

TOWN OF KINGSTON, N.H.
TOWN MEETING MINUTES - MARCH 14, 1989

ARTICLE 1 - The Annual Town Meeting was called to order at 10 A.M. by the Moderator, Electra L. Alessio, for the balloting for Town Officers, Officers of the Sanborn Regional School District and 16 Zoning Questions, as well as two other questions on the regular ballot. The Moderator announced that the absentee ballots would be processed at 1:30 P.M., and it was voted to adjourn, after the counting of the ballots, until 7 P.M. on Wednesday at the Swasey Gymnasium, to take up the remaining articles in the Warrant.

The Town Clerk, Bettie C. Ouellette, broke the seals on the boxes of ballots, and the Moderator inspected the ballot boxes. The Assistant Moderator was James T. Rankin, Sr., and the Ballot Clerks were Donna Grier, Carolyn Christie, Julia Baldwin, Holly Ouellette, and Marion Clark. The Police Officer was Charles Bradley, Jr., who also counted at night. Selectmen present were John Reinfuss and Charles Wagner. The additional counters at night were Olive Moriarty, Norma Jervis, Carolyn Harlow, George Harmon, David Conant, Edward Jervis, Jr., Donna Snow, Virginia Snow, Janice Casey, Philomena Dietz, Elaine Van Dyke, Patricia Parker, Mary Conant, Michael Priore, Sheila Briggs, Linda Nadeau and R. Bradley Maxwell.

The following results of the balloting were announced by the Moderator: Total Cast 1136, including 69 absentee ballots. Total voters on checklist - 2897.

Selectman for 3 Years:

Marilyn B. Bartlett	258
Michael A. Chambers	154
William M. Park	97
Peter E. Wilson, Sr.	606*

Treasurer for 1 Year:

Olive Moriarty	969*
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Road Agent for 1 Year:

Richard D. St. Hilaire	949*
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Chief of Police for 1 Year:

Neil R. Parker	934*
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Police Officers for 1 Year:

Paul J. Bean	408
Donald W. Briggs, Jr.	862*
John Crockett	544*

Constable for 1 Year:

Peter R. Basler	931*
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Trustee of Trust Funds for 3 Years:

Mary V. Kanaly	916*
Roger Nason	12* (write-ins)

Auditors for 1 Year:

Numerous write-ins - nobody officially elected

Fireward for 3 Years:

Dale G. Winslow	898*
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Library Trustee for 3 Years:

Marion L. Clark	914*
Norma B. Jervis	846*
Dorothy M. Wagner	829*

Municipal Budget Committee for 3 Years:

Edward W. Jervis, Jr.	819*
Carroll E. Wright	750*
R. Bradley Maxwell	20* (write-ins)
Natalie Timmons	35* (write-ins)
Pat Bateman	9

Municipal Budget Committee for 2 Years:

Arthur T. Schultz	809*
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Municipal Budget Committee for 1 Year:

Charles Ethier	17* (write-ins)
Natalie Timmons	7 (write-ins)
Pat Bateman	6 (write-ins)

* Elected and took oath of office.

ARTICLE 21 - "Shall we adopt optional adjusted elderly exemptions from property tax? The optional exemption, based on assessed value, for qualified taxpayers shall be as follows: for a person 65 years of age up to 75 years, \$42,160; for a person 75 years of age up to 80 years, \$63,240; for a person 80 years of age or older, \$84,320. To qualify, the

person must have been a New Hampshire resident for at least 5 years; own the real estate individually or jointly, or if the real estate is owned by his spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of less than \$10,000. or, if married, a combined net income of less than \$12,000; and own net assets of \$40,000, or less, excluding the value of the person's residence."

YES 887 NO 103

ARTICLE 22 - "Are you in favor of increasing the board of selectmen to 5 members?" (RSA 41:8-b)

YES 414 NO 638

ZONING & BUILDING CODE QUESTIONS

ARTICLE 5 - Are you in favor of the adoption of Amendment Number 1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Adoption of an Aquifer Protection Ordinance which will regulate land use, building and development on any land that lies over the aquifers that run under Kingston. Present non-conforming uses which are not imminent hazards to public health and safety will be allowed to continue.

This Amendment is submitted by the Conservation Commission.
The Planning Board approves this Amendment.

KINGSTON AQUIFER PROTECTION ORDINANCE

1. AUTHORITY AND PURPOSE

Pursuant to RSA 674:16-21, the Town of Kingston hereby adopts an Aquifer Protection District and accompanying regulations in order to protect, preserve and maintain potential groundwater supplies and related groundwater recharge areas within a known aquifer identified by the United States Geological Survey. The objectives of the aquifer protection district are:

- to protect the public health and general welfare of the citizens of Kingston;
- to prevent development and land use practices that would contaminate or reduce the recharge of the identified aquifer;
- to promote future growth and development of the Town, in accordance with the Master Plan, by ensuring the future availability of public and private water supplies;
- to encourage uses that can appropriately and safely be located in the aquifer recharge areas.

2. DEFINITIONS

Animal Feedlot: A commercial agricultural establishment consisting of confined feeding areas and related structures used for the raising of livestock. An animal feedlot shall be considered one on which more than five (5) animals are raised simultaneously.

Aquifer: For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding quantities of groundwater usable for municipal or private water supplies.

