

Minutes of the Town Meeting March 11, 2008

The Annual Town Meeting was called to order at 8:00 am at the Town Hall by the Assistant Moderator, Richard L. Russman, for the voting by secret ballot for the election of Town Officers, 26 regular Town Articles and 9 Zoning Articles, as well as the voting for the election of Officers for Sanborn Regional School District and the voting of 7 Regular Articles for the School District.

Town Clerk Bettie C. Ouellette broke the seals on the boxes of ballots and the Assistant Moderator inspected the ballot boxes. Three Accu-Vote machines were used in this election.

The ballot clerks were Donna Grier, Marilyn Bartlett, Herbert Noyes, Holly Ouellette, Gloria Parsons, Joanne Lambert and Peter Sullivan. The Police Officer was Donald W. Briggs, Jr. The results were announced by the Assistant Moderator at 9:30 pm. The ballots were sealed and locked in the vault at 10:00 pm.

The total count was 1,143 including 52 absentee ballots. 16 new voters were registered at the polls, bringing the total voters on the checklist to 3,733.

The following results were obtained:

	Moderator for Two Years	
Electra L. Alessio		936*
	Selectman for Three Years	
Mark Heitz		869*
	Treasurer for Two Years	
Jayne E. Ramey		902*
	Supervisor of the Checklist for Six Years	
Dale G. Winslow		909*
	Trustee of Trust Funds for Three Years	
Anthony L. Whitcomb		772*
Joyce Davies		795*
	Library Trustee for Three Years	
Daniel J. Sullivan		794*
Anthony L. Whitcomb		737*
Dannielle Genovese		818*
	Fire Ward for Three Years	
Kevin Shea		861*

Fire Ward for One Year		
William A. Timmons, Jr.		904*
Constable for Three Years		
William G. Harvey, Sr.		890*
Planning Board for Three Years		
Glenn Coppelman		770*
Norman R. Hurley		802*
Municipal Budget Committee for Three Years		
Debra F. Powers		833*
Ellen Faulconer	(Write-Ins)	12*
Lynn Gainty	(Write-Ins)	12*
Municipal Budget Committee for One Year		
Zoning Board of Adjustment for Three Years		
Robert L. Morse		530
Electra L. Alessio		590*
Kevin W. Burke		543*

ARTICLE 2: The voters adopted Amendment Number 2 to the existing Town Zoning Ordinance as proposed by the Kingston Planning board as follows:

Supplementary Lot Regulations

5.10.2 Every structure shall be set back from front property line a minimum of twenty (20) feet. No structure shall be located within twenty (20) feet of property lines (side and rear). For purposes of this section, fences and septic systems are not considered structures. Septic systems shall conform to the subsurface disposal system rules and regulations of the Kingston Board of Health.

Topical Note: This amendment is proposed as part of a reorganization of the zoning book. All septic related sections of the Town's zoning ordinance have been re-codified under the Town's health regulation powers in order to decrease conflicting sections and allow more consistent application. These requirements will still be local requirements but will be found in a separate section of the Town's ordinances and regulations.

Yes 738* No 333

ARTICLE 3: The voters adopted Amendment Number 3 to the existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Building Location and Construction

6.10.7 Septic systems shall conform to the subsurface disposal system rules and regulations of the KINGSTON Board of Health.

Topical Note: This amendment is proposed as part of a reorganization of the zoning book. All septic related sections of the Town's zoning ordinance have been re-codified under the Town's health regulation powers in order to decrease conflicting sections and allow more consistent application. These requirements will still be local requirements but will be found in a separate section of the Town's ordinances and regulations.

Yes 767* No 311

ARTICLE 4: The voters adopted Amendment Number 4 to the existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Aquifer Protection Ordinance

19.40.4 Septic System Design Installation

All septic systems shall conform to the subsurface disposal system rules and regulations of the Kingston Board of Health.

Topical Note: This amendment is proposed as part of a reorganization of the zoning book. All septic related sections of the Town's zoning ordinance have been re-codified under the Town's health regulation powers in order to decrease conflicting sections and allow more consistent application. These requirements will still be local requirements but will be found in a separate section of the Town's ordinances and regulations.

