

# MINUTES OF THE TOWN MEETING

## MARCH 12, 2013

The Annual Town Meeting was called to order at 8:00 AM at the Swasey Gymnasium at 173 Main Street, Kingston, by the Moderator, Electra L. Alessio, for the secret ballot election of Town Officers, 21 regular Town Articles, and 6 Zoning Articles, as well as the voting for the election of Officers for Sanborn Regional School District, with 4 regular Articles for the School District.

Melissa J. Fowler, Town Clerk, broke the seals on the ballot boxes and after inspection by the Moderator the ballots were distributed to the ballot clerks for voting.

Sworn election officials were Donna M. Grier, Herbert G. Noyes, John Whittier, Joanne Lambert, Peter J. Sullivan, Karyn Maxwell, Carol Briggs, Holly Ouellette, Ellen Faulconer, Gail Rasmey, and Sandra Foy.

Total count was 996 (24.6%), including absentee ballots cast. Total registered voters on the checklist were 4043.

The following results were obtained

### Selectman for Two Years

George A. Korn ..... 834\*

### Treasurer for Three Years

Jayne E. Ramey ..... 825\*

### Municipal Budget Committee for Three Years

Edward W. Conant ..... 704\*

Carol E. Croteau ..... 675\*

Sandra Seaman ..... 685\*

Carla Crane (write-in) ..... 12\*

### Municipal Budget Committee for Two Years

Judy Oljey (write-in) ..... 75\*

Leslie Hume (write-in) ..... 12\*

### Municipal Budget Committee for One Year

### Library Trustees for Three Years

Constance Archambault ..... 703\*

Bruce Goodwin ..... 676\*

### Library Trustees for One Year

Jef Flanders-McDougall ..... 681\*

Natalie Timmons ..... 728\*

**Planning Board**

Stanley Shalett ..... 592\*

Richard G. Wilson ..... 708\*

**Trustees for the Trust Fund for Three Years**

**Trustees for the Trust Fund for Two Years**

Brad Maxwell ..... 20\*

**Zoning Board of Adjustment**

Jay Alberts ..... 711\*

**ARTICLE 2:** Are you in favor of the following amendment as proposed by the Planning Board to amend the Aquifer Protection Ordinance for the Town Zoning Ordinance?

**Article 201.3, Section A,** second paragraph: remove the notation “Figure 4” and add the word “model” so the line reads:

“Zone A is the area of the center of Kingston analyzed by this **model** and reflected on the accompanying map entitled, “Aquifer Protection District, Zones A and B”, available in the Kingston Planning Board office.”

**Article 201.8:**

- **Section A** by adding the phrase “to the Building Inspector and Planning Board” after the phrase “requires town notification”.
- **Section D** by removing the phrase “to the Town” and adding “Board of Selectmen and Planning Board” after the phrase “materials shall be submitted to”
- **Section E** by adding the Phrase “Town Building Inspector” after the phrase “submit their reports to the”.

**Article 201.2 Definitions** by adding:

**Small Quantity Generator:** any generator that generates hazardous waste at a rate of less than 100 kilograms per month of total hazardous waste and less than one kilogram per month of acutely hazardous waste.

YES 598\*      NO 292

**ARTICLE 3:** Are you in favor of the following amendment as proposed by the Planning Board to amend the Telecommunications Ordinance for the Town Zoning Ordinance?

**Article 410.7.C: Add the following underlined sentence to paragraph 4:**

4. The applicant proposing to build a new tower shall submit an agreement with the Town that allows for the maximum allowance of co-location upon the new structure. Such statement shall become a Condition to any Approval. This statement shall, at a minimum, require the applicant to supply available co-location for reasonable fees and costs to other telecommunications providers. *This statement shall also include an agreement that one appropriate co-location spot be set aside for the use of emergency communication.* Failure to provide such an agreement is evidence of the applicant's unwillingness to cooperate with the orderly and well-planned development of Kingston, and grounds for a Denial.

YES 668\* NO 238

**ARTICLE 4:** Are you in favor of the following amendment as proposed by the Planning Board to replace the existing Impact Fee Ordinance for the Town Zoning Ordinance with the following?