Dwelling Unit: A building or that portion of a building consisting of one or more rooms designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.

Groundwater: All the water below the land surface in the zone of saturation or in rock fractures capable of yielding water to a well.

Groundwater Recharge: The infiltration of precipitation through surface soil materials into groundwater. Recharge may also occur from surface waters, including lakes, streams and wetlands.

Leachable Wastes: Waste materials, including solid wastes, sludge and agricultural wastes that are capable of releasing contaminants to the surrounding environment.

Mining of Land: The removal of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock to be crushed or used as building stone.

Non-Conforming Use: Any lawful use of buildings, structures, premises, land or parts thereof existing as of the effective date of this Ordinance, or amendment thereto, and not in conformance with the provisions of this Ordinance, shall be considered to be a non-conforming use.

Non-Municipal Well: Any well not owned and operated by the Town of Kingston or its agent.

Recharge Area: The land surface area from which groundwater recharge occurs.

Sludge: Residual materials produced by the sewage treatment process.

Solid Waste: Any discarded or abandoned material including refuse, putrescible material, septage, or sludge, as defined by New Hampshire Solid Waste Rules He-P 1901.03. Solid waste includes solid, liquid, semi-solid, or contain gaseous waste material resulting from residential, industrial, commercial, mining, and agricultural operations.

Structure: Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground. For the purposes of this Ordinance, buildings are structures.

Toxic or Hazardous Materials: Any substance or mixture of such physical, chemical, or infectious characteristics as to pose a significant, actual or potential hazard to water supplies, or other hazard to human health, if such substance or mixture were discharged to land or waters of this Town. Toxic or hazardous materials include, without limitation, volatile organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalies, and include products such as pesticides, herbicides, solvents and thinners, and such other substances as defined in New Hampshire Water Supply and Pollution Control Rules, Section Ws 410.04 (1), in New Hampshire Solid Waste Rules He-P 1901.03 (v), and in the Code of Federal Regulations 40 CFR 261. Wastes generated by the following commercial activities are presumed to be toxic or hazardous, unless and except to the extent that anyone engaging in such an activity can demonstrate the contrary to the satisfaction of the Planning Board:

- Airplane, boat and motor vehicle service and repair;
- Chemical and bacteriological laboratory operation;
- Dry Cleaning;
- Electronic circuit manufacturing;
- Metal plating, finishing and polishing;
- Motor and machinery service and assembly;
- Painting, wood preserving and furniture stripping;
- Pesticide and herbicide application;
- Photographic processing;
- Printing.

3. DISTRICT BOUNDARIES

a. Location

The Aquifer Protection District is defined as the areas described on the following maps; those areas designated by dark, light and hatched shadings on the Master Plan map entitled Water Resources; the areas designated as having high, medium, and low potential to yield water according to the United States Geological Survey map series #77-69 (Cotton Maps); areas designated as "Stratified Drift Aquifer" and "Stratified Drift Aquifer Over Glacio-Estuarine Silts and Clays" on the map entitled "Surficial Geologic Map of Kingston Quadrangle Rockingham County, NH", by Forrest B. Earl; and subsequent USGS mapping information.

The Aquifer Protection District is a zoning overlay district which imposes additional requirements and restrictions to those of the underlying, base district zoning. In all cases, the more restrictive requirement(s) shall apply.

b. Recharge Areas

For the purpose of this Ordinance, the primary recharge area for the identified aquifer is considered to be co-terminus with that aquifer.

No secondary recharge area has been identified at the time of enactment.

c. Appeals

Where the bounds of the identified aquifer or recharge area, as delineated, are in doubt or in dispute, any landowner aggrieved by such delineation may appeal the boundary location to the Planning Board. Upon receipt of such appeal, the Planning Board shall suspend further action on development plans related to the area under appeal and shall engage, at the landowner's expense, a qualified hydrogeologist to prepare a report determining the proper location and extent of the aquifer and recharge area relative to the property in question. The aquifer delineation shall be modified by such determination subject to review and approval by the Planning Board.

4. USE REGULATIONS

a. Minimum Lot Size

The minimum lot size within the Aquifer Protection District for each dwelling unit if a residential use, or each principal building if a non-residential use, shall be three acres, or 130,680 square feet.

b. Hydrogeologic Study

For development proposals within the Aquifer Protection District, a hydrogeologic study shall be required for the following:

- 1) subdivisions of ten (10) lots or greater;
- 2) any septic system or series of septic systems designed for 2,400 gallons per day or greater contained within one lot.

For residential subdivisions of ten (10) lots or less the Planning Board shall determine, on a case-by-case basis, the need for a hydrogeologic study. Particularly sensitive sites may include areas that have septic systems in close proximity to wells, or may contain excessively drained soils or steep slopes.

