

**Kingston Planning Board
September 28, 2010
Public Meeting**

Minutes

The Chairman called the meeting to order at 7:00 PM; there were no challenges to the validity of the meeting.

Members Present:

Rich Wilson, Chair
Glenn Coppelman
Adam Pope, Alternate

Ernie Landry
Rich St. Hilaire, Alternate

Members Absent: Jay Alberts, Dan Mastroianni, Chuck Hart, Marilyn Bartlett, Alternate

Also present: Glenn Greenwood, Circuit Rider Planner; Ellen Faulconer, Administrative Assistant

Mr. St. Hilaire and Mr. Pope will be voting members this evening.

Board Business

The non-critical correspondence folder was passed around for Board members' review.

Mr. Hart's message to the Board about removing the new line to provide funding and associated revenue for the Health Officer to attend the Planning Board's meeting when necessary was discussed. Mr. Wilson suggested attending the next Selectmen's meeting to review the proposal with the Board of Selectmen. Due to the budget submission deadline, the Board decided to leave the item in the budget until Mr. Wilson could speak with the Selectmen, agreeing that the line could be removed when presented to the Budget Committee.

Critical Correspondence:

- Memo from Ms. Faulconer regarding the scheduling of the Telecommunications and Sign Ordinances; the Board agreed to add these to the November public hearing.
- Email received regarding the Board's receipt of the PREP grant; Mr. Coppelman discussed the emails, upcoming process, hiring of Dana Truslow. Mr. Coppelman addressed a question raised about the starting date of the project. He explained that the anticipated timeframe was to begin in early summer but due to funding timelines, it would not begin until Fall and not done in time for the upcoming election. He suggested that it was more important to do a better job rather than rush through the process. All members of the Board agreed with that sentiment.

ACTION ITEM: Mr. Coppelman to reply to PREP concerning the timing of the grant project.

- Camp Lincoln has requested appearing before the Board to discuss zoning issues; Mr. Greenwood has confirmed that this type of discussion would not need abutter notification. The Board will invite them to the meeting on October 5th at 7:30.
- Tupelo, LLC Occupancy Permit received.
- Local Source Water Protection Grant; copy for Mr. Greenwood

ACTION ITEM: Mr. Greenwood to review the Water Protection Grant and report back to the Board.

- Memo from Ms. Faulconer re: Design Review Procedure; required bond has been posted; procedure language is missing from site plan and subdivision.

ACTION ITEM: Mr. Greenwood will research Design Review Procedure.

- Special Exception Section in the Rural Residential Ordinance needs review and update.

ACTION ITEM: Mr. Greenwood and ordinance sub-committee (Mr. St. Hilaire, Mr. Quintal, Ms. Faulconer) to review for additional language recommendation to the Board.

- NEECAPA Conference Notification.

Minutes:

MM&S to approve the August 24, 2010 minutes as written. (Motion by Mr. Coppelman, Second by Mr. Landry) **PUNA**

Committee Updates:

- Mr. Coppelman reviewed the events of the HDC meeting held on September 14th.
- Mr. Coppelman discussed the process and timeframe for updating the CIP.

Mr. Wilson suggested that the Comment Sheets sent to the Department Heads attached to plans should have a check-off box for any “no comments” to be returned to the Planning Board.

ACTION ITEM: Ms. Faulconer to amend the Department Head Plan Review Comment Sheet.

Ordinance Discussion

Windmill Ordinance:

Mr. St. Hilaire commented that he didn't like the section that included the need for the setback to be increased 2 ½ times the height of a windmill due to a complaining abutter on page 6; he stated that this basically doubles the setback of 120% of the height. Mr. Wilson asked if the Board intended to allow anywhere in Town or restrict to specific zones; he thinks the Board needs to establish that first. Mr. St. Hilaire suggested that the Board should be looking at Alternative Energy Sources and should allow in any zone although the current technology doesn't really work in most parts of Kingston.

Different types of windmills and possible locations were discussed by the Board.

Mr. Landry thought the Board should think about having different requirements in different zones. Mr. Wilson agreed that this would be a good idea. Mr. St. Hilaire wanted to have Fire Department feedback about these structures.

ACTION ITEM: Ms. Faulconer to send a note to all Departments/Inspectors regarding any comments they might have regarding windmills.

ACTION ITEM: Mr. Greenwood to send an electronic copy of the Windmill Ordinance to Ms. Faulconer.

Blasting Ordinance:

Mr. Landry commented that he liked Windham's Ordinance and described specific sections requiring the Blaster to comply with State regulations; he preferred the broader language; he preferred that it focused more on the application, requirements, responsibility put on the applicant; he added that it was easier to understand than the original one reviewed by the Board.