**Article 405: IMPACT FEE ORDINANCE**

**405.1 AUTHORITY**

- A. This Article is authorized by New Hampshire RSA 674:21, V, and other pertinent state law, as an innovative land use control. Under this authority, new development in Kingston may be assessed impact fees in proportion to its demand on the public capital facilities of the Town and School District.
- B. The public facilities for which impact fees may be assessed in Kingston may include municipal office facilities; public school facilities; public safety facilities; public road systems and rights-of-way; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; public recreation facilities, not including public open space; water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; and storm water, drainage and flood control facilities.
- C. The Planning Board is hereby authorized to assess impact fees in accordance with the standards set forth in this Article. The Planning Board shall have the authority to adopt regulations to implement the provisions of this Article and to delegate the administrative functions of impact fee assessment, collection and disbursement as necessary.

**405.2 PURPOSE**

Impact fees may be used to assess an equitable share of the cost of public facility capacity to new development in proportion to the facility demands created by that development. The purpose of this Article is to:

- A. Assist in the implementation of the Master Plan and Capital Improvements Program;

- B. Enable the Town of Kingston to assess an equitable share of the cost of public capital facilities to new development in proportion to its demand on the capital facilities; and
- C. Provide authority to the Planning Board to adopt appropriate methods that support proportionate impact fee assessments, and to provide for the administration thereof.

### **405.3 DEFINITIONS**

- A. Assessed property means any land or buildings comprising new development that is subject to an impact fee assessment under this Article.
- B. Assessment, with respect to an impact fee, means a notification issued by the Town of Kingston, its Planning Board, or its Building Inspector, stating the amount of an impact fee due for an assessed property, and the conditions or schedule for its collection.
- C. Collection, with respect to an impact fee, means the actual delivery of payment of the fee to the Town of Kingston on behalf of an assessed property.
- D. Long-term Affordable Housing: means a housing unit whose combined rental and utility costs or combined mortgage loan debt service, property taxes, and required insurance do not exceed 30 percent of 80 percent of the area median family income applicable in Kingston based on the most recent income schedules by household size as published annually by the U. S. Department of Housing and Urban Development. In order to qualify as long-term affordable housing under this Article, the housing affordability of the proposed units must remain in compliance with the affordability standard defined herein for a period of at least fifteen years from the date of issuance of occupancy permit.
- E. New development, for the purpose of impact fee assessment, may include the following land use changes:
  - 1. The construction of any new dwelling unit; or
  - 2. Changes to an existing structure that would result in a net increase in the number of dwelling units; or
  - 3. Construction of a new commercial/industrial building or any net increase in the gross floor area of an existing commercial/industrial building; or
  - 4. The conversion of an existing use to another use that is determined by the Planning Board, with consultation/advice of the Building Inspector, to result in a measurable net increase in the demand on the public capital facilities that are the subject of impact fee assessment; however,
  - 5. New development shall not include the replacement of an existing manufactured housing unit or the reconstruction of a structure that has been

destroyed by fire or natural disaster where there is no change in size, density, or type of use that would increase the demand on capital facilities for which impact fees are assessed.

- F. Off-site improvements means highway, drainage, and sewer and water upgrades or improvements that are necessitated by a development but which are located outside the boundaries of the property, as determined by the Planning Board during the course of subdivision plat or site plan approval.
- G. School District means the Sanborn Regional School District or other regional or cooperative school district of which the Town of Kingston becomes a member municipality, or any successor school district of which Kingston is a member.

#### **405.4 STANDARDS FOR ASSESSMENT**

- A. The amount of each impact fee shall be assessed in accordance with written procedures or methodologies adopted and amended by the Planning Board for the purpose of capital facility impact fee assessment in Kingston. These methodologies shall set forth the assumptions and formulas comprising the basis for impact fee assessment, and shall include documentation of the procedures and calculations used to establish impact fee schedules. Such documentation shall be available for public inspection at the Planning office of the Town of Kingston.
- B. The amount of any impact fee shall be a proportional share of public facility improvement costs which are reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee.
- C. The Planning Board may prepare, adopt, or amend studies, reports, or cost allocation procedures that are consistent with the above standards, and which define a basis for impact fee assessment for public capital facilities, and the impact fee assessment schedules thereof.
- D. No methodology, cost allocation procedure, or other basis of assessment, nor related impact fee schedules, or changes in the basis of assessment or the fee schedules, shall become effective until it shall have been the subject of a public hearing before the Planning Board.
- E. In the case of new development created by conversion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee assessed for the new use as compared to the highest impact fee that was or would have been assessed for the previous use in existence on or after the effective date of the assessment.