Hydrogeologic studies shall be performed by a qualified hydrogeologist registered in the State of New Hampshire. This study shall be sufficiently detailed to evaluate the development's impacts to groundwater within both the parcel to be developed and the surrounding land. All Hydrogeologic studies shall include at least the following:

- 1) Multi-level monitoring wells (to evaluate soil stratigraphy);
- 2) Cumulative impact nitrogen loading analysis employing a saturation build-out model. The analysis shall include verification that the development will not cause the nitrate-nitrogen (NO₃-N) concentration in groundwater beyond the site to exceed 5 mg/l;
- 3) Permeability testing;
- 4) Water quality sampling analysis;
- 5) Water table contours and groundwater flow direction.

c. Maximum Lot Coverage

Within the Aquifer Protection District, no more than 20 percent of a single lot may be rendered impervious to groundwater infiltration for residential uses, and no more than 35 percent for commercial uses.

d. Septic System Design Installation

In addition to meeting all local and state septic system siting requirements, all new on-lot waste water disposal systems installed in the Aquifer Protection District shall be designed by a Sanitary Engineer licensed in New Hampshire. These systems shall be installed under the supervision of said engineer.

A designated engineer of the Town shall inspect the installation of each new system prior to covering, and shall certify that the system has been installed as designed.

Septic systems are to be constructed in accordance with the most recent edition of the "Guide for the Design, Operation and Maintenance of Small Sewage Disposal Systems" as published by the New Hampshire Water Supply and Pollution Control Division.

However, the following more stringent requirements shall apply to all septic system construction:

1. At least 24 inches of natural permeable soil above the seasonal high water table.
2. Four feet of natural soil above bedrock.

3. There will be at least three feet of natural permeable soil above any impermeable subsoil.
4. There will be no filling of wetlands allowed to provide the minimum distance of septic to wetlands.
5. A receiving layer which must be under and extend one hundred feet laterally from the proposed system.
6. Standards for fill material: Fill material consisting of organic soils or other organic materials such as tree stumps, sawdust, wood chips and bark, even with a soil matrix, shall not be used.

The in-place fill should have less than 15% organic soil by volume.

The in-place fill should not contain more than 25% by volume of cobbles (6 inch diameter).

The in-place fill should not have more than 15% by weight of clay size (0.002mm and smaller) particles.

The fill should be essentially homogeneous. If bedding planes and other discontinuities are present, detailed analysis is necessary.

e. Prohibited Uses

The following uses are prohibited in the Aquifer Protection Zone except where permitted to continue as a non-conforming use. Such uses shall include, but not be limited to:

1. Disposal of solid waste (as defined by NHRSA 149-M) other than brush or stumps generated on the property on which they are to be disposed.
2. Storage and disposal of hazardous waste.
3. Disposal of liquid or leachable wastes except that from one- or two-family residential subsurface disposal systems, or as otherwise permitted as a conditional use.
4. Subsurface storage of petroleum and other refined petroleum products.
5. Industrial uses which discharge contact type process waters on-site. Non-contact cooling water is permitted.
6. Outdoor storage of road salt or other de-icing chemicals.
7. Dumping of snow containing de-icing chemicals brought from outside the district.
8. Commercial Animal feedlots.

9. Dry cleaning Establishments.
10. Automotive service and repair shops, junk and salvage yards.
11. Laundry and car wash establishments not served by a central municipal sewer.
12. All on site handling, disposal, storage, processing or recycling of hazardous or toxic materials.

f. Permitted Uses

The following activities may be permitted provided they are conducted in accordance with the purposes and intent of this Ordinance:

1. Any use permitted by Articles IV - VII of the Town of Kingston Zoning Ordinance, except as prohibited in Section 4 of this article.
2. Activities designed for conservation of soil, water, plants and wildlife.
3. Outdoor recreation, nature study, boating, fishing and hunting where otherwise legally permitted.
4. Normal operation and maintenance of existing water bodies and dams, splash boards and other water control, supply and conservation devices.
5. Foot, bicycle, and/or horse paths and bridges.
6. Maintenance, repair of any existing structure, provided there is no increase in impermeable surface above the limit established in Section 4.c. of this Article.
7. Farming, gardening, nursery, forestry, harvesting and grazing, provided that fertilizers, herbicides, pesticides, manure and other leachables are used appropriately at levels that will not cause groundwater contamination and are stored under shelter.

g. Conditional Uses

The following uses, if allowed in the underlying zoning district, are permitted only after a Conditional Use Permit is granted by the Kingston Planning Board:

1. Industrial and commercial uses not otherwise prohibited in section 4 of this Article;
2. Multi-family residential development.

3. Sand and gravel excavation and other mining provided that such excavation or mining is not carried out within eight (8) vertical feet of the seasonal high water table and that periodic inspections are made by the Planning Board or its agent to determine compliance.

The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made that all of the following conditions are met:

- i. the proposed use will not detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants;
- ii. the proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer or in the storage capacity of the aquifer;
- iii. the proposed use will discharge no waste water on site other than that typically discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of toxic or hazardous wastes as herein defined;
- iv. the proposed use complies with all other applicable sections of this Article.
- v. a hydrogeologic study shall be submitted for uses whose septic system is designed for more than 2,400 g.p.d.

The Planning Board may require that the applicant provide data or reports prepared by a qualified hydrogeologist to assess any potential damage to the aquifer that may result from the proposed use. The Planning Board shall engage such professional assistance as it requires to adequately evaluate such reports and to evaluate, in general, the proposed use in light of the above criteria.

5. SPECIAL EXCEPTION FOR LOTS OF RECORD

Upon application to the Board of Adjustment, a special exception shall be granted to permit the erection of a structure on a non-conforming lot within the Aquifer Protection District provided that all of the following conditions are met:

- a. The lot upon which an exception is sought was an official lot of record, as recorded in the Rockingham County Register of Deeds, prior to the date on which this amendment was posted and published in the Town.

