



EAST KINGSTON PLANNING BOARD

24 Depot Road • East Kingston • NH • 03827

Phone: 603-642-8406 ext 104

Website: www.eknh.org/planning-board

Email: landboardsecretary@eastkingstonnh.gov

JOSHUA BATH, CHAIRMAN

TIM ALLEN, VICE CHAIR

March 7, 2024

**TO: Town of Kingston
Zoning Board of Adjustment**
PO Box 716
Kingston, NH 03827
pb@kingstonnh.org

**Town of Kingston
Planning Board**
PO Box 716
Kingston, NH 03827
ZBA@kingstonnh.org

Rockingham Planning Commission
156 Water Street
Exeter, NH 03833
email@therpc.org

REFERENCE: LIBERTY COMMON LLC DEVELOPMENT – REGIONAL IMPACT

The East Kingston Planning Board is in receipt of the Kingston Zoning Board's abutter notice for a public hearing to consider variance requests associated with Liberty Common, LLC's proposal for a 255-bedroom community development located on properties situated on both Route 125 and Depot Road (Route 107), Kingston, with a main access/egress onto Depot Road. The applicant is seeking variances with respect to building height and to the definition of multi-family dwellings.

We are also in receipt of Zoning Board of Adjustment meeting minutes of February 8th whereby the Zoning Board determined the proposal meets the criteria for regional impact, which under RSA 36:54-58, requires notification to the affected municipalities as well as the Rockingham Planning Commission. As part of this determination, the Zoning Board concluded the Town of East Kingston could be impacted by transportation networks and emissions.

The East Kingston Planning Board, in collaboration with other East Kingston officials, offers the following comments which we respectfully request be included in the official record of this proposal, whether it be for the variance requests, for the Kingston Planning Board's consideration of the development itself, or the Rockingham Planning Commission's review of this regional impact.

1. **Traffic Impact** – We believe the proposed development would have a negative impact to the traffic flow through the Town of East Kingston and to the properties situated along Route 107. Given the scope of the development and the quickest travel route to access Interstate 95, the Town of East Kingston will have to absorb an insurmountable increase in traffic flow as this section of Route 107 is already a well-known and well-traveled cut through.

Another significant concern is the Route 107 and Route 108 intersection (junction of Main Street, Depot Road, and Haverhill Road) which has been identified as problematic due to ongoing failures of motorist to stop or yield at this intersection, and to vehicular traffic backing up and blocking the entrance to the fire station due to the railroad crossing. The Selectmen continue to contemplate the best options to address this intersection. Dramatically increasing the traffic flow along this route will further add to this problem.

In addition to the concerns associated with this intersection, there would be negative impacts to the properties along this residential route which would include increased traffic backup at the railroad crossing (as previously mentioned), the increased danger for pedestrian traffic (there are no sidewalks and there is very little road shoulder), the increased noise and vehicle emissions that would adversely affect the comfort and enjoyment of one's property, and the safety of children as they wait along this already busy road for the school bus. Route 107 through the Town of East Kingston is a state road without breakdown lanes or pedestrian lanes; not suitable for the increased amount of traffic this development would generate, especially through a very congested town center. Route 107 (Depot Road/Main Street)

serves as the main access to the town offices, the town library, a general store, two elderly housing developments (106 dwelling units), the fire station, and the town's recreation field.

We strongly recommend a full scope traffic study be undertaken to document the impact of the increased traffic through the Town of East Kingston as well as the intersection of Route 125 and Route 107. The potential is high for traffic to back up into the Route 125 and 107 intersection itself when vehicles are turning onto Route 107 from Route 125 and then immediately turning left into the development. This traffic congestion is concerning, not only for those who are attempting to enter the proposed development, but for those trying to travel on Route 107 towards East Kingston. These scenarios do not include the third intersection (Route 107-A) with its close proximity to this junction nor the merging traffic entering Route 107 from Route 125 south which would further complicate the flow of traffic.

- 2. Groundwater & Water Quality Impact** – The groundwater in the area of 50 Depot Road, Kingston is part of East Kingston's only aquifer, and is part of the Merrimack watershed serving many communities in southern NH and Massachusetts. Wastewater and stormwater runoff have been proven to be the reasons for impacts to downstream groundwater and surface water impacts in many areas of the State. As stated in East Kingston's 2023 Natural Resources Inventory (NRI) report:

"Groundwater from individual wells is the source of almost all of East Kingston's water supply. The wells vary in depth from 20' to 700' and yield relatively low rates, usually ranging from 5 to 30 gallons per minute. These rates are indicative of the variability of the aquifers that supply the town's individual wells.

Although the annual rainfall is sufficient to provide the aquifers with enough recharge to support widespread withdrawals for domestic consumption, groundwater shortages may occur due to locally excessive pumping and/or decreased recharge (induced by increased run off or periods of low annual rainfall).