#### **405.5 WAIVER OF IMPACT FEES**

The Planning Board may grant full or partial waivers of impact fees to an assessed property, subject to its finding that the proposed development meets one or more of the applicable conditions set forth below:

- A. A full or partial waiver of public school impact fees may be granted for residential units that are lawfully restricted to exclusive occupancy by persons age 55 or older within a development that is maintained in compliance with the provisions of RSA 354-A: 15, Housing For Older Persons. The Planning Board may waive school impact fee assessments for the age-restricted units within a development that are subject to deeded restrictions that limit occupancy to persons age 55 or older. Should these occupancy restrictions be rescinded subsequent to the construction of the affected units, the units shall be subject to the school impact fee assessment in effect at the time the age restriction on occupancy is removed.
  
- B. The Planning Board may agree to waive all or part of an impact fee assessment and accept in lieu of a cash payment, a proposed contribution of real property or facility improvements of equivalent value and utility to the public. Prior to acting on a request for a waiver of impact fees under this provision that involves a contribution of real property or the construction of capital facilities, the Planning Board shall submit a copy of the waiver request to the Board of Selectmen for its review and consent prior to its acceptance of the proposed contribution. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of impact fee assessment. Full or partial waivers of impact fees may not be based on the value of exactions for off-site improvements required by the Planning Board as a result of subdivision or site plan review, and which would be required of the developer regardless of the impact fee assessments authorized by this Article.
  
- C. Full or partial waivers of impact fee assessments may be granted for amounts contributed to an impact fee account on behalf of a new development by the Town of Kingston. The Town of Kingston, by vote of the legislative body, may contribute, from the general fund or other non-impact fee funds, all or part of the impact fee assessed to new development to achieve public purposes, including, but not limited to, the provision of long-term affordable housing, the retention of existing employment, or other public purposes specifically identified in the master plan. In no case shall such amounts be assessed to other new developments.

#### **405.6 ASSESSMENT AND COLLECTION OF IMPACT FEES**

The administrative process of assessment and collection of impact fees will be delegated to the Building Inspector. The management and disbursement of impact fee accounts will be the responsibility of the Treasurer.

- A. Where subdivision or site plan approval is required for new development, impact fees shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. The amount of such assessment shall be applicable to subsequent building construction within the approved subdivision or site plan for a period of five years from the date of Planning Board approval. Once this five-year period has expired, remaining construction for which no building permit has been obtained shall be subject to the adopted fee schedule in force at the time of the building permit application.

- B. With the exception of those plats and site plans meeting the conditions in (A) above, and when no other Planning Board approval is required, or has been made prior to the adoption or amendment of the impact fee ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit. The impact fee schedule in force at the time of the building permit application shall apply.
- C. Unless an impact fee is inapplicable to a particular development or has been waived by the Planning Board, no permit shall be issued for new development as defined in this Article until the applicable impact fees have been assessed. The Building Inspector shall not issue a Certificate of Occupancy for the development on which the fee is assessed until the impact fee has been paid in full by cash or certified check.
- D. The Planning Board and applicant may agree to another mutually acceptable schedule for payment. If an alternate schedule of payment is established, the Planning Board shall require the deposit of an irrevocable letter of credit or other acceptable performance and payment guarantee with the Town of Kingston.

