

**Kingston Planning Board  
October 26, 2010  
Public Hearing/Meeting**

**Minutes**

The Chairman called the hearing to order at 6:30 PM; there were no challenges to the validity of the hearing.

**Members Present:**

Rich Wilson, Chair  
Jay Alberts, V. Chair  
Chuck Hart, BOS rep.  
Rich St. Hilaire, Alternate

Ernie Landry  
Glenn Coppelman  
Dan Mastroianni  
Adam Pope, Alternate

Members Absent: Marilyn Bartlett, Alternate

Also present: Glenn Greenwood, Circuit Rider Planner; Dennis Quintal, Town Engineer; Ellen Faulconer, Administrative Assistant

Mr. Pope will be a voting member this evening for continuity for the Diamond Oaks public hearing.

**Diamond Oaks Golf Club**

Mr. Wilson confirmed that the Board members had received the conditional approval list worked out at the hearing last week. Mr. Quintal referred to item "B": proper lighting, clubhouse parking lot; he asked if that meant that it had to comply with the site regulations; if it needed clarification. Mr. Wilson said that the problem was there was no lighting shown in the parking lot and the applicant said that building lights would be sufficient; the Chief of Police wanted lights for the parking lot. Mr. Quintal suggested "properly light clubhouse parking lot". Mr. Cummings said that it should say "community center" not clubhouse; there is one light there and the Chief would like to see one in the back of the building for the parking lot. Mr. Quintal wanted to make sure the list was such that it would be easy to check them off when it was time to do that. Mr. Cummings explained that the Chief wanted an additional "pole lighting" at the rear of the parking lot as in the front of the parking lot; Mr. Wilson stated that the list would add "as approved by the Chief of Police"; it would also say "community center instead of clubhouse".

Mr. Greenwood said that he felt a couple of items on the list needed to be changed. He said that he re-wrote "I" to read that there are "two note 15's on sheet one, the plan needs to be amended to reflect notes 15 and 16"; Item "K": change the second one from NHDES AoT to say "Alteration of Terrain" permit; Item "R" to say "completion of utilities and road to the binder course of phases I and II will constitute substantial improvement for purposes of vesting the development from future changes to Town ordinances and

regulations; “P” to now read “As-built submittals will be provided after each phase is completed, within 6 months and the stump dump sites shall be shown”. Mr. Wilson reminded the Board that the list went to letter “u”.

Lynn Merrill, on behalf of the applicant, asked for a clarification on number “h”: did all of Phase I and Phase II need to be done to the binder before any permits, or Phase I binder for Phase I permits and Phase II to get permits for Phase II. Mr. Coppelman assumed it was phased. Mr. Greenwood suggested “the road, in phases, must be constructed to the binder course in order to receive building permits, in lieu of a road bond. Mr. Cummings suggested “the road for each phase must be constructed to binder course before building permits are received for that phase”. The Board consensus agreed with Mr. Cummings suggestion. Mr. Greenwood will be changing the agreement for the Board for Mr. Dufresne and Mr. Wilson to sign.

Mr. Wilson informed the applicant that, if there was an approval this evening, they would be expected to update the Board as the requirements have been met; he suggested grouping some of the smaller conditions into one notification. Mr. Greenwood said the procedure will be to keep a file in the office to keep track of the conditions. Mr. Quintal addressed “n” which referenced the retaining walls: since the construction won’t occur prior to signing the mylar should there be a note on the plan that says the walls will be structurally designed and approved by a structural engineer. Mr. Wilson believed that the note would be on the plan. Mr. Mastroianni agreed that the language was confusing since it required inspections before installation. The Board worked on language that stated: “a plan note shall reflect that all retaining walls over four feet need to be designed, reviewed and approved by a structural engineer.” Mr. Greenwood will amend the language as needed to reflect the intent of the Board.

Ms. Merrill also asked about letter “G” and thought that it might be redundant due to letter “N”. The Board suggested leaving the first part referencing unit 14 with the rest being removed due to letter “N”.

Mr. St. Hilaire questioned merging of all four lots in letter “D”; the lots are R3-4, 4B, 4C and 13 – those lots will be specified and added to the note.

Mr. Wilson asked for a motion; it was clarified that Mr. Greenwood had the final edits based on this evening’s discussion.