Yes 757* No 317

ARTICLE 5: The voters adopted Amendment Number 5 to the existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Shoreland Protection Ordinance

20.40.3 Building Setbacks

All septic systems shall conform to the subsurface disposal system rules and regulations of the Kingston Board of Health.

Topical Note: This amendment is proposed as part of a reorganization of the zoning book. All septic related sections of the Town's zoning ordinance have been re-codified under the Town's health regulation powers in order to decrease conflicting sections and allow more consistent application. These requirements will still be local requirements but will be found in a separate section of the Town's ordinances and regulations.

Yes 778* No 295

ARTICLE 6: The voters adopted Amendment Number 6 to the Existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Innovative Zoning

23.20.4.1 Water and Septic Systems

A cluster development or portions thereof may be served by common water and septic systems. No proposal involving community disposal systems shall be approved by the Planning Board until legal responsibility for ownership and maintenance is established and found to be satisfactory by the Board. The design, siting and construction of both common and on-lot septic systems shall conform to the subsurface disposal system rules and regulations of the Kingston Board of Health.

Topical Note: This amendment is proposed as part of a reorganization of the zoning book. All septic related sections of the Town's zoning ordinance have been re-codified under the Town's health regulation powers in order to decrease conflicting sections and allow more consistent application. These requirements will still be local requirements but will be found in a separate section of the Town's ordinances and regulations.

Yes 706* No 298

ARTICLE 7: The voters did not adopt Amendment Number 7 to the existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Town of Kingston - Sign Ordinance (Adopted XX-XX-2008)

7.30.1 Purposes - The intent of this ordinance, is to regulate the erection of signs, for the purposes of providing information and advertising in an orderly, effective, and safe manner. Restrictions on type, location, and size of signs protect the public from hazardous and distracting displays and to create an attractive environment for the citizens and visitors alike which is conducive to business, industry and tourism.

Signs associated with non-residential uses or properties are to be regulated by the Planning Board as part of their authority under RSA 674:44 to insure the compatibility of the entire site in terms of health, safety, and aesthetics for the entire community and surrounding land uses.

7.30.2 Definitions:

- A. Sign: A sign is a name, identification, description, display or illustration or any other visual display which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business. However, a sign shall not include any display of official court or public office notices nor any official traffic control device, nor shall it include the flag, emblem or insignia of a nation, state, county, municipality or school.

- B. Area: The area of one (1) side of a NOT MORE THAN TWO (2) SIDED SIGN.
- C. Free-Standing: Unattached to any building. Sandwich boards and similar installations shall be considered free standing signs for purpose of regulation in this ordinance.
- D. Permanent Sign: Any sign, unless specifically prohibited, meeting the provisions of this ordinance and intended to be displayed for a period longer than thirty (30) days.
- E. Temporary Sign: Any sign intended to be displayed for no more than thirty (30) days and without permanent frost resistant anchoring to the ground.
- F. Valid, Pre-existing Non-Conforming Sign: A sign lawfully existing at the time of adoption of this ordinance or any subsequent amendment which does not conform to one (1) or more provisions of this ordinance.

7.30.3 Applicability and Valid Pre-Existing Non-Conforming Signs:

- A. Any non-conforming sign lawfully existing at the time of adoption or amendment of this ordinance will be allowed to continue to exist with the exception of portable signs. Façade and text replacement of such signs shall be permitted by the Building Inspector through the issuance of a building permit provided all applicable structural and electrical codes are in compliance for the sign.
- B. New signs, signs where area is increased, or signs where changes in lighting shall require approval in accordance with Section 7.30.4.
- C. Any sign conforming to this ordinance existing at the time of adoption or amendment of the ordinance shall be allowed to exist without a permit (verification of same will be required).

7.30.4 General Regulations & Applicability:

- A. Signs - Non-residential Uses: Signs that are associated with non-residential uses and/or installed on land that is used for non-residential purposes shall be approved as part of the Site Plan Review Regulations.
 - 1. The Planning Board shall be authorized to adopt regulations for the approval, denial, or conditional approval of sign permits regulating the number, location, construction, placement, materials, lighting, and all other aspects of signage as part of the Site Plan Review Regulations.
- B. Sign Permits: Signs that are associated with residential uses or home occupations and on land that is used residentially shall not be erected or placed without a permit issued by the Building Inspector in accordance with the provisions of this ordinance. An externally lit sign may be permitted provided it is approved by the Planning Board.
- C. Prohibited Signs: The following signs are prohibited:
 - 1. Signs, any part of which moves or flashes or on which the lights appear to travel or are animated.
 - 2. Signs, which by reason of locations, size, color, or design interfere with public traffic or be confused with, or obstruct the view or effectiveness of any official traffic signal or traffic marking.