#### **405.7 ACCOUNTING AND DISBURSEMENT OF IMPACT FEES**

- A. Impact fees shall be held in the custody of the Town Treasurer, subject to the same investment limitations as for other municipal funds pursuant to RSA 41:29. Impact fees shall be held in separate, non-lapsing, interest-bearing accounts and not commingled with other municipal funds.
- B. Impact fees shall be expended only for the purpose for which they are assessed after appropriation by the local legislative body. Impact fee expenditures shall be paid by the Treasurer upon order of the Board of Selectmen or its designated agent, without further approval of the legislative body.
- C. Impact fees may be used to reimburse any account from which an amount has been expended in anticipation of the receipt of said fees. Impact fees assessed to recoup the cost of existing capital improvements made in anticipation of the needs of new development may be applied as revenue against any outstanding debt for those capital improvements. In the absence of outstanding debt service obligations for a particular capital facility, the recoupment may be applied to offset the cost of other capital expenditures within the same facility category where the Planning Board finds that there is sufficient facility capacity to accommodate new development.
- D. Impact fee revenue shall be earmarked for the specific purpose of which it was assessed and shall be accounted for in separate municipal impact fee accounts. For each assessed property, Kingston's annual financial statements shall include an accounting for each impact fee, showing the source and amount of fees assessed, the amount of fees expended for capital improvements funded in whole or in part by impact fees, and the balance remaining at year end. The annual statements shall show the capital improvement category for which the fees were assessed and the date of assessment and collection of the fee. The report shall be sufficiently

detailed as to allow the public to determine how the fees were applied, and whether the fees were expended, retained, or refunded.

#### **405.8 REFUND OF IMPACT FEES**

- A. The owner of record of an assessed property for which an impact fee has been paid shall be entitled to a refund of that fee, plus accrued interest where:
  - (1) The impact fee has not been encumbered or legally bound to be spent for the purpose for which it was collected within a period of six (6) years from the date of the final payment of the fee; or
  - (2) The Town, or in the case of school impact fees the School District has failed, within the period of six (6) years from the date of the final payment of such fee, to appropriate the non-impact fee share of related capital improvement costs.
- B. The Town shall notify the owner of record according to the municipal tax records of the eligibility of the assessed property for an impact fee refund. Application for the refund shall be submitted to the Town within one year of the date that the right to claim the refund arises.
- C. In the event that the Town, by vote pursuant to 675:2-5, rescinds its action authorizing impact fees, all unexpended or unencumbered funds, plus any accrued interest, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the Town shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least twice and shall notify all eligible claimants by first class mail deposited with the United States Postal Service to the last known address of claimants based on tax assessment records. The Town is released from this notice requirement if there are no unexpended or unencumbered balances within the impact fee account that is being terminated. All refunds shall be made available to potential claimants for a period of one year from the date that the ordinance is rescinded. At the end of one year, any remaining funds shall be considered available for capital improvement costs or for deposit to capital reserve accounts within the same facility category as the original impact fee assessment.

#### **405.9 REVIEW AND CHANGE IN ASSESSMENT SCHEDULES**

An impact fee assessment schedule adopted by the Planning Board shall be reviewed not more than five years following its adoption. However, the fee schedule shall be revised upon the Board's adoption of revisions to a Capital Improvement Program if its adoption would affect the facility standards or capital cost assumptions used to define the fee schedules. Periodic review of fee schedules may result in recommended adjustments in one or more of the fees or the basis of assessment, using the most recent data that affect the variables in the fee calculations. A proposed change in the impact fee assessment schedules or the basis of assessment shall be effective only where such change is adopted by the Planning Board following a public hearing. Failure to conduct a periodic review of the methodology shall not, in and of itself, invalidate any fee imposed.

#### **405.10 APPEALS UNDER THIS ARTICLE**

- A. A party aggrieved by a decision made by the Building Inspector or other Town official relating to an administrative decision in the assessment or collection of impact fees authorized by this Article may appeal such decision to the Zoning Board of Adjustment as provided by RSA 676:5, as amended.
- B. A party aggrieved by a decision of the Planning Board under this Article may appeal such decision to the Rockingham County Superior Court as provided by RSA 677:15, as amended.

