

KINGSTON PLANNING BOARD

May 4, 2021

Public Hearing/Meeting

Minutes

The Chairman called the hearing to order at 6:30 PM; he noted a quorum present through the Zoom platform for a remote hearing; there were no challenges to the validity of the hearing. 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 and phone during the meeting was also noted as available. Glenn Greenwood was the host for the meeting.

A roll call vote of the Board members present occurred; each member noted whether any one was present with them in the room while attending this meeting.

Members present:

Glenn Coppelman, Chair; alone

Lynne Merrill, V. Chair, alone

Chris Bashaw, alone

Richard Wilson, Selectboard (BOS) rep., alone

Peter Coffin; alone

Robin Duguay, minor son present

Ellen Faulconer, Alternate, alone in room

Steve Padfield, Alternate, alone

Members absent: Peter Bakie

Also present: Glenn Greenwood, Planner; Danna Truslow, consulting hydrogeologist

Mr. Coppelman announced that Mr. Padfield would be a voting member due to Mr. Bakie's absence.

Board Business

MM&S to accept the April 6, 2021 minutes as presented. (Motion by Mr. Coffin, second by Ms. Merrill) Roll Call vote:

Steve Padfield – yes

Lynne Merrill – yes

Glenn Coppelman – yes

Peter Coffin – yes

Robin Duguay – yes

Chris Bashaw – yes

Richard Wilson – yes

Motion Passes Unanimously (PUNA)

Mr. Coffin questioned the status of the training from the Stormwater Center. Mr. Greenwood replied that they are not coming on June 1st now due to the Board's hearing schedule but they are interested in giving a presentation; a date is yet to be determined.

Correspondence:

- Amended and recorded condo. docs. were received by the Residential condo. association at Hawks Ridge. The Board discussed the requirement of having Planning

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PB Hearing/Meeting

May 4, 2021

Accepted as written 6/15/2021

Board approval prior to changing and recording condo. docs. The discussion included the Board's interest being on changes upon ordinances. Mr. Coffin said that the changes don't need an amended site plan but it does give the Planning Board the ability to see the amendments for compliance with the Town's regulations, ordinances and approval. The discussion continued that the Board would need to remind Associations that changes require Planning Board approval; if the changes had nothing to do with ordinances and regulations, the Board could say that "no further review is required". The Board determined that it should be proactive in reminding all of the condominium associations that Planning Board review and possible approval is required in order to confirm compliance. Mr. Coppelman stated that when the Board receives changes from the BOS office, Mr. Greenwood or Ms. Faulconer can review them and bring them to the Board.

ACTION ITEM: Mr. Greenwood will research current condominium associations to send a letter of reminder that future changes to condo. docs require prior Planning Board review and approval before recording; he will work with Assessing to see if there is a list available

Board Business will continue after the agenda items.

Richard Beauchesne, TR
John's Truck and Auto Salvage
71A New Boston Road
Tax Map R18 Lot 22

Mr. Coppelman noted that this hearing began at 6:48 PM. Andrea Kenter appeared before the Board on behalf of the applicant. Ms. Faulconer confirmed receipt of that authorization from the applicant. Ms. Kenter explained that she had been working with the applicant to add this pad; she provided the Board with background on the "Settlement Fund" for MBTE's with some of the funds available to prevent further and MBTE contamination. She reviewed the site clarifying that all of the rebuilds are now done in one building with three bays; there is currently no pavement in front of the building where the dismantling of vehicles take place. She is proposing a 45 ft. x 20 ft. pad in front of the 3 dismantling bays; this "landing" pad will be for incoming vehicles and will be built to collect spillage. She noted that this is a State of NH "green yard". Ms. Kenter confirmed that there is containment around the pad; there are grooved PLB's (Positive Limiting Barriers) like that seen at gas stations. They will do testing to confirm the soil; there is post-installation documentation that goes to the state.