- D. Internally illuminated signs may be permitted only by the Planning Board in accordance with its Site Plan Review Regulations in the Commercial districts and the Industrial district.
- E. Temporary Mobile and/or Portable Signs: New businesses or businesses replacing a sign may use a temporary mobile sign (or trailer mounted sign) while awaiting the arrival of a permanent sign that has been approved under this ordinance. Such signs shall be allowed only until the permanent sign(s) is installed, or for thirty (30) days, whichever is shorter. A permit shall be secured from the Building Inspector for the placement of such signs.
- F. Maintenance and Obsolescence:
 - 1. All signs and sign structures shall be properly maintained and kept in neat and proper state of maintenance and appearance.
 - 2. All signs associated with businesses no longer in existence shall be removed within thirty (30) days of the closing of the business.
 - 3. All signs of any type and located within any district which are found by the Building Inspector to be in a state of disrepair or are considered dangerous, shall be repaired or removed on order of the Building Inspector and upon failure to comply with this order within the time specified within the order, the Building Inspector is hereby authorized to cause removal of this sign and any expense resultant thereto shall be borne by the owner/lessee.

7.30.5 Signs in the Historic Districts - In addition to the preceding provisions, properties within the boundaries of the Historic Districts must comply with the Historic District Ordinance, and receive review from the Historic District Commission in accordance with their requirements.

7.30.6 Severability - The invalidity of any provision of this article shall not affect the validity of any other provision, of the article, nor of the zoning ordinance as a whole.

Topical Note: This proposal will replace the existing sign ordinance as found in the zoning codes for the Town of Kingston. If this article passes the planning board will have accompanying sign regulations in place to coincide with this ordinance.

Yes 530 No 541*

Article 8: The voters adopted Amendment Number 8 to the Existing Town Zoning Ordinance as proposed by the Kingston Planning Board as follows:

Article IV District Regulations

(Amended 03/4/75; 03/8/77; 03/13/79; 03/11/80; 11/4/80; 03/10/81;
03/9/82; 03/8/83; 03/10/87; 10/27/87; 03/14/89; 03/12/91; 03/14/95;
03/12/96; 03/11/97; 03/10/98; 03/9/99; 03/14/00; 03/08/05)

4.60 Wetlands Conservation District

4.60.1 **Purpose:** In the interest of public health, convenience, safety and welfare, this ordinance is intended to guide the use of wetlands and wetland buffers, as defined in Section 4.60.2 of this ordinance.

- A. To insure uses that can be safely and appropriately located in wetlands and wetland buffers that will maintain the quality and quantity of groundwater, water re-charge areas and surface waters necessary to supply existing and future water supply needs.
- B. To control development of structures and land use in wetlands and wetland buffers, which would contribute to pollution or depletion of surface and/or groundwater.
- C. To encourage environmental diversity by protecting and maintaining existing wetland systems and the vegetation and wildlife supported by such systems. This shall include the maintenance of wetland areas as sources of nutrients for finfish, crustacea, shellfish and wildlife, and as habitats and reproduction areas for plants, fish and wildlife as identified within the wetlands functional and value assessment required in 4.60.2B.
- D. To protect persons and property against the hazards of floodwater inundation by insuring uses of wetlands and wetland buffers that will not significantly reduce the natural ability of wetlands to absorb floodwaters and silt leading to a disruption in the natural flow pattern of streams and other watercourses within the Town.
- E. To encourage uses that will enhance rather than depreciate or obstruct the commerce, recreation and aesthetic enjoyment of the public within wetlands and wetland buffers.

4.60.2 **Definition:** The Wetlands Conservation District of Kingston includes those areas of town defined in the following manner.