#### **405.11 OTHER AUTHORITY RETAINED**

This Article shall not affect other authority of the Planning Board over subdivisions and site plans, including, but not limited to:

- A. The authority of the Planning Board to declare a development to be premature or scattered in accordance with the regulations of the Board and in accordance with RSA 674:36, II(a); or
- B. The authority of the Planning Board to require the payment of exactions for off-site improvements for highway, drainage, sewer and water upgrades necessitated by the development, in accordance with the provisions of RSA 674:21, V (j); or
- C. Other authority of the Town of Kingston to assess additional fees under the authority of other statutes, ordinances of the Town of Kingston or the Kingston Planning Board Site Plan Review and Subdivision Regulations.

#### **405.12 EFFECTIVE DATE**

This Article shall become effective upon adoption. Specific Impact fee schedules applicable to new development shall not become effective until the Planning Board has adopted a basis of assessment and fee schedule for capital facilities under the procedures provided for in this Article.

YES 491\* NO 369

**ARTICLE 5:** Are you in favor of the following amendment as proposed by the Planning Board to amend the following sections of the Town Zoning Ordinance regarding Livestock and Agriculture?

**Amend Article P-II, Definitions** by adding the following definition:

**Livestock:** Cattle, horses, poultry, goats, sheep, pigs and similar animals.

**Amend section 103.2 (Single Family Residential)** by adding the following sentence :  
“Agriculture and livestock, including, but not limited to, the keeping of cattle, horses, poultry, goats, sheep, pigs and similar animals is prohibited” after the words “In a Single Family Residential District, the use of land is limited to single family dwellings and incidental uses such as private garages, boat houses, tool sheds, gardens and the like.

**Amend Articles 104 (Rural Residential), 105 (Single Family Residential-Agricultural), 107 (Industrial), 108 (Commercial I), 109 (Commercial Zone II), 110 (Commercial Zone III) by adding the following “Conditional Use”:**

- X. The following uses, if allowed in the underlying zoning district, are permitted only after a Conditional Use Permit is granted by the Kingston Board of Selectmen, or their designee, for residential use or the Kingston Planning Board for all other uses:
1. Agriculture and Livestock, done in accordance with the “*Manual of Best Management Practices for Agriculture in New Hampshire*” adopted by the Commissioner of Agriculture, Markets, and Food, Rockingham County Conservation District, and UNH Cooperative Extension and the “*Guidelines & Best Management Practices for Horsekeeping*”, compiled and produced by Lisa Derby Oden, Blue Ribbon Consulting, New Ipswich, NH and NH Horse Council, Inc.  
[http://www.nerc.org/documents/manure\\_management/best\\_management\\_nh.pdf](http://www.nerc.org/documents/manure_management/best_management_nh.pdf)  
[http://www.nerc.org/documents/manure\\_management/guidelines\\_horse\\_keeping.pdf](http://www.nerc.org/documents/manure_management/guidelines_horse_keeping.pdf)
  - a. Minimum lot size for agriculture and livestock use is 2 acres.
  - b. Setbacks and Buffering:
    - i. Livestock Housing: Livestock housing shall be set back a minimum of 50 feet from all property lines, 100 feet from all neighboring residences, and 100 feet from all wells.
    - ii. Paddocks: Livestock paddocks shall be set back a minimum of 20 feet from all property lines and 100 feet from all wells. Between agriculture and livestock and residential uses, a 20-foot vegetated buffer shall be suitably planted and permanently maintained; plantings will be no less than 50% evergreen for year-round screening.
    - iii. Additional setbacks may be required for compliance with other applicable regulations and ordinances, including but not limited to, Wetlands, Shoreland and Aquifer Protection.
  - c. All livestock housing and paddocks must be shown on the site plan.
  - d. All other Health requirements apply.

YES 294 NO 626\*

**ARTICLE 6:** Are you in favor of the following amendment as proposed by the Planning Board to amend Article 407 Noise Standards for the Town Zoning Ordinance?

**407.2 Add the following to the Sound Pressure Level Limits** (measured in Average Decibel Levels):

	<u>7 AM to 9 PM</u>	<u>9 PM to 7 AM</u>
<b>Commercial Zones I, II and III</b>	<b>70</b>	<b>65</b>

YES 551\* NO 318

**ARTICLE 7:** Are you in favor of the following amendment as proposed by the Planning Board to amend the following ordinances to accommodate Tax Map corrections?