- b. The use for which an exception is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Aquifer Protection District.
- c. Due to the provisions of the Aquifer Protection District, no reasonable and economically viable use of the lot can be made without the exception.
- d. The design and construction of the proposed use will, to the extent practical, be consistent with the purpose and intent of this Section.

6. DESIGN AND OPERATIONS GUIDELINES

Where applicable the following design and operation guidelines shall be observed within the Aquifer Protection District.

- a. **Nitrate loading.** No development shall cause the nitrate-nitrogen (N03-N) concentration to exceed 5 mg/1 in the groundwater beyond the site.
- b. **Safeguards.** Provision shall be made to protect against toxic or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage, or vandalism through measures such as: spill control provisions in the vicinity of chemical or fuel delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodable or dissolvable materials. For operations which allow the evaporation of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such structure to prevent discharge of contaminated condensate into the groundwater.
- c. **Location.** Where the premises are partially outside of the Aquifer Protection Overlay Zone, potential pollution sources such as on-site waste disposal systems shall be located outside the Zone to the extent feasible.
- d. **Drainage.** All runoff from impervious surface shall be recharged on the site, and diverted toward areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are not feasible, and shall be preceded by oil, grease, and sediment traps to facilitate removal of contaminants.
- e. **Inspection.** All conditional uses granted under Section 4.g. of this Article shall be subject to twice-annual inspections by the Building Inspector or other agent designated by the Selectmen. The purpose of these inspections is to ensure continued compliance with the conditions under which approvals were

granted. A fee for inspection shall be charged to the owner according to a fee schedule determined by the Selectmen.

7. NON-CONFORMING USES:

Any non-conforming use may continue and may be maintained, repaired and improved, unless such use is determined to be an imminent hazard to public health and safety. No non-conforming use may be expanded, changed to another non-conforming use, or renewed after it has been discontinued for a period of 12 months or more.

8. ADMINISTRATION

- a. **General:** The provisions of the Aquifer Protection District shall be administered by the Planning Board. All development proposals, other than single or two-family residential construction not involving the subdivision of land, shall be subject to subdivision and/or site plan review and approval in accordance with Planning Board rules and regulations. Such review and approval shall precede the issuance of any building permit by the Town.
- b. **Enforcement:** The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the Aquifer Protection District.

9. EFFECTIVE DATE

This article shall become effective upon the date of passage.

YES 750 NO 275

ARTICLE 6 - Are you in favor of the adoption of Amendment Number 2 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Adoption of a River Corridor Protection Ordinance which will regulate land use, building and development within 300 feet of Little River and within 150 feet of other perennial brooks and streams.

This Amendment is submitted by the Conservation Commission. The Planning Board approves this Amendment.

RIVER CORRIDOR PROTECTION ORDINANCE

A. AUTHORITY AND PURPOSE

Pursuant to RSA 674:16-21 the Town of Kingston hereby adopts the River Corridor Protection District and accompanying regulations in order to protect and promote public health, resource conservation and the general welfare and to:

1. Protect, maintain and enhance the water quality of the Little River and its tributaries in the Town of Kingston, and to ensure its continued availability as a public water supply;
2. Conserve and protect aquatic and terrestrial habitat associated with river areas;
3. Preserve and enhance those recreational and aesthetic values associated with the natural shoreline and river environment;
4. Encourage those uses that can be appropriately located adjacent to shorelines.

B. DEFINITIONS

1. **Bulk Storage.** Storage of materials intended for wholesale distribution or used in a manufacturing facility.
2. **Hazardous and toxic materials.** Includes but is not limited to volatile organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, pesticides, herbicides, solvents and thinners, and such other substances as defined in N.H. Water Supply and Pollution Control Rules, Section Ws 410.04(1), in N.H. Solid Waste Rules He-P 1901.03 (v), and in the Code of Federal Regulations 40 CFR 261.
3. **Perennial brooks and streams.** Brooks and streams that appear on U.S. Geological Survey quadrangle maps (7.5" scale, 1":24,000") covering the Town of Kingston.
4. **Residential accessory building.** A subordinate building located on the same lot as the main building, the use of which is incidental to the main building, and discharges no sewage or other wastes.
5. **Seasonal High Water Level.** The average annual high water elevation of a stream, brook or river, including contiguous wetlands and floodplains.
6. **Shoreline.** The water's edge at seasonal high water level.

C. DISTRICT BOUNDARIES

The River Corridor Protection District in the Town of Kingston is defined as:

1. The areas of land within 300 feet horizontal distance of the seasonal high water level of the Exeter River and its major tributaries. Major tributaries within the Town of Kingston are defined to be the following: Little River (in the north side of town).

2. In addition, the areas of land within 150 feet horizontal distance of the seasonal high water level of all perennial brooks and streams within the Exeter River Watershed which appear on U.S.G.S. quadrangle maps (7.5" scale 1":24,000) covering the Town of Kingston, as revised.

