

**TOWN OF KINGSTON  
ZONING BOARD OF ADJUSTMENT  
PUBLIC MEETING  
MAY 5, 2023**

**PRESENT:** Peter Coffin, Chair; Meghan Kelley, Vice Chair; Richard Russman, Michael Rohulich (alternate), Kyle Bache (alternate). Also present: Robin Carter, Administrative Assistant

Mr. Coffin called the meeting to order at 7:00 PM. A quorum was present at the meeting.

Mr. Coffin introduced the members present and said both alternates would be voting members tonight, replacing members Shaw Tilton and Peter Broderick who were out of town.

**BOARD BUSINESS**

Mr. Coffin announced that this was a special meeting for the sole purpose of making a determination on whether the Summit Distributing project qualified as a Development of Regional Impact under NH RSAs 36:54 through 36:58. He announced that this meeting was not a hearing, and that there would be no public comment period. He then read RSA 36:56 and 36:55 and the Board discussed the six factors listed in RSA 36:55:

- I. Relative size or number of dwelling units as compared with existing stock.
- II. Proximity to the borders of a neighboring community.
- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.

The Board determined that factors I and VI did not apply to this project, and that factor IV would not have regional impact. The Board determined that the Town of Brentwood, less than two thirds of a mile on Rte. 125 from the proposed project, would be affected by factor I (proximity), factor III (transportation networks), and factor V (proximity to aquifers or surface waters which transcend municipal boundaries), owing to an aquifer under the proposed project that continues into Brentwood, as shown on the Rockingham Planning Commission Stratified Drift Aquifers Map, Kingston, NH (2003) and the Town of Kingston Aquifer Protection Zones Map (2022). The Board further determined that the Town of East Kingston could be impacted by under factor V, since the same aquifer crosses into East Kingston.

A motion was made by Vice Chair Kelley that the Summit Distributing project be classified as a Development of Regional Impact for the reasons found by the Board for factors II, III, and V. The motion was seconded by Mr. Russman. There was no further discussion. The motion passed unanimously with no abstentions.

A motion was made by the Chair to continue the May 11 scheduled hearing on this Special Exception request to 7:00 pm, June 1, 2023 at the Kingston Town Hall to allow time for abutter notification of The Rockingham Planning Commission and the Towns of

Brentwood and East Kingston as required by NH RSA 36:57. This date would also comply with Kingston ZBA procedures of conducting a hearing within forty-five days of receipt of an application.

The motion was seconded by Vice Chair Kelley. A vote was taken and the motion passed unanimously with no abstentions.

## **ADJOURNMENT**

Meeting adjourned at 7:30 PM.

Peter Coffin, Chair