**Single Family Residential District, Article 103.1:**

The following lots are entirely zoned Single Family Residential:

Tax Map R5, Lot 1C-1

Tax Map R22, Lots 4-1, 54-4, 54-5, 54-6, 54-7, 54-8, 54-9 and 54-12

Tax Map R32, Lot 5

**Rural Residential District, Article 104.1:**

The following lots are entirely zoned Rural Residential:

Tax Map R22, Lot 39

Tax Map R32, Lot 1-10

**Single Family Residential-Agricultural District, Article 105.1:**

The following lots are entirely zoned Single Family Residential-Agricultural:

Tax Map R35, Lots 45-9, 45-10, 45-11, 45-12, 45-13, 45-14, 45-15, 45-16, 45-17, 45-18, 45-19, 45-20, 45-21, 45-22, 45-23, 45-24, 45-36, 45-37, 45-38, 45-39, and 45-40

YES 530\* NO 297

**ARTICLE 8:** Shall the Town 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 \$4,734,923.00? Should this article be defeated, the default budget shall be \$4,671,419.00, 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 & 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 article.

YES 428 NO 516\*

**ARTICLE 9:** Shall the Town vote to authorize the Tax Collector to allow a 1½ % deduction from Property Tax when payment is made within 30 days of billing?

YES 941\* NO 40

**ARTICLE 10:** Shall the Town vote, at the request of the Kingston Board of Library Trustees, to discontinue the Library Expansion Trust Fund, the full balance of which was expended during prior years for the purpose set forth in the original article by which the fund was established?

YES 846\* NO 104

**ARTICLE 11:** Shall the Town vote to adopt the provisions of N. H. Revised Statutes Annotated Chapter 80:80, to authorize the selectmen to transfer title of tax deeded properties by public auction or advertised sealed bid or by other manner as justice may require? This authority to transfer or to sell shall continue in effect indefinitely, until rescinded.

YES 668\* NO 241

**ARTICLE 12:** Shall the Town vote to raise and appropriate the sum of \$75,000.00 to be placed in the previously established Highway Department Equipment Capital Reserve Fund?

YES 631\* NO 329

**ARTICLE 13:** Shall the Town vote to raise and appropriate the sum of \$80,000.00 to be placed in the previously established Fire Apparatus Replacement Capital Reserve Fund?

YES 604\* NO 357

**ARTICLE 14:** Shall the Town vote to raise and appropriate the sum of \$50,000.00 to be placed in the previously established Town Buildings Maintenance and Repairs Capital Reserve Fund?

YES 619\* NO 339

**ARTICLE 15:** Shall the Town vote to raise and appropriate the sum of \$33,000.00 for purchase of a new 4x4 Pick-up Truck equipped with emergency warning equipment, to replace the Fire Department's existing 23-year old utility truck?

YES 611\* NO 361

**ARTICLE 16:** Shall the Town vote to raise and appropriate the sum of \$195,000.00 for purchase of a new ambulance to replace the existing 12-year old PL Custom ambulance and to authorize withdrawal of \$195,000.00 from the Ambulance Replacement special Revenue Fund created for said purpose?

YES 642\* NO 326

**ARTICLE 17:** Shall the Town vote to raise and appropriate the amount of \$150,000.00 for renovation of the Grace Daley House, located at 165 Main Street (Tax Map U10, Lot 38)? Work will include shoring up of the stone foundation, replacement of the roof, and general structural

updates to improve the safety of the building to allow its continued use. This will be a non-lapsing appropriation per RSA 32:7, VI, and will not lapse until work is completed or until December 31, 2018, whichever is sooner.

YES 189 NO 570\*

**ARTICLE 18:** Shall the Town vote, in the event that Article 17 does not pass, to raze or remove the Grace Daley House, located at 165 Main Street (Tax Map U10, Lot 38) due to its unsafe condition?

YES 579\* NO 328

**ARTICLE 19:** Shall the Town vote to raise and appropriate \$1.00 to be added to the fund for an archivist and to purchase necessary materials for the proper cataloging and preservation of museum, town and library documents and other materials relating to Kingston history?