Retention of rainfall is necessary to replenish local groundwater supplies. Stratified sand and gravel deposits are capable of high rates of recharge, and yield water to wells at significantly greater rates than bedrock. Some of these sand and gravel aquifers may provide large enough "safe yields" to make them worthy of consideration for centralized groundwater development and distribution in the future. Because of their high infiltration capacities, these deposits are susceptible to pollution from septic systems, particularly if the systems are concentrated rather than dispersed.

It would be prudent for the Town to protect the quality of groundwaters within these aquifers. To identify and purchase property for future wells as a community water supply would be in the best interest long term."

- 3. Wildlife Corridor and Habitat Impact** – This property is clearly in line with a major wildlife forested corridor that passes through East Kingston. A development this size will certainly negatively impact wildlife habitat and disrupt the important wildlife corridor which extends into East Kingston.

The Connect the Coast report, as well as geospatial data maps residing in both the NH Granit and the NH Coastal Viewer databases, show this impact. The attached PDF for East Kingston illustrates this.

The East Kingston Planning Board respectfully asks the Kingston Zoning Board of Adjustment to carefully consider the variance criteria, specifically as it relates to public interest, substantial justice, and the values of surrounding properties.

Granting the variances would be contrary to public interest as it is in the public's interest to not create potentially dangerous road conditions (Routes 107/125 intersection) or create vehicular congestion in residential neighborhoods (with specific concern to the East Kingston railroad crossing, pedestrian and student safety, and Routes 107/108

intersection) which would result in allowing the applicants to maximize the number of units in the proposed development. There are also concerns about the public's interest as it relates to water quality impact.

Substantial justice would not be done as the injustice to the general public is greater due to the traffic impact as previously stated, as well as the potential loss of comfort and enjoyment of the properties for those residing along Route 107, especially those properties thickly settled throughout East Kingston's town center.

Granting the variances and allowing the applicants to maximize the number of units of the development would diminish surrounding property values by way of increasing vehicular traffic, increasing noise levels, and increasing emissions along the Route 107 corridor. There are a substantial number of older homes along this roadway that do not meet the current 30-foot setback from the front property line as they were built long before zoning was adopted. These properties would experience an even greater impact of vehicular noise and emissions.

In conclusion, the East Kingston Planning Board recognizes the need for housing in the State of New Hampshire; however, a development of this magnitude should be located in an area where the existing road system can accommodate this type of traffic impact and where it poses less of a threat to water quality and wildlife habitat.

We appreciate your thoughtful consideration of these concerns.

Sincerely,


Joshua Bath, Chair


Tim Allen, Vice Chair

Attachments: NH Wildlife Corridor Map
Highest Rated Wildlife Habitat Map

NH WILDLIFE CORRIDORS

- Prioritized Habitat Block** WAP Tier 1, 2 habitat blocks > 50 acres plus focal areas for species of concern.
- Wildlife Corridor** Wildlife corridors are the top-scoring linkages all focal species combined (sum of scores) and may benefit multiple wildlife species with a variety of dispersal behaviors.
- Secondary Corridor** Secondary corridors are the top-scoring linkages for each focal species considered individually.
- Parcel boundary**
- Conservation/or public land**
- Estuarine or Freshwater Wetland (NWI)**