D. USE REGULATIONS

1. **Minimum Lot Size:** The minimum lot size within the River Corridor Protection District shall be the same as required in the underlying Zoning District and by applicable subdivision regulations for the Town.
2. **Maximum Lot Coverage:** Structures, including pavement, shall not cover more than 20% of any lot or portion thereof within the River Corridor Protection District.
3. **Building Setbacks:** No building, except any accessory building permitted as a Conditional Use, septic system or septic system leaching field shall be constructed on or moved to a site within 150 feet from the shoreline of the Little River, or its major tributaries as herein defined, or within 100 feet from the shoreline of perennial brooks and streams located within the River Corridor Protection District.
4. **Surface Alterations:** Alteration of the surface configuration of land by the addition of fill or by dredging shall be permitted within 150 feet of the shoreline of the Little River or its major tributaries only to the extent necessitated by a permitted or conditionally permitted use, or for the construction of transmission lines and access ways, including driveways.
5. **Vegetative Buffer:** Alteration of natural vegetation or managed woodland within 75 feet of the shoreline of the Little River or its major tributaries shall be permitted only to the extent necessitated by a permitted or conditionally permitted use, or by the construction of transmission lines and access ways, including driveways.
6. **Prohibited Uses:** The following uses shall not be permitted within the River Corridor Protection District:
 - a. Disposal of solid waste (as defined by the N.H. RSA 149-M) other than brush.
 - b. On site handling, disposal, bulk storage, processing or recycling of hazardous or toxic materials.
 - c. Disposal of liquid or leachable wastes, except from residential

subsurface disposal systems, and approved commercial or industrial systems that are otherwise permitted by this section.

- d. Buried storage of petroleum fuel and other refined petroleum products except as regulated by the NH Water Supply and Pollution Control Division (Ws 411 Control of Non-residential Underground Storage and Handling of Oil and Petroleum Liquids). Storage tanks for petroleum products, if contained within basements, are permitted.
- e. Outdoor unenclosed or uncovered storage of road salt and other de-icing chemicals.
- f. Dumping of snow containing road salt or other de-icing chemicals.
- g. Commercial animal feedlots.
- h. Automotive service and repair shops; junk and salvage yards.
- i. Dry cleaning establishments.
- j. Laundry and car wash establishments not served by a central municipal sewer system.
- k. Earth excavation as defined by RSA 155:E, within 150 feet of the Little River or its major tributaries. It is prohibited to conduct said excavation within four feet of the Seasonal High Water Table.

7. **Conditional Uses:**

- a. The following uses, if allowed in the underlying zoning district, are permitted only after a Conditional Use Permit is granted by the Kingston Planning Board.
 - 1. Industrial and commercial uses not otherwise prohibited in Section D.6 of these regulations.
 - 2. Multi-family residential development.
 - 3. The clearing of natural vegetation for the creation of new agricultural land not closer than 20 feet to a shoreline, provided that all agricultural activities comply with Best Management Practices as prescribed by the Rockingham County Conservation District.
 - 4. Residential accessory buildings, of less than 400 square feet in first floor area, within 150 feet of the Little River or its major tributaries, or within 100 feet of perennial brooks and streams located within the River Corridor Protection District.

- b. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made that all of the following are true:

- 1. The proposed use will not detrimentally affect the surface water quality of the adjacent river or tributary, or otherwise result in unhealthful conditions.
- 2. The proposed use will discharge no waste water on site other than that normally discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of hazardous or toxic wastes as herein defined.
- 3. The proposed use will not result in undue damage to spawning grounds and other wildlife habitat.
- 4. The proposed use complies with the use regulations identified in Section D and all other applicable sections of this article.
- 5. The design and construction of the proposed use will be consistent with the intent of the purposes set forth in Section A.

- 8. **Special Exception for Lots of Record.** A special exception shall be granted by the Board of Adjustment to permit the erection of a structure within the River Corridor Protection District provided that all of the following conditions are found to exist:

- a. The lot upon which an exception is sought was an official lot of record, as recorded in the Rockingham County Registry of Deeds, prior to the date on which this amendment was posted and published in the Town.
- b. The use for which the exception is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Corridor Protection District.
- c. Due to the provisions of the River Corridor Protection District, no reasonable and economically viable use of the lot can be made without the exception.
- d. The design and construction of the proposed use will, to the extent practical, be consistent with the purpose and intent of this Section.

- 9. **Permitted Uses:** The following uses are permitted within the River Corridor Protection District provided they are conducted in accordance with the purpose and intent of this Ordinance.

- a. Agricultural, including grazing, hay production, truck gardening and silage production, provided that such use will not cause increases in surface or groundwater contamination by pesticides, fertilizers, or other hazardous or toxic substances and that such use will not cause or contribute to substantial soil erosion and stream sedimentation. However, no clearing of natural vegetation within the vegetated buffer (as defined in Section D.5 above) shall be permitted for the purpose of establishing new tilled and cultivated farmland without a Conditional Use Permit (7.d). All pesticide applications shall be conducted in strict accordance with the requirements set forth in N.H. RSA 430:28 **et seq.**
- b. Forest Management, including the construction of access ways for said purpose. The cutting of trees shall be limited to fifty percent (50%) of the basal area of all live trees two (2) inches in diameter (as measured four and one-half feet above the ground) and over, before any trees were removed from specified area, in a 20-year period. The remaining uncut trees shall be left well distributed throughout the harvested area. On slopes greater than fifteen percent (15%), tree cutting as described above shall be limited to 25%.
- c. Uses permitted in the underlying district of the Zoning Ordinance, except for those listed as conditional uses in Section D.7 and those prohibited in Section D.6.