**MM&S to approve the Diamond Oaks Golf Club application, conditional upon the list discussed tonight, items “a” through “u” as amended this evening; to be completed within one year from the approval.** (Motion by Mr. Alberts, second by Mr. Mastroianni). **PUNA**

Ms. Merrill commented that while the first plan was originally submitted three years ago, the applicant truly believes that a far superior plan was developed during this time and the time spent and diligence of all involved was worthwhile. They thanked the Board for their time and diligence.

## **Board Business**

Mr. Wilson explained the agenda item “Tax Map Discrepancies” to the Board; he and Mr. Greenwood had reviewed the tax maps; the first few pages showing lots that might be considered for change; lots that were split by more than one zone; neighborhoods were split into multiple zones. He said that they had decided that there were too many maps to look at during that brief meetings so they will be meeting next Monday, November 1<sup>st</sup> at 2:30 to review them and invited anyone else who might be interested. He explained that there discussion was to determine frontage of the lot first to determine the correct zone; second would be to determine the zone that the majority of the lot was in.

Mr. Wilson reminded the Board that there was no meeting scheduled for November 2<sup>nd</sup>. He also reminded the Board that from this point forward, until further notice, all Board meetings would begin at 6:30.

**Wind Energy:** Mr. St. Hilaire confirmed that he spoke with Mr. Walker about Windmills and Wind Energy; there Monday meeting had been cancelled; he’ll be in Town on Friday at 7:30. His basic comment was that this is a very complicated thing; current technology exists but is cost prohibitive at this time to be thought of being used in the Town of Kingston. Mr. Walker recommended that the Board look at the Town of Weir’s ordinance. Mr. Wilson reminded the Board that it is on the agenda for Nov. 16<sup>th</sup> to discuss; he commented on where they might be allowed. Mr. St. Hilaire said that his belief is that the technology doesn’t exist so there won’t be a problem with receiving a lot of applications; wait for the technology to catch up a little before drafting an ordinance. He didn’t want an ordinance to prohibit in a single family residential zone in case the technology changed where it became a viable option. Mr. Wilson felt just the opposite; that the Town regulate it and relax it as the technology develops. He said there was a State ordinance. Mr. Greenwood said that the State has said that they will be allowed and permitted by the Building Inspector unless the Town has something else in place. Mr. Wilson said that this seems to be the biggest item being added this year that is still being discussed by the Board. Mr. Greenwood added that the trend he is seeing is the move to toward “architectural” wind generators; the smaller units that go on the eave lines of buildings. He continued that this trend eliminates the fall zones for monopoles. Mr. St. Hilaire agreed that for residential use the Board would be discussing the small residential wind turbine that doesn’t generate noise, isn’t three hundred feet in the air, doesn’t need aircraft lighting but that technology doesn’t currently work around here because it needs sustained winds of 25 mph which doesn’t happen around here without trees falling over and loss of power. Mr. St. Hilaire said that the State also needs to regulate the utilities so that this can happen. Mr. Wilson asked the Board to think about this for discussion at the next meeting.

**ACTION ITEM: Ms. Faulconer to get Weir’s ordinance for the Board to review.**

## **Chairman’s Comments:**

Mr. Wilson stated that something had come up over the past few weeks that needed to be addressed; he added that some people had been invited to attend the meeting to help with

this matter; since Mr. Coppelman had been Chairman through a lot of it, he was turning this part of the meeting over to him to discuss the issue.

Mr. Coppelman began by explaining that he and Mr. Wilson had been discussing the history of the Board and the planning activities for the past twenty-five plus years. He stated that there had been one consistency through all of that and that was the services of the Board's Circuit Rider Planner, Glenn Greenwood. He stated that Glenn Greenwood had served the Town for over 22 years and the Town thought that it was time that he was officially thanked for his guidance and support; Glenn began as a "regular" planner and is now the Assistant Director at the Planning Commission and as such, could have turned the reins over to a junior Planner but hasn't and the Town has benefited by the longevity and experience that he brings to the Town. Mr. Coppelman presented Mr. Greenwood with tokens of the Board's appreciation. He then announced that Mr. Greenwood's service was worthy of State recognition and presented him with a commendation from the Governor of the State of New Hampshire.

At this time, (7:20 PM), the Board took a recess to celebrate Mr. Greenwood's accomplishment with past Board members, associates, family and friends.

The meeting was called back to order at 8:00 PM.

