



KINGSTON ZONING BOARD OF ADJUSTMENT

December 13, 2018

Present:

Electra Alessio
Larry Greenbaum
Peter Coffin
Richard Johnson
Chuck Hart

Chairperson Alessio called the meeting to order at 7:00.

Board Business –

Minutes of November 8, 2018 Approval – Mr. Johnson made a motion to approve the minutes, Mr. Greenbaum seconded. Motion carried unanimously.

Public Hearings

George Gagnon
4 Beaver Pond Road
Kingston, NH 03848

Tax Map R-7, Lot 20-35

Mr. George Gagnon stated he would like an in-law apartment for his mother in law. Mr. Coffin stated the board had a letter from the building inspector Robert Steward stating that the accessory dwelling meets all the necessary requirements. Ms. Lillian Lehman spoke in support of the applicant. Mr. Hart made a motion to grant the special exception, Mr. Johnson seconded, all in favor. Ms. Alessio explained the thirty day waiting period.

**James Dagle
4 Main Street
Kingston, NH 03848**

Tax Map R-21, Lot 22

Ms. Alessio stated this was a continuation of a hearing from last month and she had received a letter from an abutter (Scott & Joan Hamor) which she would read.

Mr. Charlie Zilch from S.E.C. & Associates Inc. and Mr. James Dagle were introduced. Mr. Zilch stated his partner had presented the application to the board at a previous meeting, the property existed as an auto salvage yard and is currently unoccupied. Mr. Zilch stated James Industries was exploring moving his electrical service fleet repair, storage and maintenance of fleet vehicles to this location. Mr. Zilch stated the property has had many different auto uses since the 1950's including a gas station and several auto salvage businesses. Mr. Zilch stated that a portion of the property was within the acquirer. Mr. Zilch provided a map. Mr. Zilch responded to each of the five criteria. Mr. Dan Lloyd stated his property is the largest abutter and he was originally opposed to the application but it is similar to the bus company that does light maintenance and pre-positions vehicles to go to work. Mr. Lloyd stated he sees this as an improvement, the town does not need another junk yard it needs a company that employs people and generates revenue. Garrison Todd stated he was concerned about the intersection and traffic accidents and asked about plans for a storm water protection. Ms. Alessio read the letter from the Hamor's. Mr. James Dagle stated they do not use a vehicle crushing machine. Mr. Coffin stated he believed the Hamor's were confusing this application with the former application for a junk yard. Mr. Zilch stated the fleet vehicles were in good repair and regular maintenance would be done. Mr. Zilch stated they would be required to submit a plan for storm water management, this is an established site and they are requesting a change of use. Mr. Zilch stated they would be correcting the slope in back and that the town engineer would review. Mr. Zilch stated improvements would be made as suggested by Mr. Quintal and the Planning Board. Ms. Alessio stated traffic would be discussed at the Planning Board level. The letter from Dana Truslow was distributed and discussed. Mr. Zilch stated they have not done soil boring as it is already existing auto recycling business and this business would take its place and will be an improvement. Mr. Zilch stated they would complete the soil boring as recommended. Mr. Dagle stated they would have no need for above ground fuel tanks. Mr. Coffin asked if the underground tanks have been removed. Mr. Zilch stated he believes they have been. Mr. Coffin stated there should be a report with DES and his impression is that they were not removed. Ms. Alessio stated there hasn't been a gas station there in over 40 years and may pre-date requirements to remove. Mr. Coffin suggested making it a requirement of the approval to find out. The Board of Selectmen site review was discussed and drainage into the pond and slope would be discussed further at the Planning Board level. Mr. Dagle reiterated that they would work with the town engineer. Mr. Coffin stated the intent was to improve the site and he believes it

will be a vast improvement. Mr. Coffin spoke about the recommendations from phase 1. Mr. Greenbaum asked about floor drains going into tanks. Mr. Dagle stated as far as he knows there are no more floor drains in the building and if there are he does not need them. Mr. Hart stated he does not believe the underground tanks are still there as there have been meetings on the property where the fire chief stated they were taken out. Mr. Hart conceded that testing does need to be done to verify. A vote was taken and all five criteria passed a motion was made by Mr. Hart and seconded by Peter Coffin to grant the request for a variance to permit fleet maintenance and repair for vehicles supporting electrical service and repair business within Aquifer Zone "A" with the following conditions:

- Complete the soil borings and soil and groundwater testing as recommended by the Phase 1 report;
- Work with Town Engineer to determine whether there are any underground fuel tanks, and remove same; and prohibit installation of any fuel tanks on site with the exception of heating fuel in 275 gallon or smaller above ground tanks;
- Work with Town Engineer to maintain storm water flow and to mitigate potential impacts to the underlying aquifer.

All in favor. Ms. Alessio explained the thirty day waiting period.

Meeting adjourned at 8:00

Respectfully submitted,
Tammy Bakie