- A. An area shall be considered a wetland if it is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, lakes, ponds, rivers, streams and vernal pools. Wetlands shall be delineated on the basis of hydrophytic vegetation, hydric soils, and wetlands hydrology in accordance with the techniques outlined in the *U. S. Army Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1*. (January 1987) or as subsequently adopted by the State of NH.
- B. An area shall be considered a wetland buffer if it is an upland area immediately adjacent to wetlands as defined in this ordinance. The linear extent of the wetland buffer shall be determined by Table A on the basis of the functional values for the subject wetlands as determined by a certified wetlands scientist.

Table A
Wetland Buffer Width Determination Table

Points	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Buffer Width (ft)	25	35	40	45	50	55	60	65	70	75	80	85	90	95	100

<u>Function/Value</u>	<u>Points</u>
FA	1
GW, NR, PE, SR	2
SS, WH, FH	3
ESH, VP	Maximum Buffer

KEY:

FA	= Floodflow Alteration
GW	= Groundwater Recharge/Discharge
NR	= Nutrient Removal
PE	= Product Export
SR	= Sediment/Toxicant Retention
SS	= Shoreline/Sediment Stabilization
WH	= Wildlife Habitat
FH	= Fish/Shellfish Habitat
ESH	= Endangered Species Habitat
VP	= Vernal Pools

- C. Where the Wetlands Conservation District is superimposed over another zoning district in the Town of Kingston, that district which is more restrictive shall govern.

4.60.3 Wetlands Conservation District Map: The Wetlands Conservation District as herein defined is shown on a map designated as "Town of Kingston Wetlands Conservation District" and is a supplement to the zoning map of the Town. Wetlands boundaries indicated on the zoning map supplement shall be verified by an on-site wetland delineation by a certified wetland scientist as referenced in Section 4.60.2. The results of any on-site wetland delineation will be on file with the Planning Board and Conservation Commission. A certified wetland scientist is a person qualified in wetland classification and mapping who is certified by the state of New Hampshire Joint Board of Natural Scientists.

4.60.4 Appeal: In the event that an area is alleged to be incorrectly delineated on the wetland map, any person aggrieved by such a designation may present adequate evidence of such to the Planning Board. Adequate evidence shall include a written report of on-site wetland investigation and analysis conducted by a certified wetland scientist.

4.60.5 Permitted Uses:

1. In designated wetland areas permitted uses are those which are compatible with the purposes specified in Section 4.60.1 Purpose, of this Ordinance and do not involve significant alteration of the wetland. Permitted uses are:
 - a. Forestry, agriculture and tree farming provided that such use is shown not to cause significant increases in surface or groundwater contamination by pesticides or other toxic or hazardous substances and that such use will not cause or contribute to soil erosion;
 - b. Water impoundments and supply wells;
 - c. Maintenance of existing drainage ways: streams, creeks or other water paths of normal water run-off;
 - d. Wildlife refuge;
 - e. Parks and such recreational uses;
 - f. Conservation areas and nature trails; and
 - g. Open Space as permitted by subdivision regulations and other sections of this ordinance.
2. In designated buffer areas permitted uses are those which are compatible with the purposes specified in Section 4.60.1 Purpose of this ordinance and do not involve significant alteration of the buffer. Buffer provisions are:
 - a. All forestry and agriculture activities within the wetland buffer shall be undertaken with special care to avoid erosion and siltation into wetlands.
 - b. The construction or placement of any structure, addition, improvement or swimming pool is prohibited.
 - c. Where an existing building within the wetland buffer is destroyed or is in need of extensive repair, it may be rebuilt provided that such re-building is completed within two years of the event causing destruction. The new or rebuilt structure shall not extend further into the wetland buffer than the original footprint.
 - d. The storage of any motor vehicle, including but not limited to, autos and trucks, snowmobiles, recreational vehicles, motorcycles or motorized boats is prohibited.
 - e. The dumping or placing of trash, waste, unsightly or offensive material, other than non-commercial composting under control by the homeowner is prohibited.
 - f. Only environmentally friendly fertilizers shall be used in the buffer. For this section, environmentally friendly fertilizers means organic. Pesticide and herbicide use are not allowed in the buffer.
 - g. Landscaping of the buffer shall be limited to native plant species.

