

1 KINGSTON PLANNING BOARD

2 APRIL 2, 2024
3 PUBLIC MEETING
4 MINUTES

5 Ms. Duguay called the meeting to order at **6:46 PM**; there were no challenges to the legality of
6 the meeting.

7
8 **MEMBERS PRESENT:**

9 Robin Duguay, Acting Chair Peter Coffin
10 Electra Alessio, BOS Representative Rob Tersolo

11 **ABSENT:**

12 Lynne Merrill, Chair

13
14 **ALSO PRESENT:**

15 Glenn Greenwood, Town Planner
16 Robin Carter, Land Use Admin.

17
18 Ms. Duguay introduced the Planning Board (“PB” or “Board”).

19
20 **Board Business**

21
22 **1. Correspondence:**

- 23 I. Letter submitted to the Board from **Maria Burrill** dated March 24, 2024 regarding
24 opening a **pet grooming salon at Kingston Plaza, 160 Main Street, Unit B.**

25
26 Ms. Duguay read the letter.

27 “The nature of the business is promoting pet wellness through pet grooming, i.e.
28 bathing, trimming, styling in a 1-1 appointment-based setting.

29 A. Hours of operation are approximately Monday - Saturday within the
30 range of 8am-7pm.

31 B. I shall only have 1-2 employees.

32 C. Ample parking is available within the plaza and will not be an
33 interference with other plaza business. Being appointment based, I
34 only require 1-2 parking spots total.

35 D. Appointments are staggered to ensure only 1 client family is scheduled
36 at a time, with a maximum of 5-6 full grooms per day. Services are
37 available by appointment only. Grooming sessions are typically scheduled
38 for 1-3 hours per dog.

39 E. Hazardous Materials: Cleaning/disinfection and grooming products are
40 chosen based on their design to be effective in sanitation while being
41 safe for the environment, plumbing and clients. The grooming product
42 line being used is safe and veterinary developed. There will also be 2
43 separate hair traps to further protect the existing plumbing.

44 F. I do not plan to make any changes to the exterior of the unit.

45 G. I understand a Business Occupancy Permit will be required.

46 H. I plan to order a sign, in compliance with the town's ordinance for
47 sign regulations, as well as adhering to any guidelines required and
48 laid out by the town's historical district.”
49

50 Mr. Greenwood mentioned that the septic system was expanded and upgraded in 2021
51 according what was in the property file. He noted that service-oriented businesses are allowed
52 in this Historic District I (HDI) and this is a service-oriented business. HDI allows for animal
53 clinics, and this is less involved than an animal clinic.

54
55 Mr. Coffin brought up that Ms. Burrill will need approval from the Historic District Commission for
56 the sign.

57
58 Ms. Duguay invited Ms. Burrill, who was in the audience, to come to the table to give an overview
59 of what her plans are. Ms. Burrill explained that it will be a small volume dog grooming shop
60 offering a quiet relaxing environment for dogs. She will work out details with the landlord on any
61 exterior waste receptacles that may be needed for pet waste. She mentioned that unit B was
62 previously a hair salon.

63
64 The Board asked if state licensing was required for this type of business. Ms. Burrill responded
65 that no state licensing is required.

66
67 **Motion made by Mr. Coffin that no additional site plan review is needed for the Faerie Tails,**
68 **LLC dog grooming business. Seconded by, Ms. Alessio.**
69 **A vote was taken, all were in favor, the motion passed. (4-0-0)**

70
71 Ms. Duguay reminded the applicant that a **Business Occupancy Permit** will still be required and
72 this is done through the Building Inspectors office.

73
74 Mr. Coffin asked for clarification on the **Business Occupancy Permit** process. Mr. Greenwood
75 explained that when there is a change of tenancy at the three plazas' (Kingston Plaza, Church St.
76 Station, Carriage Towne Plaza) that a letter is sent to the Planning Board for review and decision.
77 A Business Occupancy Permit is also required to be submitted to the Building Inspector for
78 approval prior to occupancy. For the commercial condo's (i.e., Fieldstone Industrial Park, Patriot
79 Park), a Business Occupancy Permit is submitted to the Building Inspector and if there is question
80 on whether that use is a permitted use in a particular zone, it will be referred to the Planning Board
81 for review and decision, then it will be returned to the Building Inspector for final approval.

82
83 **II. Correspondence from Samantha Snow, 16 New Boston Road, Map R26 Lot 39.**

84 Ms. Snow submitted a request for a **45-day extension to finish addressing conditions**
85 **noted in the Notice of Decision (NOD)** dated October 17, 2023 from the Planning Board.

86 Ms. Duguay read the letter from Ms. Snow dated March 31, 2024. The primary reason for the
87 request is they recently discovered that they are unable to comply with the condition of adding
88 the driveway construction as stated in the NOD conditions. "3. Amend the plan to show the
89 additional driveway construction that allows for vehicles to exit the property with vehicles
90 facing forward to New Boston Road instead of using back up movements onto the
91 roadway."

92
93 Ms. Snow was present in the audience and Ms. Duguay invited her to come before the Board to
94 give further explanation and answer any questions the Board had.

95
96 Ms. Snow said that the deadline to satisfy the conditions on the approval is April 15, 2024. They
97 are unable to comply with the condition for the driveway as stated in the NOD. She mentioned

98 that she saw in the regulations she could request 45 days, which would give her time to look into
99 options regarding the driveway requirements.

100

101 Ms. Duguay asked for comments from Mr. Greenwood, and he said that the regulations do say
102 45 days, but the Board should consider 60 days to give enough time to look into what may be
103 done.