SADES_Stream_Crossings_2021

Aquatic organism passage score

- ▲ Full Passage
- ▲ Reduced Passage
- ▲ No Passage
- ▲ No score/incomplete

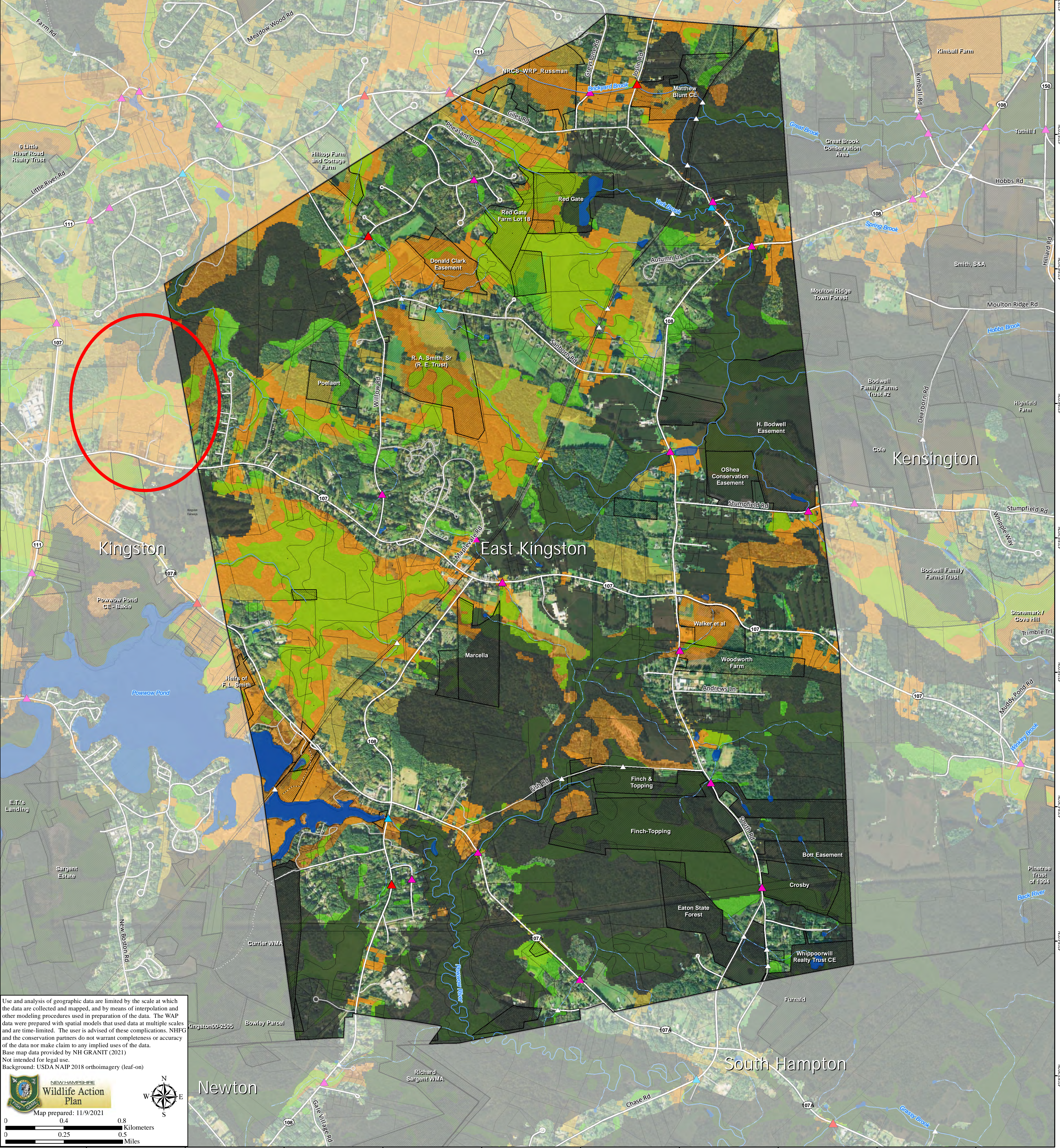
Please refer to accompanying documents:
<https://wildlife.state.nh.us/nongame/corridors.html>

NH WILDLIFE CORRIDORS

Wildlife move to meet their needs such as finding food, reproducing, migrating between winter and summer habitats, and dispersing to a new territory. A wildlife corridor is a habitat linkage that joins two or more areas of wildlife habitat, allowing for fish passage or the movement of wildlife from one area to another (RSA 207:1 XXXVI).

Wildlife corridors are critical for the conservation of wildlife in New Hampshire. The loss of wildlife corridors may impact species and populations through direct mortality, habitat fragmentation, and creating barriers to dispersal. More specifically, mortality can affect the dispersal and viability of isolated populations, and eventually cause the loss of local populations. At greatest risk are slow-moving species (e.g., reptiles and amphibians), species that depend on high adult survivorship (e.g. turtle species), species that are long range dispersers (e.g. bobcats, American martens), and species with scarce populations (e.g. timber rattlesnakes). Large mammals crossing roadways (e.g., black bear, moose, and deer), although not likely to have population level impacts, cause safety concerns for motorists.

The NH Wildlife Corridors map shows corridors that connect core areas of wildlife habitat and can be used by conservation planners, landowners, land trusts, biologists, and others. To create the map, areas of wildlife movement and dispersal were identified using the NH Wildlife Connectivity Model (last revised 2020). Then Linkage Mapper (a GIS tool for habitat connectivity analyses) was used to map connections between core wildlife habitats. Finally, the corridors where wildlife are predicted to most easily move, especially riparian corridors, were selected. This resulted in the 2021 NH Wildlife Corridors Map.