4.60.6 Uses Permitted Subject to Review

- a. Easements and Rights of Way: Streets, roads and other access ways and utility rights-of-way or easements may be permitted provided that evidence of the following be accepted by the appropriate Board:

1. The street, road, access way or utility right-of-way or easements are essential to the productive use of land not zoned under the provisions of this ordinance.
 2. The street, road, access way or utility right-of-way or easement is so located and constructed as to minimize any detrimental impact of such uses upon the wetland or designated buffer.
 3. Such location and construction be compatible with the intents and purposes of this ordinance.
- b. Underlying Districts: In cases where the Wetlands Conservation District overlays another zoning district, the proposed use shall be permitted (providing said use is allowed in the underlying district) subject to review by the appropriate Board providing that:
- 1) Uses are consistent with the purpose and intent in Section 4.60.1
 - 2) The appropriate procedure for review as delineated in Section 4.60.7 be followed.

4.60.7 Procedure for Review:

- a. Building Permits for Individual Lots Upon receiving a request for a building permit within the Wetlands Conservation District, the Building Inspector, as agent of the Board of Selectmen shall notify the Conservation Commission of said request. The Conservation Commission may submit a written report following its review of the request. If the Building Inspector determines that the proposed activity may have a significant negative impact on the wetlands and/or designated buffer as described in Section 4.60.1, they may recommend that the Selectmen deny the application.
- b. Subdivision and Site Plan Review Any person who desires to subdivide land or propose construction that would be subject to Site Plan Review within the Wetlands Conservation District shall submit to the Planning Board, in addition to all other requirements stipulated in the Subdivision Regulations, five (5) copies (copies are given to the Board of Selectmen, Conservation Commission, Town Engineer, and two retained by the Planning Board) of a report prepared by a Certified Wetland Scientist describing whether the impact on the wetlands and/or designated buffer is significant. The Board of Selectmen and Conservation Commission may also submit a written report for consideration.
- c. Issuance of Conditions If after review of all submitted data the appropriate Board determines that the area on which the proposed work is to be done is in conflict with Section 4.60.1 of the ordinance, the Board shall:
 - 1) Grant preliminary approval subject to an order of conditions it deems necessary for compliance and subsequent final approval, or;
 - 2) Deny the request and give the reason thereto.
- d. Designated Buffer The appropriate Board shall be entitled to review, regulate and prohibit development proposals within one hundred (100)

feet of a wetland when it is determined that such development may have a significant negative impact on the wetland and is not consistent with the purposes and intent of Section 4.60.1.

4.60.8 Conditional Use Permits: Conditional use permits are required for any work proposed within the wetland conservation district or designated buffer unless it meets the provisions of section 4.60.5 and 4.60.6. In granting a Conditional Use Permit, the Planning Board shall seek the opinion of the Conservation Commission and may impose conditions, to the extent the Board concludes such conditions are necessary, to minimize any adverse effect of the proposed project on the wetlands and/or the designated wetland buffer.

1) Procedure on application:

A Conditional Use Permit application shall be included in submittals under section 4.60.7

The Planning Board shall act upon the Conditional Use Permit application in accordance with the procedural requirements of RSA 676:3.

2) A Conditional Use Permit may be granted by the Planning Board (RSA 674:21 II) for construction, in areas designated as wetlands as well as in areas designated as buffer areas to wetlands provided that all of the following conditions are found to exist:

- A. The proposed construction is essential to the productive use of land not within the Wetlands Conservation District.
- B. Design and construction and maintenance methods will be such as to minimize detrimental impact upon the wetland and will include restoration of the site as nearly as possible to its original grade and condition.
- C. No alternative route which does not cross a wetland or has less detrimental impact on the wetland is feasible.

4.60.9 Denial and Appeal: In such cases as the Planning Board may deny a Conditional Use application under this section, it shall supply the applicant with a letter citing the reasons for such denial.

4.60.10 Exemptions: Fire ponds and intake areas of dry hydrants that have been legally constructed to provide water for municipal firefighting purposes as approved by a local fire chief, may be cleaned out when necessary to preserve their usefulness without a conditional use permit. Such fire ponds, intake areas of any hydrants may be cleaned out by hand or machine; provided, that the facility is neither enlarged nor extended into any area of wetlands or designated buffer and is completed in accordance with the provisions of RSA 482-A:3 IV(b).

- 4.60.11 Other Provisions Any wetlands altered in violation of this Ordinance shall be restored at the expense of the violator(s) as provided by RSA 483-A:5. Any designated buffer altered in violation of this Ordinance shall be restored at the expense of the violator(s).