10. Non-Conforming Uses:

- a. Non-Conforming uses in existence prior to the enactment of this Ordinance may be continued, maintained, repaired and improved, unless and until such use becomes an imminent hazard to public health and safety. Non-conforming uses may not be expanded or changed to other non-conforming uses.
- b. Non non-conforming use may be renewed after being discontinued for a period of 12 months or more.

E. ADMINISTRATION

- 1. **General:** The provisions of the River Corridor Protection District Ordinance shall be administered by the following:
 - a. Building Inspector for building permits;
 - b. Planning Board for subdivision, site plan review, and conditional use approval; and

- c. Zoning Board of Adjustment for special exception approval of existing lots.
- 2. **Enforcement:** The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the River Corridor Protection District Ordinance.

EFFECTIVE DATE

This Article shall become effective upon the date of passage.

YES 747 NO 267

ARTICLE 7 - Are you in favor of the adoption of Amendment Number 3 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Adoption of a Campground Ordinance regulating the use of campgrounds of ten or more sites by restricting occupancy to the period from May 1 to October 15 and imposing other requirements.

This Amendment was submitted by the Health Officer.

The Planning Board approves this Amendment.

CAMPGROUND ORDINANCE

1. Definitions:

- a. For purposes of this ordinance the following terms shall apply.

- 1. The term "camping site" shall mean any area in a campground that will be used for the purpose of accommodating a tent or camper unit.
 - 2. The term "camper unit" shall mean any recreational vehicle, trailer, tent trailer, van, pickup camper, etc. (but not including mobile homes) which can be used to sleep in.
 - 3. The term "mobile home" shall mean any trailer unit exceeding 40 feet in length.
 - 4. The term "campground" shall mean a recreational camping park on which 10 or more tents, or camper units are used as temporary living quarters for recreational use, and a fee is charged for such land use.
- 2. The camping season shall be from May 1st thru October 15th. No campground may be occupied during off-season.
 - 3. Camping shall be restricted to tents and camper units.

4. Adequate community bathroom facilities shall be provided for all tent sites.
5. No camper unit shall be located in any camping site that does not have a proper hookup to an approved septic system. No individual holding tanks will be permitted.
6. No camper unit shall be installed on a camping site in such a way as to consider it permanent. This shall include but is not limited to the following methods.
 - a. No removal of tires.
 - b. No removal of towing arms, hitches, etc.
 - c. No mounting on blocks, except for the purpose of leveling.
 - d. No skirting around the base of any camper unit.
7. No porches or enclosed areas shall be attached to any camper unit unless the porch or enclosed area has been designed to be removed and packed for travel.
8. All water, electric, telephone, and septic systems shall be disconnected from all camper units during off-season.
9. Should any section or provision of this Ordinance be declared by a Court of appropriate jurisdiction to be invalid, such decision shall not invalidate any other section or provisions of this Ordinance.
10. Any person who violates any provision of this Ordinance shall be subject to a fine of \$100.00 per day for each day the violation is found to exist.
11. This Ordinance shall become effective upon its acceptance at Town Meeting.

YES 704 NO 314

ARTICLE 8 - Are you in favor of the adoption of Amendment Number 4 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article II, section 2.20, paragraph 1 by substituting the words "per unit" for the words "per floor" so that that paragraph shall provide:

1. Apartments. One or more rooms, including cooking facilities and sanitary facilities in a dwelling designed as a unit for occupancy by not more than one (1) family for living and sleeping purposes. A minimum living area of 600 square feet **per unit** is required.

This Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 686 NO 315

ARTICLE 9 - Are you in favor of the adoption of Amendment Number 5 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article II, section 2.20, paragraph 13 by substituting the words "from May 1 to October 15" for the words "primarily during the summer months" so that paragraph shall provide:

13. **Seasonal Residence.** (Amended 3-11-80) One used or intended for use primarily **from May 1 to October 15.**

The Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 695 NO 306

ARTICLE 10 - Are you in favor of the adoption of Amendment Number 6 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article II, section 2.20, paragraph 14 so that that paragraph shall provide:

14. **Conversion.** (Amended 3-11-80) A structural change to adapt or alter **an existing structure which would increase the load on a sewage disposal system.**

This Amendment is submitted by the Health Officer.

The Planning Board approves this Amendment.

YES 643 NO 333

ARTICLE 11 - Are you in favor of the adoption of Amendment Number 7 for the Town Zoning Ordinance, as follows:

On petition of Alfred E. Choquette and 26 others, to see if the town is in favor of amending the Zoning and Building Code of the Town of Kingston, New Hampshire, adopted March 14, 1978, and as amended, by adding to and amending:

4.61 All land located within the area bounded on the North by Scotland Road beginning at a point which is 350 feet Easterly of the centerline of Main Street (Route 111), and extending East along the Southerly side of Scotland Road a distance of 1,200 feet; bounded on the East by a line perpendicular to Scotland Road a distance of 420 feet, more or less; bounded on the North by a line 400 feet, more or less; bounded on the East by a line 620 feet, more or less; bounded on the North by a line 280 feet, more or less; bounded on the East along the Westerly side of Route 125, 370 feet, more or less; bounded on the South by a line 620 feet, more or less; bounded on the East by a line 240 feet, more or less; bounded on the South by a line parallel to Scotland Road running in a Westerly direction a distance of approximately 1,600 feet; and bounded on the West by a line which is 350 feet from the

centerline of Main Street (Route 111) running parallel to Main Street and Northerly for a distance of 1,650 feet to the Southerly side of Scotland Road shall be included in the Housing for Elderly District.