104

105 **Motion made by Ms. Alessio to grant a 60-day extension (to June 15, 2024). Seconded by,**
106 **Mr. Coffin. A vote was taken, all were in favor, the motion passed. (4-0-0)**

107

108 **Status of the fire inspection:**

109 Mr. Coffin asked Ms. Snow for an update on the fire inspection. Ms. Snow explained that the local
110 fire department came out and initially told her she needed a fire sprinkler system in order to
111 operate out of the basement because it was below grade level. She then reached out to the State
112 Fire Marshall's office to request an inspection. An inspector from the State office came out along
113 with the Town Fire inspector and Town Fire Chief and did an assessment. This process took
114 about 3 months to hear back on this inspection. Once the Town inspector heard back from the
115 State inspector, Ms. Burrill was informed by the Town Fire inspector that the State inspector said
116 they were good to go with the exception of some housekeeping items. It was determined that she
117 does not need a sprinkler system. The State inspector reported that there was material too close
118 to the furnace that had to be moved 3 feet further from the furnace. They have an exit in the
119 basement that goes directly outside plus a second stairway up to the first floor to count as an
120 egress. They are within the regulation, and she did receive a letter from the Town inspector stating
121 that once the Planning Board signed off on the business, everything from the fire safety side would
122 be in compliance. She stated that she didn't want to spend any money on the driveway without
123 knowing that from a fire safety standpoint they could operate the daycare.

124

125 **Condition #3 on the Notice of Decision regarding the construction of the driveway:**

126 Ms. Snow provided correspondence (dated 03/31/2024) to the Board outlining some possible
127 options for the driveway.

128

129 Ms. Snow said she received a couple quotes for the driveway. When she finally met with one of
130 the surveyors (Millenium Engineering) she was told that after looking at the Town regulations and
131 what is required that the space for the semi-circle it is not safe because they would not be able to
132 get the required site lines in either direction. They have wetlands on one side of their driveway
133 and shouldn't encroach on the wetlands either.

134

135 Mr. Greenwood suggested that Dennis Quintal, Town Engineer, take a look at the site for
136 guidance on the driveway. Mr. Greenwood will contact Mr. Quintal to coordinate the visit to the
137 property (16 New Boston Rd.) **[AI 01-04.02.2024]**

138

139 Ms. Snow said that the number of students allowed has been reduced. Child care services came
140 in and measured the space and she has space for 13 children versus the initial number of 17 that
141 she was planning on. Ms. Duguay asked if she was still proposing the staggered drop off. Ms.
142 Snow is still planning on that. Mr. Greenwood mentioned that using Small Pox for overflow is not
143 a good idea from a liability standpoint and will probably not get a public official (DPW, Police, Fire)
144 to be okay with using a public right of way for any kind of plan departure and arrival.

145

146 Mr. Greenwood explained that what is being talked about here is possibly amending the
147 conditional site plan approval and abutters will have to be notified. Ms. Snow will need to complete

148 a new application and supply abutter labels and certified mailing fees required to renotece
149 abutters. This is not a continuation of the current application, this is a new application for the
150 purpose of the Board’s reconsideration of conditions from the conditional approval made on
151 October 17, 2023. Once the application is received it will be put on the appropriate public hearing
152 agenda. Ms. Duguay informed Ms. Snow that April 11, 2024 is the deadline for the May 21, 2024
153 public hearing.

154
155 In addition to the Department of Public Works (DPW), the Board stated that the Police department
156 and Mr. Quintal should weigh in on the driveway matter.

157
158 **2. Planning Board Application, Legal Notice fees**

159 Currently, the legal notice fee charged by the Town to publish in a newspaper is \$150. In
160 accordance with the recent update to RSA 675:7 Notice Requirements for Public Hearing there
161 is the option to:

- 162 “(b) In lieu of publication in a paper of general circulation pursuant to subparagraph (a),
163 notice may be posted on the municipality’s Internet website, if such exists. If notice is
164 posted on the municipality’s website in lieu of publication in a paper of general
165 circulation, the notice shall:
166 (1) Appear prominently on the website’s home page, or a link directly to the notice shall
167 appear prominently on the home page;
168 (2) Be posted at the time stated in subparagraph (a) and shall remain on the website
169 until the conclusion of the hearing; and
170 (3) Be posted in 2 other public places.”

171
172 However, publishing legal notices in the newspaper is still required for the noticing of some
173 Planning Board public hearings, i.e., an Earth Excavation application. Mr. Greenwood will contact
174 New Hampshire Municipal Association (NHMA) to inquire what Planning Board applications do
175 still require noticing in a newspaper. **[AI 02-04.02.2024]**

176
177 The Board will revisit how to handle legal notice fees once the information from the NHMA is
178 available.

179
180 **3. Town of Kingston Ordinance Book - Article Preamble III (P-III): AMENDMENTS**

181 In follow up to the Board’s discussion at the February 6, 2024 and March 19, 2024 meetings
182 regarding amending Article P-III or removing this article in its entirety...At the March 19, 2024
183 meeting the Board voted to **“to make a recommendation to the Board of Selectmen to
184 reinstate Article Preamble III Amendments, amended to read a) reflects amendments
185 through the following date with the current date.”** Ms. Alessio took the Planning Board’s
186 decision back to the BOS to get their approval. The Board of Selectmen reviewed and approved
187 this at their April 1, 2024 meeting and the BOS agreed that Article P-III be amended to include
188 just the most recent revision date.

189
190 **ADJOURNMENT**

191
192 **Ms. Duguay adjourned the meeting at 7:31 PM.**

193
194 ****Next Public Hearing/Meeting is scheduled for Tuesday, April 16, 2023.** Subject to
195 change.**