Use and analysis of geographic data are limited by the scale at which the data are collected and mapped, and by means of interpolation and other modeling procedures used in preparation of the data. The WAP data were prepared with spatial models that used data at multiple scales and are time-limited. The user is advised of these complications. NHFG and the conservation partners do not warrant completeness or accuracy of the data nor make claim to any implied uses of the data. Base map data provided by NH GRANIT (2021) Not intended for legal use. Background: USDA NAIP 2018 orthoimagery (leaf-on)

Map prepared: 11/9/2021

0 0.4 0.8 Kilometers
0 0.25 0.5 Miles


2020 HIGHEST RANKED WILDLIFE HABITAT BY ECOLOGICAL CONDITION

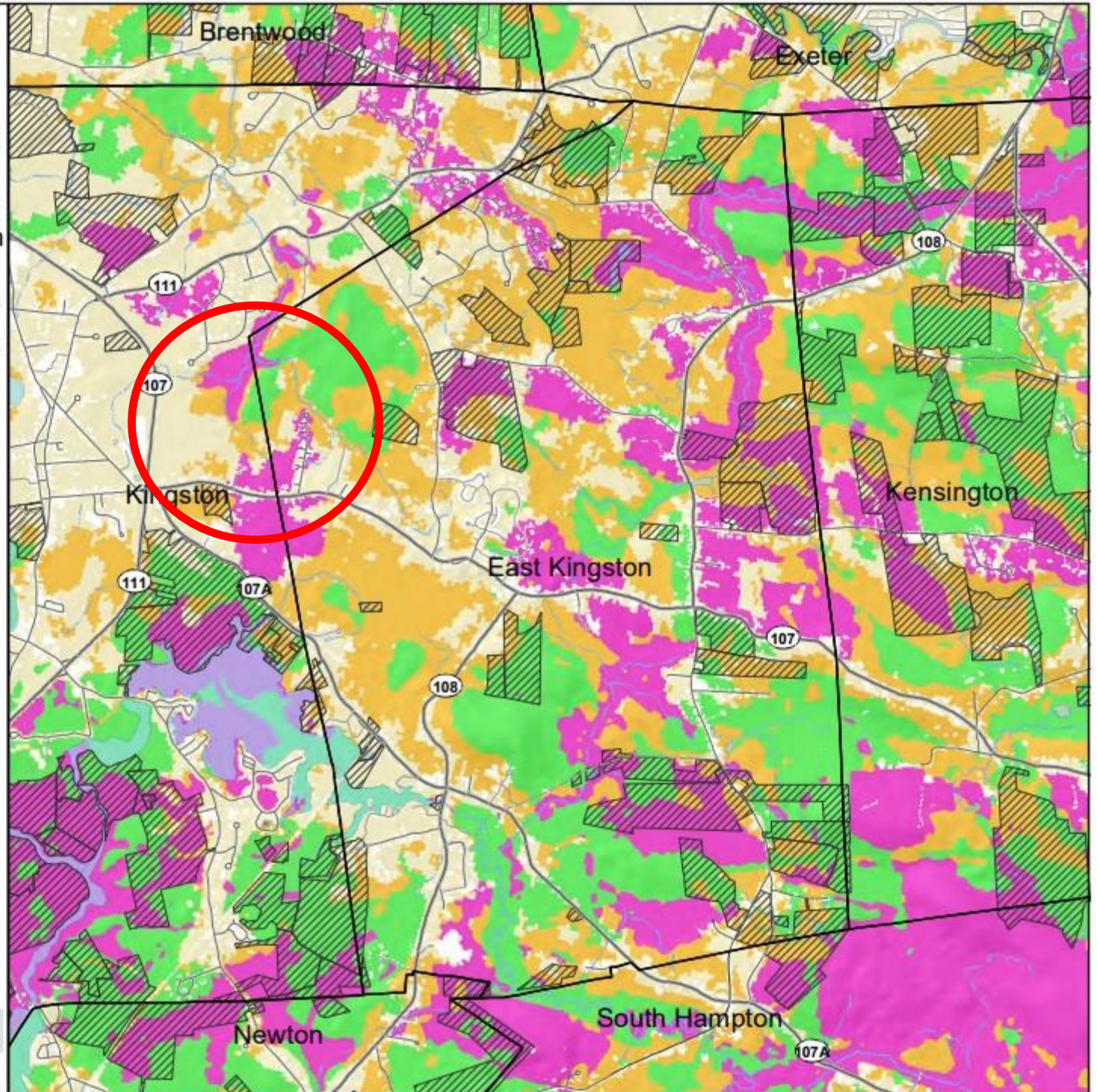
 Highest Ranked Habitat in New Hampshire

 Highest Ranked Habitat in the Biological Region

Biological region = TNC ecoregional subsection for terrestrial habitats or Aquatic Resource Mitigation region for wetlands and floodplain forest.

 Supporting Landscapes

 Conservation or public



Base map data provided by NH GRANIT at UNH May 2020. Intended for planning use only.



NEW HAMPSHIRE
Wildlife Action Plan

Sept. 2015, spatial data Apr. 2020