The Planning Board approves this Amendment.

YES 662 NO 311

ARTICLE 12 - Are you in favor of adoption of Amendment Number 8 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article IV, section 4.77, paragraph b. by inserting the words "or propose construction that would be subject to site plan review" so that that paragraph shall provide:

b. Subdivisions 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 drainage report and calculations prepared by a Registered Professional Engineer describing the extent of impact on the wetlands.

This Amendment is submitted by the Planning Board.

The Planning Board approves this Amendment.

YES 688 NO 287

ARTICLE 13 - Are you in favor of the adoption of Amendment Number 9 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article IV, section 4.77, paragraph d. by inserting the words "and prohibit" so that that paragraph shall provide:

d. The appropriate Board shall be entitled to review, regulate **and prohibit** development proposals.

This Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 598 NO 352

ARTICLE 14 - Are you in favor of the adoption of Amendment Number 10 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article 5.30 by inserting the words "OR CONTIGUOUS LOTS" and "or a contiguous lot to other lots" so

that that article shall provide:

5.30 **LOTS OF CONTINUOUS FRONTAGE OR CONTIGUOUS LOTS** in any district in which structures are permitted, a structure may be erected on each lot which was a lot of record at the date of adoption or amendment of this ordinance, even though such lot fails to meet the requirements for area or width or both, that are applicable in the district, provided such lot is not of continuous frontage **or a contiguous lot to other lots** of the same ownership.

This Amendment is submitted by the Planning Board.

The Planning Board approves this Amendment.

YES 596 NO 343

ARTICLE 15 - Are you in favor of the adoption of Amendment Number 11 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are in favor of amending Article VII, section 7.20, by substituting the words "Planning Board" for Board of Selectmen" so that that Article shall provide:

7.20 No pit for removal and sale of sand, gravel, stone or earth shall be opened hereafter or operated without the specific approval of the **Planning Board** and subject to regulations established by them and ordinances passed at Town Meeting.

This Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 689 NO 260

ARTICLE 16 - Are you in favor of the adoption of Amendment Number 12 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article VII, section 7.33 by adding a second sentence so that that article shall provide:

7.33 One small sign, not to exceed two (2) square feet in area, used for identification at the business location, may be installed on the building. **If the business is located in a plaza or mall, then each business may have a sign no larger than 24 square feet affixed to its building.**

This Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 685 NO 289

ARTICLE 17 - Are you in favor of the adoption of Amendment Number 13 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending Article VIII, section 8.20 by substituting the words "one hundred dollars (\$100.00) for ten dollars (\$10.00)" so that that Article shall provide:

8.20 Every person, persons, firm or corporation violating this Ordinance, upon conviction, shall be fined not more than **one hundred dollars (\$100.00)** for each day such violation may exist.

This Amendment is submitted by the Selectmen.

The Planning Board approves this Amendment.

YES 592 NO 369

ARTICLE 18 - Are you in favor of the adoption of Amendment Number 14 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending the Innovative Zoning Ordinance as adopted at the annual Town Meeting held March 11, 1986 by inserting a new subparagraph C.1.c. so that sections C.1.c., C.1.d., and C.1.e. shall provide:

C.1.c. **Dwelling units shall be permanent structures on foundations.**

d. Buildings accessory to a permitted use.

e. Outdoor recreation, which is incidental to residential use, provided that such use does not result in noise, odors, unsightly or dangerous activities which are injurious or detrimental to the neighborhood.

This Amendment is submitted by the Planning Board.

The Planning Board approves this Amendment.

YES 669 NO 290

ARTICLE 19 - Are you in favor of the adoption of Amendment Number 15 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending the Innovative Zoning Ordinance as adopted at the annual Town Meeting held March 11, 1986 by adding the following sentence at the end of paragraph C.2.a. so that that paragraph shall provide:

C.2.a. The total number of dwelling units allowed within a cluster development shall be no greater than that permitted for a conventional subdivision or multi-family use on the same parcel under the Kingston Zoning Ordinance and Subdivision Regulations. The overall building density for a cluster development shall be determined by subtracting all land that would be excluded from development by the Kingston Wetlands Ordinance, then subtracting ten percent of the remaining land for roads and utilities, the remainder of this would be divided by

80,000 square feet to determine the number of dwelling units. The allowed number of units may be grouped or dispersed over the project area in any fashion within the limits imposed by applicable lot dimension restrictions and septic system siting requirements. **As a guide, bedroom density should not exceed four bedrooms per 80,000 square feet.**

This Amendment is submitted by the Planning Board.

The Planning Board approves this Amendment.

