



KINGSTON ZONING BOARD OF ADJUSTMENT

DECEMBER 14, 2017

Present:

Electra Alessio

Ray Donald

Chuck Hart

Larry Greenbaum

Richard Johnson

Tammy Bakie

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

Ms. Alessio read the letter from Mr. James Kenny into the record; withdrawing application for a special exception for 4 signs. Mr. Donald asked if this would leave him exposed to fines. Ms. Alessio clarified that the signs had already been taken down. A discussion followed regarding the history of the signs.

Board Business –

Minutes of November 9, 2017 Approval – Mr. Coffin motion to approve, Mr. Johnson seconded. Motion carried unanimously Mr. Donald abstained. Mr. Coffin suggested any errors to be corrected be reiterated as part of minutes at current meeting so that the changes are known.

Ms. Alessio stated the Planning Board does not put times on the agenda for each individual hearing. Mr. Donald stated that he thought it was a good idea, tonight was a good example not to establish times. A discussion followed with the pros and cons. It was decided to try not putting times on the agenda for upcoming meetings.

Public Hearing

Kelly Ward

Jennifer-Lynn Rodgers-Ward

7 Beechwood Road

Sandown, NH 03873

RE:

Tax Map R-13, Lot 7

1 Meeks Road Kingston, NH 03848

Charlie Zilch SEC & Associates introduced himself representing the applicant. Mr. Zilch stated the property is across from the Shell Station and Kelly and his wife own the property. Mr. Zilch described the house as "in disrepair" and Mr. Ward currently has his business at a different location. Mr. Zilch stated that Mr. Ward was previously granted a special exception 2 years ago and recently went before the planning board and was made aware of the lapse of the approval. Mr. Zilch asked if the board could reinstate the previously granted special exception. Ms. Alessio stated it was not the same board and she could not. Mr. Coffin stated the zoning maps has changed and the applicant would have to start "de novo". Ms. Alessio stated the regulations have not changed and that the 2 year limit is set by the state of NH. Mr. Zilch stated they had demonstrated to the town engineer and Rockingham County Circuit Rider that it was a good fit. Mr. Ward addressed the criteria for a special exception stating there would be no detriment to property values, it would be a brand new building and would not make properties less valuable. Mr. Ward stated the business takes place inside building and nothing is done outside. Mr. Ward stated the smoke is filtered and recycled back into the building. Mr. Ward stated that 80% of the welding is repairs, not a big manufacturing plant, he has one full time and one part time employee. Mr. Ward stated he does not store broken down vehicles outside. Mr. Ward stated he currently rents a building for his business and he is not responsible for how his landlord keeps the property surrounding the building in which he does business. Mr. Ward stated he may bring equipment outside periodically during the day. Mr. Zilch stated the building would be 6000 square feet on a 3 acre lot, all buffers and set-backs, septic and storm water requirements would be met. Mr. Ward stated he uses gases but does not store giant tanks; nor does he do any plating or painting. Mr. Ward stated the cutting fluids used were biodegradable. Mr. Ward stated aside from customers the only additional traffic would be an ups delivery and a steel delivery twice a week; no more trucks on 125 than there are now. Mr. Ward stated there would be a bathroom, water use would be at a minimum. Ms. Alessio asked about permits. Mr. Ward stated they had state approvals. Mr. Ward stated they would have a dumpster. Mr. Ward stated the house has been broken into numerous times. Mr. Ward stated the fire chief has said he does not need a fire suppression system as it will be a metal building. Mr. Coffin asked if he worked with Magnesium. Mr. Ward stated no. Mr. Ward stated there would be no additional burden on the school system, he and his wife hoped to eventually move back to Kingston but would not be having any more kids. Mr. Ward stated toxicity was not an issue as there is no release of any chemicals. Mr. Ward stated the 20lb tank of propane and oxygen were minimal when compared to the gas station and explosive storage across the street. Mr. Ward stated he had been welding for 30 years and running his business for 23 years and had never had an explosion. Ms. Alessio opened the meeting to public comment. Mr. David Joy of 9 Meeks Road, stated he has lived there since 1985 and is in strong opposition to granting a special exception. Mr. Joy noted there were new members on the board. Mr. Joy stated there were a number of

