S to continue to July 7th with the revised plans coming in to the Town office by noon on June 25th. (Motion by Ms. Merrill, second by Mr. Wilson)
Roll Call vote:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA)

This hearing ended at 10:15.

Critical Correspondence:

- Child Care Center at 43 Church Street – letter from K. DeCesare received asking if any additional review is required; hours of operation is 6:00 AM to 6:30 PM. Mr. Bashaw owns the overall parcel of land so he recused himself by turning off the audio and video; Ms. Merrill recused herself as well as the agent of the owners. Mr. Coppelman announced that Ms. Faulconer would be a voting member at this time. Mr. Greenwood said that it was previously a day care and a site review when first approved. Mr. Wilson said that was about 12-15 years ago.

MM&S that no further review is required. (Motion by Mr. Bakie, second by Mr. Wilson)
Discussion: Mr. Coffin said that it has been an approved use for the zone as it existed before.
Roll Call vote:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes

Peter Bakie – Yes
Robin Duguay – Yes
Ellen Faulconer – Yes

11

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

Motion passed unanimously (PUNA, 6-0)

Mr. Bashaw and Ms. Merrill returned at this time.

Board Business:

- Mr. Wilson said that there were complaints from Jericho Drive re: tree cutting. Mr. Wilson walked the property and there were questions regarding a discrepancy in the buffer; there were setbacks set at 200 ft. and 500 ft.; a logging road has been established within 136 feet from the abutting neighbor. There were questions regarding setbacks for logging. Mr. Greenwood said that we don't have a standard site plan as Mr. Torromeo is regulated by mining; if the activity is not done in relation to the mining activity and is not exempt. Mr. Coppelman said that the setback would still count for the zone. Mr. Wilson said the discussion was that they were taking down 150 year old trees as they are old; tried to say borders are in a different place – he's within the 200 feet of the property line; Mr. Wilson said he believes that the quarry is within the 500 foot setback; Mr. Coppelman said that the tree cutting can't be within the 200 feet. Ms. Merrill asked if there was clear cutting or selective cutting. Mr. Wilson said that both clear-cutting and selective cutting was going on by the same logger that worked on the Bresnahan property. Mr. Wilson noted that an Intent to Cut had been filed; Mr. Greenwood said that filing that permit meant that they had comply with the setbacks. Ms. Merrill suggested that Mr. Greenwood contact the Bureau of Mines; Mr. Wilson said that the activity is not mining; Mr. Greenwood said that it is not associated with mining. Mr. Wilson said that the logger had stopped cutting at this point; he just wanted to confirm the buffer with the PB; Mr. Greenwood will contact the Bureau of Mines.
- Mr. Greenwood said he had contacted Superintendent Ambrose re: use of the auditorium if needed for the SLS hearing on the 30th. If the Board wants it recorded, the Town will have to pay for the A/V personnel; he will find out the costs associated with this.
- Mr. Greenwood referred to Mill Road which was briefly discussed when brought up by Mr. Pascoe regarding PB review per the ZBA decision. The Planning Board has not received an application so there is no current action at this time.
- Future Planning Board meetings: there was discussion about upcoming meetings and whether to continue with Zoom meetings or hold them in person at the Town Hall. Mr. Coppelman stated that he posed the question to Steve Buckley, NHMA attorney, due to changes in the Governor's Emergency Orders. His guidance was that 1.) the Planning Board can continue to conduct at a remote location via the Governor's Emergency Order #12 to avoid harm to the volunteers and public in high-risk situations and 2) the Board can require physical distancing and face coverings and suggested that the Board use the current guidance for Libraries. Mr.

