

Town Warrant

THE STATE OF NEW HAMPSHIRE

(L. S.)

To the Inhabitants of the Town of Kingston in the County of Rockingham in said State, qualified to vote in town affairs:

You are hereby notified to meet at the Town Hall in said Kingston on Tuesday, the thirteenth day of March, next, at nine of the clock in the forenoon, to act upon the following subjects:

1. To choose all necessary Town Officers for the year ensuing.
2. To raise such sums of money as may be necessary to defray town charges for the ensuing year and make appropriations of the same.
3. To see if the Town will vote to raise and appropriate the sum of \$339.00, and the State will contribute \$1,356.00, for Class V Highways, under the provisions of the T. R. A. so called.
4. To see if the Town will vote to raise and appropriate the sum of \$500.00 to continue the permanent construction of the New Boston Rd.
5. To see if the Town will vote to raise and appropriate the sum of \$1,000.00 to continue the permanent construction of Great Park Pond Rd.
6. To see if the Town will vote to raise and appropriate the sum of \$500.00 for further improvement to the

Wadleigh Point Road, to include tarring that portion resurfaced last year.

7. To see if the Town will vote to raise and appropriate the sum of \$500.00 for improving the Shore Road.

8. To see if the Town will vote to raise and appropriate the sum of \$300.00 to repair the clock in the Universalist Church Steeple.

9. To see if the Town will vote to raise and appropriate the sum of \$330.00 for 100 wooden folding single chairs for the Town Hall.

10. Shall the provisions of Chapter 171-A of the Revised Laws relating to playing games of Beano, be adopted in this town?

(This Article to be voted on by ballot)

11. To see if the Town will vote to raise and appropriate a sum not to exceed \$2,700.00 to purchase a new Dump truck, the present truck to be traded in toward the new one, and the Selectmen are hereby authorized to borrow money to finance the deal in the name of the Town if it is deemed advisable to do so.

12. To see if the voters will authorize the Selectmen and Town Treasurer to borrow sums of money not exceeding \$10,000.00 in anticipation of the collection of taxes for the current year, and to issue in the name and on the credit of the Town negotiable notes therefor, said notes to be paid during the current year from taxes collected during the current year.

13. To see if the Town will vote to authorize the Selectmen to convey to Exeter & Hampton Electric Company a permanent right of way and easement 100 feet in width throughout, to construct, maintain and operate a transmission line or lines over property owned by the Town of Kingston on the Hunt Road, so called, bounded;

Northerly and Westerly by said Hunt Road; Easterly by land now or formerly of Hannah C. Primrose; Southerly by land formerly of Ezekiel Jones, now Isabelle Lynde, for such price and upon such terms as the Board of Selectmen of the Town determine, and to authorize the Selectmen on behalf of the town to execute and deliver to said Exeter and Hampton Electric Company a good and sufficient easement deed, conveying the rights and easements authorized under this Article. The location and extent of said right of way and easement to be determined upon a survey of the premises.

14. To see if the Town will vote to accept the Auditor's Report, and accept the Town Reports as printed.

15. To receive the report of the Zoning Commission and to see if the Town will vote to adopt a Zoning Ordinance for the Town of Kingston, the same having been prepared by the Board whose final report appears on the following pages, and becomes a part of this article:-

16. To transact any other business that may legally come before said meeting.

Given under our hands and seal this twenty-sixth day of February, in the year of our Lord nineteen hundred and fifty-one.

VERNON LEWIS,
ERNEST P. BRAGDON,
J. EDWARD STEVENS,
Selectmen of Kingston.

A true copy of Warrant—Attest:

VERNON LEWIS,
ERNEST P. BRAGDON,
J. EDWARD STEVENS,
Selectmen of Kingston.

Final report after preliminary report of the Zoning Commission on a proposed zoning ordinance for the town of Kingston, New Hampshire, January 25, 1951 and Revised Report as of February 14, 1951.

To promote the health, safety, convenience, and general welfare of the community by regulating and restricting the use of land and the construction of buildings thereon in the Town of Kingston, and for said purposes dividing the Town into districts, in pursuance of authority conferred by chapters 51 and 53 of the Revised Laws of New Hampshire of 1942 and any amendments thereto, the following ordinance is hereby enacted by the voters of the Town of Kingston, New Hampshire, in annual town meeting convened:

ARTICLE I

Establishment of Zones

For the purposes of this ordinance, the Town of Kingston is divided into two Zones as defined below:

Section 1. Zone A, shall comprise Route 125 from the Plaistow line to the Brentwood line, Route 107 from the Brentwood line to the East Kingston line, Route 111 from the Exeter line to the Danville line, Route 107A from the East Kingston line to the junction of Scotland and Depot Streets, Scotland and Bartlett Streets, Rock Rimmon Road to the end of the tar road as of this date, Chase Street, North Danville Road to the Danville line, Little River Road from Chases Corner to the river, Newton Junction Road, West Shore Park Road, West Kingston and Mill Roads from Bartlett's Corner to Cheney's Mill, the cross road from Fifield's Corner on Route 125 to Route 111, 250 feet on either side as measured from the center line of the road.