Article XVIII
Kingston Floodplain Development Ordinance
(Adopted 03/10/92; Amended 03/08/94; 03/12/02; 03/08/05)

18.10.1 Permits:

- b. All proposed development in any special flood hazard areas shall require a permit.
- c. Any proposed work in the floodplain shall conform to the purpose and intent of the Wetlands Conservation Overlay District and meet the designated buffer requirements. (See Article IV Section 4.60)

Topical Note: The purpose of this amendment is to replace the existing wetlands ordinance with this new ordinance which uses a scientifically supported methodology for determining the required buffer distances to wetlands. Under the proposed ordinance each wetland will be evaluated for functionality and those wetlands that are providing the most functions will be provided the greatest protection.

Yes 690* No 360

ARTICLE 9: The voters adopted Amendment Number 9 as proposed by the Planning Board as follows:

5.10.1 Every building lot shall have a minimum contiguous frontage of two hundred (200) feet on a "public right-of-way". This frontage shall provide access to the lot. (The term "public right-of-way" for the purposes of this ordinance shall be limited to those highways which qualify as Class I through V highways under the provisions of N. H. RSA 230:4) and shall contain a minimum area of 80,000 (eighty thousand) square feet, unless the land is subject to zoning district specific requirements that may differ from those enumerated in this paragraph.

Topical Note: This proposed amendment will insure that the required frontage in zoning district in Town will be contiguous and will provide access to the lot. The only exceptions will be those zoning districts where frontage requirements are expressly defined.

Yes 672* No 374

Article 10: The voters did not adopt Amendment Number 10 as proposed by petition of 28 registered voters for the existing Town Zoning, Building and Land Use Ordinances as follows:

Amend Commercial III Prohibited Uses

1.0 Residential construction is prohibited, except as provided in "pre-existing use" exception

To add:

Or in a mixed commercial/residential use plan when the residential structures are serving the elderly and are a minimum of 1,000 feet from the center line of Route 125. All residential buffers must apply.

The petitioners agree that they will not object if the first signer of the petition wishes to withdraw the petition from the warrant for the purpose of replacing it with an article drafted by the Planning Board.

Yes 510 No 528*

Article 11: The Town did not vote to raise and appropriate the sum of \$1,300,000 (gross budget for the construction and equipping of an addition to the Nichols Memorial Library and to authorize the issuance of not more than \$850,000 of bonds or notes in accordance with provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore to authorize the withdrawal of \$250,000 from the Nichols Memorial Library Capital Reserve Fund created for this purpose, furthermore to use the proceeds (estimated at \$150,000) from the sale of the Town's Church Street Property originally intended for a new library (2001 Warrant, Article #5), and furthermore to use \$50,000 of funds privately donated to the Library for expansion purposes? (A 15 year bond will have an estimated tax impact of 16 cents/\$1,000 for the first year and will be reduced to 9 cents/\$1,000 by the last year. 3/5 vote required.)

Yes 653 No 496*

Article 12: The Town did not vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$4,537,574. Should this article be defeated, the default budget shall be \$4,290,242, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

Yes 525 No 552*

Article 13: The Town voted to authorize the Board of Selectmen and the Library Board of Trustees to sell the Town's Church Street property (intersection of Church Street and Marshall Road) which was originally purchased in 2001 (2001 Warrant Article #5) for the purpose of building a new library. The proceeds of the sale (estimated value of \$150,000) to be used to help finance the expansion of the present Nichols Memorial Library (intersection of Main Street and Depot Road since 1898). The expansion is possible due to the Marilyn Bartlett Land Donation

(2007 Warrant Article #10 - 698 Yes votes to 85 No votes). See Warrant Article #11 for the expansion details. By law the proceeds of the sale could only be used for Library Expansion. This article will have no tax impact.

Yes 869* No 255

Article 14: The Town voted to authorize the Tax Collector to allow a 1½% deduction from property tax when payment is made within thirty days of billing.

Yes 1062* No 55

Article 15: The Town voted to raise and appropriate the sum of \$336,000 to purchase the land and five (5) buildings now owned by the Newburyport, MA YWCA, located at 24 Main Street, at the corner of Wadleigh Point Road, for municipal use. This parcel consists of 3.676 acres with approximately 231± feet of water frontage on Kingston (Great) Lake, Town Tax Map U5, Lot 62.