12

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

Bashaw asked about an option with both a physical presence and a Zoom meeting. Ms. Faulconer stated that due to the set-up at the Town Hall, it just didn't work; Mr. Coppelman said that it either had to be virtual or in-person. Mr. Wilson agreed that the option of both at once didn't work; it was terrible as a hybrid. Mr. Coppelman said that he felt uncomfortable with a lot of people at a meeting without treatments and a vaccine. Mr. Wilson said that there needs to be masking and social distancing. Ms. Faulconer asked what the policy is and what backing is there to support the policy. Ms. Merrill said that she is high risk and an advisory can mandate that no one can come in without a mask, including the Board, and there should be a police officer present. Mr. Coffin said that the number of the Board members and applicants and public make it extremely difficult to try to keep social distancing. Mr. Bashaw said there would be a concern about having an in-person meeting and then tell people that they can't come in. Mr. Bashaw said that while it was not an issue for him, he would respect those with concerns and will defer and err on the side of caution. Mr. Coffin said that the ZBA had a "live" meeting and they had reached it limit regarding social distancing and would not want to deny access to meetings. There was continued discussion of the type of meetings to be held for the upcoming hearings. Ms. Faulconer reminded the Board that the meeting on the 30th is a Design Review which is one hearing that can't be continued; it is not a site plan review. Ms. Merrill said that if the Board was scheduling all other hearings as a Zoom hearing than the Board should not make an exception. Ms. Faulconer asked if the Board didn't have an obligation to the public to not force them to choose between a large public hearing and staying home. Ms. Duguay asked if the Board had an "in-person" meeting, who would be the enforcer of wearing masks and social distancing. Ms. Faulconer reviewed the information that had been put on the Planning Board page of the Town's web site explaining how the Zoom meeting worked; access, plans to provide as much access and information to the public as possible. The Board decided that the only way to have social distancing was by staying with "Zoom" for future meetings.

MM&S to approve the Feb. 18th minutes as submitted. (Motion by Mr. Coffin, second by Ms. Merrill) Roll Call vote:

Glenn Coppelman – Yes

Peter Coffin – Yes

Richard Wilson – Yes

Lynne Merrill – Yes

Peter Bakie – Yes

Chris Bashaw – Yes

Robin Duguay – Yes

Motion passed unanimously (PUNA)

MM&S to approve the March 3, 2020 minutes as presented. (Motion by Mr. Coffin, second by Ms. Merrill)

13

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add "minutes"; P.9 add "s" after "trust", p.10 replace "Town" with "Owners", p.11 add motion that was cut off "MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a "yes" vote.

Roll Call vote:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA)

MM&S to approve the minutes of June 9, 2020 as presented. (Motion by Ms. Merrill, second by Mr. Coffin)

Roll Call vote:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed unanimously (PUNA)

Board Elections:

Mr. Coppelman stated that the Board needed to do Elections for Chair, Vice-Chair, Rep. to the HDC and the CIP committee needed to be established at some point.

Mr. Bakie nominated Mr. Coppelman; there were no additional nominations.

Roll Call vote:

Glenn Coppelman – Abstained
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Yes

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed 6-0-1

Mr. Bashaw nominated Ms. Merrill for Vice-Chair; there were no additional nominations.

Roll Call vote:

Glenn Coppelman – Yes
Peter Coffin – Yes
Richard Wilson – Yes
Lynne Merrill – Abstained

Peter Bakie – Yes
Chris Bashaw – Yes
Robin Duguay – Yes

Motion passed 6-0-1

14

PB Hearing

June 16, 2020

Accepted as amended 7/23/20: p1 – add “minutes”; P.9 add “s” after “trust”, p.10 replace “Town” with “Owners”, p.11 add motion that was cut off “MM&S that no further review is required.(Motion by Mr. Bakie, second by Mr. Wilson) and amend roll call to delete Ms. Merrill and Mr. Bakie; add in Ms. Faulconer with a “yes” vote.

Mr. Wilson nominated Mr. Coppelman to be the Planning Board rep. to the HDC Mr. Coppelman asked Ms. Merrill about her interest; she stated that while she might be interested in the future, now was not the time. There were no further nominations. Roll Call vote:

Glenn Coppelman – Abstained

Peter Coffin – Yes

Richard Wilson – Yes

Lynne Merrill – Yes

Motion passed 6-0-1

Peter Bakie – Yes

Chris Bashaw – Yes

Robin Duguay – Yes

The Chairman reminded the Board that the next hearing was scheduled for Wednesday, June 24th; he declared the meeting adjourned at 11:22 PM.