Section 2. Zone B, shall comprise all areas within the Town of Kingston not included in Zone A.

ARTICLE II

Restrictions for Zone A

All land included in Zone A shall be subject to the following regulations, restrictions and conditions:

Section 1. No buildings or structure shall be erected, and no existing structure shall be altered without the approval of the Town Building Inspector, in writing, to whom adequate plans of the proposed building or alteration shall be submitted. A permit shall not be required in case of repairs, unless such repairs include alteration or new construction. A minimum fee of two dollars (\$2.00) shall accompany each application submitted.

Section 2. The Town Building Inspector shall base his approval or rejection of proposed plans upon the effect such operations are likely to have on the value and use of other property in the vicinity and upon the following schedule of requirements:

(a) Foundations shall be constructed of solid cement, brick, stone, or cement-blocks. Industrial structures and accessory buildings may be set on stone or cement piers.

(b) Chimneys shall be constructed of stone or brick, or cement and cinder blocks to the ground, and shall be lined with tile or other material approved by the Underwriters; all entrances shall be of fireproof construction.

(c) Outside walls shall be constructed of wood or fire resistant shingles, sidings, clapboards, brick or stucco, cement or cinder blocks.

(d) Roofs shall be constructed of wood or fire-resisting shingles, metal, or fire-resisting composition.

(e) Every dwelling shall have a minimum ground floor area of 400 square feet for each family unit.

(f) Sewage; all dwellings, and buildings in public use shall be equipped with septic-tank or cesspool.

(g) Every building shall be set back from the front property line not less than thirty feet (30'), or such distance as shall conform with the existing building line of dwellings within 1000 feet on either side, and all buildings shall be set back at least 10 feet from the side lot lines.

Section 3. Nothing in the ordinance shall prevent land being used or structures erected, altered or used for sale of farm produce raised in the Town of Kingston by occupants of such land or the expansion of established poultry business.

Section 4. Building lots shall have a frontage of not less than 75 feet except those already existing and recorded.

Section 5. Only such signs shall be permitted which pertain to the lease, sale or use of the land or buildings on which placed, and when they do not exceed a total area of twelve square feet.

ARTICE III

Restrictions for Zone B

All land included in Zone B shall be subject to the provisions set forth in Article II with the exception that the following schedule of building requirements shall be substituted for that appearing under Section 2.

(a) All structures shall be set on solid foundations of cement or stone or piers of the same materials.

(b) Chimneys shall be constructed of stone or brick, cement or cinder blocks, to the ground, and shall be lined with tile or other material approved by the Underwriters; all entrances shall be of fire proof construction.

(c) Outside walls shall be constructed of wood or fire-resistant shingles, siding, clapboards, brick, stucco, logs, log-siding, cement or cinder blocks.

(d) Roofs shall be constructed of wood or fire-resistant shingles, metal, or fire-resistant composition.

(e) Every dwelling shall have a minimum ground floor area of 350 square feet for each family unit.

(f) Every building shall be set back from the front property line not less than 30 feet or such distance as shall conform with the existing buildings or line of dwellings within 1000 feet on either side.

(g) Building lots shall have a frontage of not less than 40 feet, except those already existing and recorded, and all buildings shall be set back at least 10 feet from the side lot lines.

ARTICLE IV

Section 1. It shall be unlawful to park an occupied trailer home or house trailer within the limits of the town of Kingston, for more than three (3) days, without first obtaining a permit from the Board of Selectmen so to do. No permit to park an occupied trailer home or house trailer shall be issued for more than a ninety (90) day period in any one year. The fee for such permit shall be five (\$5.00) dollars payable to the town of Kingston. Nothing in this ordinance shall effect existing occupied trailer homes or house trailers except that such trailer homes or house trailers now established and occupied shall not be moved to a new or different location in said town of Kingston without a permit so to do.

Section 2. It shall be unlawful for the owner or lessor of land in the town of Kingston to erect or permit the erection of tents or other portable temporary shelters or structures for the purpose of a dwelling without first submitting a plan or layout and obtaining a permit from the Selectmen so to do. No permit to erect tents or other portable temporary shelters or structures for the purpose of dwellings shall be issued for a period of more than one hundred and twenty (120) days in any one year. The fee for such a permit shall be five dollars (\$5.00) pay-

able to the town of Kingston. Nothing in this section shall prohibit the erection or use of such tents or temporary portable shelter or structure by the owner for the use of himself or his family for a like period. The erection of such tents or temporary portable shelters or structures shall be at least ten feet from the lot lines and thirty feet back from the highway.