Mr. Coppelman noted that the applicant was addressing this proposal under the "expedited review process"; this is the second time this process has been used with is the limit allowed by the Board's regulations. Mr. Coffin asked if there was a concrete pad out back. Ms. Kenter said that it is on the site plan and is on the site but is in pretty rough shape and covered in dirt. She re-iterated that all of the dismantling in now done in the building up front. Mr. Coppelman stated that the proposed design and intended purpose would assume that this

pad wouldn't get to that point; he assumed there was a maintenance plan. Ms. Kenter stated that there is not a maintenance plan, per se, but the owners are aware of how to maintain the PLB's; she is not sure if the State checks on this.

Mr. Coppelman asked for any public comment. Danna Truslow, who was now in attendance, asked how the pad was being cleaned and if petroleum products get washed off. Ms. Kenter answered that they use a stiff push broom and there is no pressure washing of the pad; she continued that if there are petroleum spills, they have Speedi-dry and spill kits. Mr. Wilson noted that the business has a large fork lift and he doesn't see cars outside when he drives by. There was no further public comment.

Mr. Coppelman noted that this plan does not get recorded; Mr. Greenwood agreed adding that it is kept on file with the Town.

MM&S to approve the application for expedited review for the construction of a 45x20 ft. pad per the application. (Motion by Mr. Wilson, second by Mr. Bashaw) Mr. Coffin stated that all of the items required for expedited review were met. Roll Call vote:

Steve Padfield – yes

Lynne Merrill – yes

Glenn Coppelman – yes

Peter Coffin – yes

Robin Duguay – yes

Chris Bashaw – yes

Richard Wilson – yes

Motion Passes Unanimously (PUNA)

Ms. Kenter asked when they were available to start. Mr. Coppelman cautioned that there was a 30-day appeal period and starting prior to that date was at their own risk. Ms. Kenter was referred to the Building Inspector regarding the need for a building permit.

Mr. Coppelman noted that there were department comments from Fire and Building that had checked off “no comment”.

Mr. Coppelman declared that this hearing closed at 7:12 PM.

Danna Truslow

Hydrogeologist, Consultant for the Town of Kingston Training

Ms. Truslow used the screen-share function to review “Groundwater and Surface Water Resources Update and Water Quality Topics” for the Board. She noted that she did a training session for the Board seven years ago that included an update of the Aquifer Protection Zone. While reviewing the 266 Rte. 125 project, the Board had a lot of good questions and thought it would be helpful to do a quick review of groundwater principles. Ms. Truslow began by reviewing the number of wells installed and their locations since 1984; noted clusters of wells and public water supplies. She also noted the conservation lands adding that Kingston has done a great job with putting lands in Conservation.

Her training included the following:

- Wellhead Protection Areas, Public Water Supplies, High Priority Water Supply Lands; she noted that higher water resource lands are in the center of the Town.
- Surficial deposits and area making up the Aquifer; ponds and river systems representing the Stratified Drift Aquifer and areas of highest transmissivity. She explained that “transmissivity” is used to characterize aquifers; it is the combination of permeability and the thickness of the saturated zone. Ms. Truslow reviewed types of high and low transmissivity zones.
- Well types were explained noting that shallow/dug wells were more susceptible to contamination; deep gravel, packed wells which are usually commercial or municipal are less sensitive to drought conditions.
- Bedrock Geology of Kingston – bedrock wells were described; Ms. Truslow explained that the material above bedrock is important as it provides recharge which is essential to a bedrock well. Ms. Truslow added that a question had come up during the review 7 years ago about the interaction between bedrock and sand and gravel wells and she clarified that the pumping of bedrock influences a sand and gravel well rather than the other way around.
- Groundwater Flow Rates and recharge representation was shown; there is only about 50% recharge from precipitation due to things such as plants, evaporation, run-off to streams, and shallow subsurface run-off. Ms. Truslow added that, specific to the 266 Rte. 125 project, there is fairly slow groundwater flow in the sand and gravel and the fairly flat water table at the site; groundwater needs a slope to flow.
- Surface Water and Groundwater Connection and Interaction - groundwater flow to lakes, streams and wetland and recharge to groundwater and discharge to wetlands and surface water were explained. Ms. Truslow added that not all water flows to a local stream and can travel a long distance.