errors made last time. Mr. Joy stated Ward Welding is currently located in Plaistow in an industrial zone as this is an industrial usage. Mr. Joy stated 3 Meeks Road is residential and the property owner was flabbergasted to find it was re-zoned commercial. Mr. Joy stated the Planning Board re-designated property under Norm Hurley. Mr. Joy asked the board to consider their properties being re-zoned without their knowledge, if they would be upset. Mr. Joy stated that now state law requires property owners be notified of re-zoning. Mr. Joy stated 1 Meeks Road is in an aquifer. Mr. Joy talked about ECSI being ¼ mile south and the town is trying to close them down and it not being good policy to locate another potentially hazardous business in such close proximity. Mr. Joy handed out 2 studies on welding and discussed the handouts and the toxic environment. Mr. Joy stated he was concerned about the groundwater. Mr. Joy discussed the five criteria, he stated the business would not be positive to the property values and if the business was located there he would seek to have his property taxes lowered. Mr. Joy stated welding is noisy and the town has noise ordinances. Mr. Joy stated the applicant does not meet the criteria. Mr. Joy spoke about Meeks Road being a no thru trucking road and the normal direction of traffic entering and exiting on Route 125. Mr. Joy stated there would be a lot of traffic and would be a hardship on people and could be a safety hazard. Mr. Joy stated the property was on the acquirer and "things might possibly get into the water". Mr. Joy stated it was most definitely a hazard to adjacent property owners. Mr. Joy asked the board to consider the standards and use common sense to deny the application. Mr. Ward thanked Mr. Joy for his concern and reiterated he would use a smoke mediation and was certified in OSHA. Mr. Ward stated he and his employees are concerned about safety and take it seriously. Mr. Ward stated one of the chemicals listed on the hand out Hexavalent chromium is very dangerous and he does not use it. Mr. Ward stated he uses special masks and that some of the welding jobs are offsite. Mr. Ward invited board members and residents to come by his business and ask questions. Mr. Ward stated Kinston has other welding shops not in an industrial zone and Plaistow has 2 in the historic district. Ms. Alessio read two letters into the record one from Linda Foss and the other from the Conservation Committee. Mr. Joy asked about the welding facility at 4 Hunt Road. Mr. Donald stated this decision would be based on its own merit. Mr. Coffin asked if any professional opinions regarding property values were acquired. Ms. Alessio stated no. Mr. Coffin suggested looking into how commercial businesses would affect residential properties. Mr. Coffin stated he would like to see the plan for the driveway. Mr. Donald stated the property was in C3 with the same traffic consideration across the street, a Cumberland Farms which is a listed use would be a lot more traffic. Mr. Coffin stated the board had to consider the traffic impact and driveway location. Mr. Ward stated the plan says no right turn coming out of the driveway. Mr. Zilch stated the driveway is far enough away from 125 with a generous radius, room to pass and the location is optimum. Mr. Donald stated he worked as a welding inspector and there would be less traffic with the current proposal than some of the other uses that are allowed that also are more hazardous. Mr. Donald stated he did not see any reason why the special exception should not be granted and the applicant move along to the Planning Board. Mr. Coffin stated the only thing he questioned is the

property values. Ms. Alessio stated the members would have to use their own judgment. Ms. Alessio stated this would not be the first neighborhood with a welding shop as she knows Rockrimmon has two with no issues. Mr. Zilch stated the applicant would be required to have greater buffers and setbacks because of abutting residential properties. Ms. Alessio stated she supported the petitioner, saw more issues across the street, and the request meets the spirit of the ordinance. A vote was taken on the five criteria, all passed Mr. Donald made a motion to grant the special exception, Mr. Hart seconded four in favor one against. Ms. Alessio explained the thirty day waiting period.

YMCA Camp Lincoln
67 Ball Road
Kingston, NH
Tax Map R-25, Lot 3 and 5E

Paul Rabenius from IKON Construction Management stated the YMCA was looking for relief to construct a tree house. Mr. Rabenius stated the YMCA was founded in 1926 and is inspected yearly. Mr. Rabenius stated they wanted to build a unique structure for day use only, designed for campers with and without mobility issues. Mr. Rabenius stated the structure would not be attached to the trees but be self-supported with a ramp. Ms. Alessio asked how big it would be. Mr. Rabenius stated it was an unusual shape but approximately 20 X 20. Mr. Rabenius stated they had to follow strict ADA guidelines, it would meet all setbacks and wetland requirements. Mr. Rabenius stated there would be no plumbing or electric, have a center support and be structurally engineered. Mr. Greenbaum asked how high it would be. Mr. Rabenius stated 10-11 feet high. Ms. Alessio asked where it would be located. Mr. Rabenius stated near the ball field and provided a diagram. Mr. Rabenius stated it would literally be in the middle of the trees, nothing attached to the trees. Mr. Coffin stated the only reason the applicant had to have a variance was that the camp was in the residential zone. Mr. Rabenius stated they would also like to relocate cabins; instead of being in line they would be in a semi-circle. Mr. Rabenius stated they would like to move the existing cabins and add one. Mr. Rabenius stated they may have to replace cabins if they don't move well. Mr. Rabenius stated the cabins were a place to go in inclement weather. Mr. Rabenius stated cabins won't be any bigger and they would not be increasing camper volume. Mr. Rabenius stated it would be a safer environment, younger kids in a semi-circle would be easier to handle. Mr. Hart noted the applications says to add two. Mr. Rabenius stated they definite want to re-locate existing cabins and build two, but has concerns about how the old ones will move as they have been sitting on the ground. A vote was taken on the variances. All five passed Mr. Coffin made a motion to grant the variances, Mr. Johnson seconded. All in favor. Ms. Alessio explained the thirty day waiting period.

Meeting adjourned at 8:37

Respectfully submitted,
Tammy Bakie