ARTICLE V

Section 1. The Building Inspector shall have the power in his discretion to waive any or all requirements of this code, (other than those also contained in any statute of this State), in the case of small dairy rooms, root cellars, poultry houses, farm and storage sheds and other similar small structures to be so located on the owners property as not to menace the property of another.

ARTICLE VI

Town Building Inspector

Section 1. For the purpose of this ordinance the Board of Selectmen shall annually appoint a Town Building Inspector who shall perform the duties pertaining to his office as designated in the various provisions of this ordinance, and he shall make inspections of all buildings in process of construction, and report all violations to the Board of Selectmen.

Section 2. The Town Building Inspector shall retain each application fee of two dollars which shall constitute full compensation for his services.

ARTICLE VII

Administration

Section 1. Applications and permits.

(a) It shall be the duty of the Board of Selectmen and the Board is hereby given the power and authority to enforce the provisions of this ordinance.

(b) The Board of Selectmen shall require that the application for a building permit include a plot plan, and contain all the necessary information to enable the Building Inspector to ascertain whether the proposed building or structure and its intended use comply with the provisions of this ordinance.

(c) No building permit shall be issued until the Building Inspector has certified that the proposed building and its intended use comply with the provisions of this ordinance.

(d) It shall be unlawful for any person to commence work for erection or alteration of any building or structure until a permit has been duly granted for such erection or alteration by the Building Inspector.

ARTICLE VIII

Board of Adjustment

Section 1. The Moderator, with the advice and consent of the Board of Selectmen shall appoint a Board of Adjustment consisting of five members as provided in Chapter 51 of the Revised Laws of 1942 as amended, each to be appointed for a term of five years, and removable for cause by the appointing authority, upon written charges and after public hearing. (On the first Board, one member shall be appointed for one year, one for two years, and one for three years, one for four years and one for five years, to obtain overlapping terms). Vacancies shall be filled for the unexpired term.

Section 2. The Board of Adjustment shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance, or any amendment adopted pursuant thereto.

(b) To hear and decide special exceptions to the terms of the Ordinance.

(c) To authorize, upon appeal, in specific cases, such variance from the terms of this ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

(d) The Board of Adjustment shall make rules as to the manner of filing appeals or application for special exceptions or for variance from the terms of this ordinance. A payment of the estimated cost of giving notice, is herein required by the appellant.

(e) Upon filing an appeal or an application for special exception from the terms of this ordinance with the Board of Adjustment, the Board shall fix a reasonable time for the hearing of the appeal or the application for special exception, give public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time.

(f) The said notices shall state the location of the building or lot and the general nature of the question involved.

(g) In exercising the above mentioned powers the Board may, in conformity with the provisions hereof reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from, and may make such order or decision as ought to be made, and to that end, shall have all the powers of the officer from whom the appeal is taken.

(h) The concurring vote of three members of the Board shall be necessary to reverse any action of administrative officials or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

ARTICLE IX**Amendments**

Section 1. This ordinance and the boundaries of districts may be amended at any Town Meeting in accordance with the provisions of Chapter 51 of the Revised Laws of 1942 as amended by Chapter 110 of the laws of 1949 or any amendments thereto.

ARTICLE X**General Provisions**

Section 1. Plot plans shall be filed with the Building Inspector before work is commenced upon any development. Building lots must have a frontage of not less than seventy-five feet. No new street shall be accepted by the Town of Kingston unless it is rough graded and is at least forty feet wide.

Section 2. Validity. Should any section of provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, or of any other part thereof.

Section 3. Interpretation. In interpreting and applying the provisions of this ordinance, they shall be held to the minimum requirements for the promotion of the health, safety, morals, and general welfare of the Town of Kingston and its citizens.

Section 4. Penalties. For any and every violation of the provisions of this ordinance, the owner, general agent, or contractor of a building, or premises where such violation has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violations has been committed or shall exist, or the architect, builder or any other person who knowingly commits, takes part, or assists in any such violation, or who maintains any building on premises in which any such

violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding ten dollars (\$10.00) for each and every offense, and whenever such person shall be notified by the Board of Selectmen, or by service of summons in prosecution, or in any other way, that he is committing such violation of this ordinance, each day that he shall continue such violation after notification, shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

Section 5. This ordinance shall take effect immediately upon its passage.

Zoning Commission for the Town of Kingston.

VERNON LEWIS, Chairman
RALPH H. BAKE, Clerk
ERNEST P. BRAGDON
J. EDWARD STEVENS
LESLIE W. CURRIER, JR.
WILLIAM G. E. SIMES
JESSE D. SHAW