Ms. Merrill discussed an issue back in the 1970’s regarding a possible recycling plant at the former landfill location which was discouraged due to the water under the landfill moving so fast but now hearing that water doesn’t flow quickly which seemed confusing; she asked Ms. Truslow if she could clarify the discrepancy. Ms. Truslow explained that every site is a bit different and there could be shallow bedrock at that location or could be in an area with a steeper water table; permeable material and a steeper water table would be a faster flow rate. She did not have specific knowledge of the exact material beneath the landfill. Ms. Merrill stated that Ms. Truslow’s answer helped to clarify that even within a few feet there could be changes in the flow rate. Ms. Merrill added that in the 1970’s the Town was told that they had the fastest-flowing aquifer in Rockingham County. Ms. Truslow stated that groundwater flows in sand and gravel are directed by topography; high transmissivity is often caused by glacial activities. Mr. Greenwood asked if there was an opportunity that the Town was missing by not developing some sort of municipal water resource. Ms. Truslow said that there are some funds out there for protection but with Kingston not already having municipal resource already it might be tough to qualify for the funds. She continued that

there is funding being put into infrastructure and there is an opportunity to look at some high value areas and land protection for future use; the USGS survey done in the 80's and 90's had several areas deemed very high value and it would be interesting to look at the information and start thinking about them.

- Groundwater Surface Water Contamination and Water Quality concerns include release of hazardous material and oil although there is good engineering and control now; stormwater and chemical run-off, PFAs, naturally occurring arsenic and manganese which are potential health concerns with manganese attributed to developmental issues in children. NHDES Domestic Well Data was reviewed for Kingston with the yellow highlighted items showing issues that are higher than normal in Kingston versus the County and the State; she noted that 77 wells are not a huge sampling but it does show some common occurrences; she suggested that homeowners test their wells on a regular basis such as every couple of years. She said that they can be sent to the State and is not too expensive. She clarified that the results shown were taken before any well treatment.
- USGS study of arsenic distribution in wells showed that there is an area in Kingston with higher probability of arsenic; road salt is the largest source in drinking water which is a health issue; there are many health reasons to be aware of this information when looking at developmental data.
- Domestic/Commercial Septic Discharge: concerns with personal care and pharmaceutical building up in the groundwater and things being thrown down the drain that shouldn't be; she said that good BMP's (Best Management Practices) help. She continued that there are nutrients such as Nitrogen and Phosphorus that can cause toxic algae blooms noting that she thought that a pond in Kingston was having work done to reduce phosphorus loading. Ms. Truslow reviewed the Permeable Reactive Barrier (PRB) used at AAAL (All American Assisted Living) as a pilot project with a way to treat nitrate into nitrogen gas adding that this is a system that requires monitoring and maintenance. Results of testing at AAAL were reviewed.
- Board comments: Ms. Duguay thanked Ms. Truslow adding that this review was very helpful. Mr. Coppelmann stated that he appreciated that she did this training for the Board. Mr. Wilson asked what is the "bible" on the aquifer and what gets priority. Ms. Truslow described the process in 2014 to establish Zone A and Zone B of the aquifer noting that, due to the scale of the map, the overlay of the map doesn't line up and some work may need to be done and it would be helpful to have a better overlay map for the zone. She suggested going on "GRANIT" and there is a pretty good definition on the on-line data base to upgrade the mapping. Ms. Merrill agreed that it is confusing on the map with the different shades of blue depending on the printer and how it is reproduced. Ms. Truslow said that she could work with Mr. Greenwood on coming up with a better defined map; she will reach out to Mr. Greenwood. Ms. Merrill thanked Ms. Truslow and said it was a nice overview. Ms. Truslow will put her presentation into a PDF file and send to the Planning Board office.