Yes 658* No 446

Article 16: The Town did not vote to create a permanent part-time Plumbing Inspector position and to raise and appropriate the sum of \$5,000 which represents nine months of funding. Person must be a New Hampshire state Licensed Master Plumber.

Yes 473 No 624*

Article 17: The Town did not vote to create the position of a part-time cable television operator at a rate of \$10.00 per hour for approximately ten (10) hours per week and to raise and appropriate the sum of \$3,600 which represents nine months of funding.

Yes 443 No 646*

Article 18: The Town voted to raise and appropriate the sum of \$75,000 to be placed in the Expendable Trust Fund to repair, maintain and improve Town Buildings.

Yes 629* No 418

Article 19: The Town voted to discontinue the Revaluation Capital Reserve Fund created in 1984. Balance of said fund as of November 30, 2007 was \$17,084.28. The balance, along with accumulated interest to the date of withdrawal, will be transferred to the Town's General Fund.

Yes 796* No 236

Article 20: The Town voted to raise and appropriate \$75,000 to be placed in the previously approved Capital Reserve Fund for the future replacement of Highway Department equipment.

Yes 586* No 447

Article 21: The Town voted to raise and appropriate \$25,000 to be used for the implementation of an organic based land care program. This will move the Town from a petro chemical program to a more environmentally friendly program that will be beneficial to our health and protect the aquifer.

Yes 534* No 484

Article 22: The Town voted to raise and appropriate the sum of \$600,000 to purchase approximately 200 acres of land located in the northwest corner of town and identified on Kingston Tax Map R-32 as Lots 2, 8 and 11 and to allow withdrawal of \$600,000 from the Land Acquisition Capital Reserve Fund for this purpose. Further, to authorize the Board of Selectmen to place a conservation easement on said property in order to permanently conserve the land, and to authorize the Board of Selectmen to accept any funds from the State of New Hampshire, the federal government and private sources to support the acquisition and permanent protection of this land. This purchase will conserve the Town's rural character, provide open space for outdoor recreation by the public, help to stabilize the tax base, and ensure that an area prime for residential development does not have a significant negative impact on taxes because of the need for increased town services such as education, fire and police. This purchase will be in partnership with the Southeast Land Trust of New Hampshire, a non-profit conservation organization, which will hold a conservation easement on the land purchased. It is expected that this appropriation will be matched by at least \$310,000 in funding being raised from sources other than the Town of Kingston. This article has no tax impact.

Yes 628* No 430

Article 23: The Town voted to raise and appropriate the sum of \$75,000 to be placed in the Land Acquisition Capital Reserve Fund for the future purchase of development rights, conservation easements and other land acquisition to preserve the town's rural character, provide open space for outdoor recreation by the public, help to stabilize the tax base, maintain large tracts of land as such, and ensure that areas prime for residential development do not have a significant impact on taxes for town services such as education, fire and police.

Yes 567* No 481

Article 24: The Town voted to modify the elderly exemption from property tax in the Town of Kingston, based on assessed value for qualified taxpayers to be as follows: for a person 65 years of age up to 75 years, \$65,000; for a person 75 years of age up to 80 years, \$85,000; for a person 80 years of age or older, \$105,000. To qualify, the person must have been a New Hampshire resident for a least 3 years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married at least 5 years. In addition, the taxpayer must have a net income of not more than \$30,000, whether single or married, and own net assets not in excess of \$55,000 excluding the value of the person's residence. Other elderly exemptions that have been

previously adopted are hereby rescinded upon the adoption of this article. In the event this Article does not pass, the existing elderly exemption provisions shall remain in effect, unmodified.

Yes 831* No 214

Article 25: The Town voted to raise and appropriate the sum of \$405,000 and to authorize the withdrawal of \$405,000 from the Fire Apparatus Capital Reserve Fund created for said purpose. The truck to be replaced is the 1988 KME fire engine located in the central fire station. This engine is the primary emergency response vehicle used by the department for all calls including motor vehicle accidents, all fires and other emergencies. It is being replaced in accordance with the fire apparatus replacement plan accepted by the Board of Selectmen and the Budget Committee. The 1988 fire engine will be sold or traded, with all proceeds to be applied directly to the cost of the new truck. This article has no tax impact.