#### **Board Business, Continued:**

**PREP GRANT:** Mr. Wilson stated that he would begin with the PREP grant and turned the discussion over to Mr. Coppelman who explained the PREP process to the Board. He introduced Danna Truslow, the hydrogeologist hired for the PREP grant. Ms. Truslow spoke to the information that she would like to review to re-familiarize herself with the Town's Groundwater Resource; review current impacts/land use issues that might be pre-existing. She continued that she wanted to review areas of groundwater interaction; determine different aquifer characteristics that might allow modifications; determine different items on different types of Aquifer based on transmissivity; determine how water quality impacts may be different; determine co-occurring zones. Ms. Truslow stated that she could use information that has already been collected. Mr. Coppelman noted that there is data available now that wasn't available when the Ordinance was first developed. Ms. Truslow, having worked with the Town previously on groundwater issues, stated that she was aware of required monitoring that would give her information on water quality data. Mr. Coppelman stated that he would like to see best science that is available now used to develop the ordinance to eliminate arbitrary requirements. Ms. Truslow said that there will be potential pressures put on the Town's water resources, both internally and externally which is something that the Board should consider.

Ms. Truslow stated that a tentative budget had been given; the scope of work was being finalized; she explained the upcoming project. Mr. Coppelman explained that the Board had decided that they did not want the process rushed; it was better to have it done correctly rather than have it ready for the upcoming Town meeting.

Mr. Greenwood stated that he was hoping for a scientifically based ordinance that is specific to Kingston's groundwater resource; he thought that the Board had to abandon the March timeframe to do it properly. Mr. Wilson agreed. Ms. Truslow said that the Aquifer itself will drive the zoning and justification. Mr. Alberts hoped that this study could help incorporate the adoption of the municipal water article. Mr. Greenwood suggested that a better understanding of this water resource could help determine the future use of the resource. He added that this was a resource that needed protection. Mr. St. Hilaire said that he was hoping for the same type of scientific basis for the Aquifer ordinance as that used for the updated Wetlands Ordinance; technology, building practices, lot development, stormwater management rules all need to be looked at in developing the ordinance. He added that it was good to have restrictions based on common practices at the time but those types of practices are no longer allowed; some restrictions may be tightened and some may be able to be loosened up.

Ms. Truslow explained that she would like to have a kick-off meeting and have a sub-committee established to work on the ordinance; she recommended other members of land use Boards be included on the sub-committee. Mr. Greenwood, Mr. Coppelman, Mr. Wilson and Mr. Landry expressed an interest to be on the sub-committee. Proposed schedules were discussed.

The kick-off meeting will be November 30, from 6:30 to 8:00 PM; the remaining schedule will be determined at that time.

### **Board Business, continued**

**MM&S to approve the Sept. 28, 2010 minutes as written.** (Motion by Mr. Coppelman, second by Mr. Hart) **Motion passed 6-0-1 with Mr. Alberts abstaining.**

### **Correspondence:**

- State Septic Approval for Subdivision for Richard Senter off of Mill Road
- REDC application.

**ACTION ITEM: Mr. Greenwood will review the REDC application and bring back to the Board.**

- The Board approved RCCD Invoice for Diamond Oaks Golf Club
- The Board approved Civil Construction Mgmt. Invoice for Engineering services for the Board.
- The Board approved Civil Construction Mgmt. Invoice for Engineering services for Diamond Oaks.
- Fall Planning and Zoning Conference reminder.

### **PLAN REVIEW:**

The Board approved scheduling of the Sad Café submittal for November 16<sup>th</sup> at 7:00 PM.

### **ORDINANCE DISCUSSION:**

The Blasting Ordinance was distributed. Mr. Hart talked about possible fees. Mr. Wilson suggested the possibility of setting different fee levels.

**ACTION ITEM: Ms. Faulconer to get Windham's fee schedule for the Board to review.**

The Board continued discussing fees for Blasting; reasons for fees; levels of fees. Mr. St. Hilaire discussed common practice for requirement of fees and permits for blasting; practice of municipal Fire Departments' requirements for being on the scene for all blasting. The Kingston Fire Department needs to be contacted about whether to refer to Blasting Permit or Blasting License from the Town.

**MM&S to adjourn at 9:00 PM.** (Motion by Mr. Coppelman, second by Mr. Hart)  
**PUNA**