YES 575\* NO 343

**ARTICLE 20:** Shall the Town vote to establish a Heritage Commission in accordance with the provisions of N. H. RSA 673 and 674, and to authorize the Board of Selectmen to appoint seven members to the Commission pursuant to the provisions of RSA 673:4-a and, further, to appoint not more than five additional members? All appointees shall meet the qualifications as outlined by the Board of Selectmen.

YES 504\* NO 390

**ARTICLE 21:** Shall the Town vote to establish a Heritage Fund in accordance with the provisions of N. H. RSA 674:44-d and to raise and appropriate \$100.00 to be placed in the fund? Any money appropriated and any gifts of money received shall be placed in the fund and be allowed to accumulate from year to year; the Town Treasurer shall have custody of the fund and shall pay out the same only upon order of a majority of the Heritage Commission, in conjunction with the approval of the Board of Selectmen, without further approval of the legislative body to expend.

YES 525\* NO 376

**ARTICLE 22:** Shall the Town vote to raise and appropriate the sum of \$2,500.00 to be placed in the Powwow Pond Preservation Fund? This and existing funds will be used to match a grant of up to \$3,800.00 from the N. H. Department of Environmental Services for control of exotic species which have infested the Powwow Pond. The Board of Selectmen are the agents to expend said funds.

YES 683\* NO 243

**ARTICLE 23:** Shall the Town vote to raise and appropriate the sum of \$3,000.00 to support a share of the services provided to residents to access counseling and family support services, without regard to income, from Child and Family Services? Child and Family Services provides accessible and affordable programs to children, youth and their families leading to stronger family connections, improved school performance and better citizenship. From July 1, 2011 to

June 30, 2012 seventy (70) residents received services valued at over \$61,000.00 (an increase of 33% over the previous year) from Child and Family Services.

YES 722\* NO 207

**ARTICLE 24:** Shall the Town vote to raise and appropriate the sum of \$1,500.00 to support the services of Womenade of Greater Squamscott (WOGS)? WOGS is a non-profit 501C-3 organization whose mission is to help local families with short-term financial stumbling blocks. WOGS has served seacoast communities since 2005 and relies on the generosity of individuals and towns to support their mission. WOGS proudly gives 100% of donations received back to the community, with board members absorbing all administrative costs.

YES 649\* NO 264

**ARTICLE 25:** Shall the Town vote to modify the optional veterans' tax credit pursuant to RSA 72:28 to the amount of \$300.00?

YES 765\* NO 136

**ARTICLE 26:** Shall the Town vote to raise and appropriate the sum of \$424,000.00 to purchase approximately 150 acres of land and pay for related costs such as title examination, survey and legal fees, and to allow withdrawal of \$424,000.00 from the Land Acquisition Capital Reserve Fund for this purpose? The land is located in the Rockrimmon area of town and identified on Kingston Tax Map R24, Lots 1, 2, 4, and 14 G., and Tax Map R-31, Lot 15. Further, to authorize the Board of Selectmen to convey a conservation easement on said property in order to permanently conserve the land, and to authorize the Board of Selectmen to accept funds from the State of New Hampshire, the Federal Government, and private sources to support 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 and help stabilize the tax base. 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. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the land is purchased or by December 31, 2018, whichever is sooner. This article has no tax impact.

YES 594\* NO 324

**ARTICLE 27:** Shall the Town vote to accept the provisions of RSA 202-A:4(d), permitting the Library Trustees of the public Library to accept gifts of personal property, other than money, that may be offered to the Library for any public purpose? This authorization will remain in effect indefinitely, until specific rescission of such authority.

YES 450 NO 467\*

**ARTICLE 28:** Shall the town vote to accept Ash Drive as a town road? The road is 1/5 of a mile in length and provides access to the 40 units of Rowell Estates, an over 55 development.

YES 309 NO 601\*

Results were announced by the Town Moderator at 9:00 PM

Respectfully submitted by

A handwritten signature in cursive script that reads "Melissa J. Fowler".

Melissa J Fowler  
Kingston Town Clerk – Tax Collector