Board Business, continued

The Board continued the discussion regarding condo. docs. Mr. Greenwood confirmed that he would do some outreach and alert condominium associations that any changes needed Planning Board review. Mr. Coffin re-iterated that the Board needed to be aware of recorded changes in case it affected the approval and there are options available to the Board due to recorded approval; he continued that just because the amended document is already recorded doesn't mean the Board doesn't have options. Mr. Coppelman again clarified that if recorded documents are given to the Board, Ms. Faulconer or Mr. Greenwood can review and flag as needed and bring to the Board. There was continued discussion on condominiums, condexes, the number of units. Ms. Merrill added that condominium requirements have gotten stricter over the past 20 years.

Correspondence, continued:

- Letter from Georgia Gerakas, owner of the plaza across from the Town Hall re: Unit E, formerly "Josiah's" now going to be occupied by "Benson's Café" which will serve breakfast and lunch and possibly dinner a couple of days a week. Mr. Coffin thought it was a similar use as did Ms. Merrill and Mr. Wilson. Mr. Greenwood questioned the evening activity. Mr. Wilson said that "Papa's Place" served dinner which Ms. Merrill confirmed. Mr. Greenwood stated that based on this, dinner hours would have been part of the original approval.

MM&S that no further review is required for Benson's Café based on this information.

(Motion by Mr. Coffin, second by Mr. Wilson) Roll Call vote:

Steve Padfield – yes	Lynne Merrill – yes	Glenn Coppelman – yes
Peter Coffin – yes	Robin Duguay – yes	Chris Bashaw – yes
Richard Wilson – yes	Motion Passes Unanimously (PUNA)	

Ms. Faulconer will let the owner and Building Inspector know the Board's decision.

Mr. Greenwood had multiple issues to bring to the Board.

- Phone conversations with Ms. Higgins-Petrie about the property on Main Street that is currently noted on the tax card as having no bathrooms, no bedrooms and wants to know the available use of the structure. Mr. Greenwood has told her, based on review of the files and tax card, that no other use is allowed at this time and suggested a possible avenue via the ZBA but suggested that the BOS should be involved along with an inter-Town discussion. Ms. Merrill said that when the owners wanted to build in the back they were required to demolish the house in front but didn't due to the possible historic nature of the building. Mr. Greenwood said that having historic value didn't mean that the Town can require that the building not be demolished; the HDC doesn't have, not ever had, that authority. He re-iterated that the Town needed to talk about this. Mr. Wilson said that he will follow through on this and the needed discussion.
- Discussion with owner of Carriage Towne Plaza and a prospective renter; there is an area where the building splits where an edition as a connector would be added which

comes out to about 300 sq. ft. Mr. Greenwood continued that there have already been 2 expedited reviews over the past 15 years so it would require a full site plan review. He would like the Board to consider an exception in this instance. There was discussion regarding the location of the expansion. Mr. Coppelman suggested having the owner ask for a waiver. Ms. Merrill added that the owner might ask for the review of a possible bank tenant and asking for the review of drive-up ATM at the same time. Mr. Greenwood said that the owner hasn't discussed this possibility with him but he will suggest it when he speaks with the owner.

- Mr. Wilson said that any letters received by the Board regarding Saddle Up should be forwarded to the Planning Board email. Mr. Coppelman added that if Board members get contacted at personal email, they should forward to Ms. Faulconer and not get involved in any discussion; it is the standard practice not to address outside of the public hearing.
- Mr. Wilson suggested that there might be conflicts within the Ordinances and suggested that it might be time to review them again. Mr. Greenwood said that he, Ms. Faulconer and Ms. Merrill were going to review for the Board. Mr. Wilson suggested the Mr. Coffin might also want to help with the review.
- Mr. Greenwood's last item involved a phone conversation with Mr. Waters of Saddle Up who asked if the Planning Board could grant allowances for outside events in advance of the Board's decision on the application. Mr. Greenwood told the Board that he explained that the Planning Board could not grant any allowances; they were in the middle of the site plan review process and any decision on any uses can only continue during the public process and through the decision on the application.
- Mr. Wilson announced that the BOS had received about 10 applications for the Code Enforcement Officer and 4 or 5 are very good; the application process closes on Friday.

As there was no further Board discussion, Mr. Coppelman declared the hearing/meeting adjourned at 8:43 PM.