Yes 707* No 357

Article 26: The Town voted to raise and appropriate the sum of \$10,000 for the purpose of funding architectural services related to the immediate and future needs of the Kingston Fire Department's fire headquarters. The scope of the work will include renovation concepts of the existing facility, additions plus renovation concepts to the existing facility and new building concepts in order to provide the Kingston Fire Department and the Town of Kingston several options and to authorize the withdrawal of \$10,000 from the Fire Department's Building Replacement, Upgrade and Refurbishments Capital Reserve Fund created for said purpose. This article has no tax impact.

Yes 558* No 549

Article 27: The Town did not vote to raise and appropriate the sum of \$95,000 to be added to the Fire Apparatus Replacement Capital Reserve Fund.

Yes 493 No 610*

Article 28: The Town did not vote to raise and appropriate the sum of \$200,000 to be added to the Fire Department's Building Replacement, Upgrade and refurbishment Capital Reserve Fund.

Yes 375 No 711*

Article 29: The Town voted to raise and appropriate \$5,000 for the purpose of a fireworks display during the Kingston Days 2008 Celebration.

Yes 617* No 491

Article 30: The Town voted to treat Powwow Pond for Milfoil and to raise and appropriate \$17,480.00 for this purpose. This will be a non-lapsing appropriation and will not lapse until the treatment is completed or until December 31, 2013.

Yes 705* No 386

Article 31: The Town voted to authorize the Board of Selectmen to enter into an agreement for \$1500.00 for the purpose of contracting with Lycott Environmental to treat 3000 running feet of the channel on Powwow Pond with herbicide, 15' wide from the public boat launch area and to raise and appropriate \$1500.00 for that purpose.

Yes 701* No 386

Article 32: The Town voted to raise and appropriate the sum of \$2,000 to support Rockingham Nutrition & Meals on Wheels Program's service providing meals for older, homebound and disabled Kingston residents in the Town's 2008 Budget.

Yes 984* No 130

Article 33: The Town voted to raise and appropriate the sum of \$1,000 for the Child Advocacy Center of Rockingham County to assist the Kingston Police Department in the coordination and investigation of child abuse cases. The Child Advocacy Center of Rockingham County's mission is to reduce trauma to child abuse victims.

Yes 931* No 175

Article 34: The town voted to raise and appropriate the sum of one thousand five hundred dollars (\$1500) submitted by the Kingston Lake Association, Inc. through a majority vote, for the purpose of conducting courtesy inspections of boats using the town boat launch on Main Street on Kingston Lake to remove fragments of exotic invasive aquatic species and to educate the public on how to prevent the spread of exotic species from waterbody to waterbody. This would provide a Lake Host with 12 hours a week for 10 weeks to conduct inspections and educate boaters from Memorial Day to Labor Day 2008, thereby minimizing the potential for an infestation of an exotic species, such as variable milfoil, that could make recreation on Kingston Lake dangerous, disrupt the ecological balance of the lake, reduce the value of shoreline properties and would be expensive to control and difficult to eliminate.

Yes 741* No 363

Article 35: The Town voted to raise and appropriate the sum of \$850.00 for compensation for the Bookkeeper of the Trustees of the Trust Funds as provided for in RSA 31:35, this sum representing the increase in compensation for 2008 from the current annual amount of \$350.00. The new annual stipend for the Bookkeeper will be \$1200.00. The complexity of bookkeeping for the Town's funds has grown considerably over the years, and the new rate would still be a small fraction of the amount that would be needed to hire a professional accounting firm to perform this time-consuming work.

Yes 736* No 280

Article 36: The Town of Kingston voted to sell and deed a tract of Town Property that abuts the parcel owned by Richard H. and Susan A. Jewett for the sum of \$1.00.

Land is located and abuts the entire front of the Jewett parcel at 27 Morning Dove Road, Tax Map R8, Lot 14. Land measures approximately 210 feet by 73 feet deep. This area was formerly paved roadway.

(NOTE: Amendment was made to change the original amount of "\$1.00" to "up to \$3,000.00". This was first passed, then reconsidered and defeated, thus leaving the amount at \$1.00.)

Yes 686* No 331

Results were announced at 9:30 pm.

Respectfully submitted,

Bettie C. Ouellette

Bettie C. Ouellette
Kingston Town Clerk