ACTION ITEM: Ms. Faulconer to provide copies of the originally reviewed ordinance to the Board.

Mr. St. Hilaire suggested adding a generic line referencing DES rules and regulations rather than add in many additional pages to the Town's regulations. Mr. Landry suggested that Windham, due to the I-93 project, had a lot of experience dealing with Blasting.

Workforce Housing:

Mr. Greenwood suggested that the Board continue this discussion to next week when the updated Diagram would be ready for review.

Commercial Zone Update:

Mr. Wilson reminded the Board that there had been a suggestion to look into the lots along Rte. 125 for re-zoning; he said that there are approximately 56 lots that are not commercial; 20 lots could be eliminated due to the limited access. Mr. St. Hilaire stated that some of those lots have connecting, Class VI roads. Mr. Wilson asked if the Board

wanted to look at this for this year's election; there were several very nice lots that are very accessible. He added that the Board might receive a Citizen's Petition for the change.

Mr. Coppelman said that this discussion about changing these lots is not a simple thing; there are a lot of issues. He gave specific examples of lots along Rte. 125 that have no access to Rte. 125; Main Street and Route 125 intersection was used as an example. Mr. Coppelman stated that some people would argue that it should be zoned Commercial but he added that the HDC does allow for Commercial uses. He added that there are complicating factors at certain locations; it is not simply their location in proximity to Rte. 125 and would take the Board a lot of work to look at appropriately. He stated that there are other things to think about; the Board previously looked at the corridor to pick the most logical places for Commercial zones which included looking at access, traffic and existing residential development. He explained that when zoning along Rte. 125, it was decided to not allow one long commercial strip along the corridor but to provide for breaks in commercial development to allow for breaks in traffic and congestion; as well as aesthetics.

Mr. Wilson agreed that a big step was taken by the Board that allowed more development along the north part of Rte. 125 by providing for restaurants and other commercial uses. Mr. Landry suggested that it would be worthwhile for the Board to have as a first step some objective criteria to make decisions more defensible for the Town's entire zoning. Mr. Wilson added that he did drive down Rte. 125 to think about where he would put a business and he didn't think there were that many available at this point; he stated that it sounded like this would be a project that would be put off until next year. Mr. Landry suggested using some of the Mr. Coppelman's comments to develop objective criteria. Mr. Coppelman stated that this should involve a number of different constituents for discussion. Mr. St. Hilaire stated that he believed the Town should put more work into gaining access to CII; the Town of Danville petitioned the State for access on limited access.

ACTION ITEM: Add to Board discussion early next year.

IMPACT FEES

Mr. Wilson explained that, due to previous discussions, it was obvious that some Board members were for and some against but the Board should have the discussion. He discussed other Town's fees; residential and commercial fees. Mr. Greenwood stated that the fees are collected during the building permit stage; they can often be substantial. Mr. St. Hilaire stated that he was in favor of impact fees and asked what was negative about collecting them. Mr. Greenwood said that the cost is the downside along with the procedures to keep track of them. The procedures were reviewed; Mr. Greenwood explained that some communities have them only for schools which allows for reduction or exemption of fees for age-restricted development; he explained Brentwood's procedures. He stated that the RPC recommends using Bruce Mayberry as an Impact Fee consultant. Mr. Greenwood continued that these fees need to be reviewed every couple of years; the follow-up requires documentation; the establishment is time intensive; he added that these

fees can generate a great deal of money for the community. Mr. St. Hilaire stated that he didn't know why the Town wouldn't enact these fees; services keep being added, as an example he explained that for every additional 10 miles of road, the Highway Department needs an additional truck. He re-iterated that he is in favor of impact fees.

The Board discussed several Impact Fees scenarios.

ACTION ITEM: Ms. Faulconer to begin gathering different Towns' Impact Fees for the Board to review to continue this discussion.

The CIP Plan, Impact Fees, taxes and budgets were discussed. The Board decided to add \$5000 to the Outside Consulting line to provide funds to hire an Impact Fee consultant.

Plan Review

ACTION ITEM: Ms. Faulconer to contact Mr. McConnell to remind him that his submittal was incomplete; pick up plans.

Board Business, continued

Mr. St. Hilaire told the Board about the Senate Bill requiring Board review of School building renovations.

ACTION ITEM: Ms. Faulconer to provide copies of Senate Bill (?118) to the Board.

Mr. Wilson reported that he had spoken with the Health Officer about changing the well radius requirements; Mr. Middlemiss was not receptive to an overall blanket reduction in the requirement as he had the ability to waive the requirement when necessary; HUD requirements would also not comply with the reduction.

MM&S to adjourn at 8:35. (Motion by Mr. Coppelman, second by Mr. Landry) **PUNA**