YES 703 NO 263

ARTICLE 20 - Are you in favor of the adoption of Amendment Number 16 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Are you in favor of amending the Gravel Pit Ordinance as adopted by the Kingston Board of Selectmen in accordance with N.H. RSA 31:41-b as of March 14, 1979 and amended March 11, 1981 by adding a sentence at the end of paragraph 5 so that that paragraph shall provide:

5. All excavated regions must be reclaimed within one (1) year after the date of gravel pit permit by depositing three (3) inches of loam and seeding area with a perennial seed to produce a permanent vegetation cover. **Where less than three inches of topsoil is present on site before excavation begins, alternate reclamation procedures as recommended by the Soil Conservation Service may be used.**

This Amendment is submitted by the Planning Board.

The Planning Board approves this Amendment.

YES 759 NO 208

SANBORN REGIONAL SCHOOL DISTRICT OFFICERS

School Board Member from Kingston - Term Ending 1992:

Electra Alessio		937*
George Korn	(write-ins)	5

Moderator - Term Ending 1990

Richard L. Russman		957*
Electra Alessio	(write-ins)	4

The ballots were wrapped, sealed and locked in the vault at the Town Hall at 11:40 P.M., March 14, 1989.

Bettie C. Oullette
Kingston Town Clerk

This vote was taken after a motion to "cut off debate" made by Edward Ahlman, was passed.

ARTICLE 30 - This article relative to raising and appropriating \$45,000. for weigh scales and accessory equipment for the dump, was NOT passed. (The Moderator declared a 10 minute recess.)

ARTICLE 31 - This article relative to raising and appropriating the sum of \$65,000. for a Recycling Facility at the landfill was defeated on a standing "eye" vote. This vote was taken after a motion by Edward Ahlman "to cut off debate", was passed. The voice vote was uncertain, and the Moderator asked for the standing vote.

ARTICLE 32 - It was voted to establish a Capital Reserve Fund for the purpose of the future closing of the Kingston Landfill and to raise and appropriate the sum of \$25,190.17 to be placed in the fund.

ARTICLE 33 - It was voted to authorize the Selectmen to appoint five residents of the Town to a permanent committee for planning and carrying out the celebration of the 300th Anniversary of Kingston in 1994.

ARTICLE 34 - It was voted to raise and appropriate the sum of \$500. for the purpose of initiating and planning the Kingston 300th Anniversary Celebration.

ARTICLE 35 - It was voted, as amended, to establish an Expendable Trust Fund to be known as the Kingston 300th Anniversary Celebration Trust. Monies may be withdrawn from said Trust with the approval of the Selectmen of the Town of Kingston on recommendation of the 300th Anniversary Committee.

ARTICLE 36 - This article relative to raising and appropriating \$10,000. to fund the Kingston 300th Anniversary Celebration Expendable Trust Fund as created in Article 35, was NOT passed. This vote was taken after a motion made by David Sanford "to cut off debate" was passed.

ARTICLE 37 - It was voted to raise and appropriate the sum of \$10,000. to be added to the Capital Reserve Fund established in the 1987 Town Warrant Article #46, for the purpose of conservation land purchase and associated costs.

ARTICLE 68 - A motion was made by Russell Army to act upon Article 68 next since it was on the Conservation Commission subject. This was seconded and voted in the affirmative.

It was then voted, as amended, to authorize the Selectmen to accept private donations of land, interest in land or money to be deposited into the Conservation Fund RSA 36-A:5 for the purposes of contributing to the local matching portion required for acquiring conservation land or interest in land and other costs associated therewith for permanent conservation use under the N.H. Land Conservation Investment Program (LCIP) RSA 221-A, and authorize the Selectmen to apply for and accept the State matching funds under the LCIP for the purpose of acquisition of the fee or lesser interest in conservation land. Further, that monies from the Capital Reserve Fund for conservation land purchase may be expended for the above stated purpose. Said appropriated or donated funds and the State matching funds may be expended by majority vote of the Kingston Conservation Commission and the Board of Selectmen.

The vote was taken after it was voted to cut off debate, on a motion made by Paul Meunier. Also, Warren Whitcomb mentioned that the Town should thank the Bakies for land donated to the Commission.

ARTICLE 38 - This article relative to depositing all of the revenues collected pursuant to RSA 79-A (the land use change tax) in the conservation fund in accordance with RSA 36-A:5 III as authorized by RSA 79-A:25 II, was defeated. When there was a challenge of the voice vote, by Edward Spinney, the Moderator called for a standing vote, and it was again declared DEFEATED. The first vote was taken after it was voted to cut off debate on a motion made by David Conant. A previous motion to cut off debate on a motion made by Richard Daniels, was defeated and the debate was continued.

ARTICLE 39 - It was voted to raise and appropriate the sum of \$25,000. to be added to the Fire Department Capital Reserve Apparatus Fund for the future replacement of Fire Department apparatus.

ARTICLE 40 - A motion was made and seconded to authorize the Selectmen to establish the position of full time Fire Chief. The Chief's salary to be within the wage matrix P10. Said position to be funded from July 1st, 1989. This motion was brought on as amended. It was voted to cut off debate on a motion made by David Moore, and the article was defeated. When the voice vote was uncertain, the Moderator called for a standing "eye" vote, and the article was again declared DEFEATED.

The subject of recessing the meeting was brought up and the Moderator ruled that if some article is to be reconsidered at the next part of the meeting, that she must be notified in writing by 5 registered voters, and the notification should be received within the first half hour of the meeting. The Moderator felt this was the only fair way to

handle the situation due to the very large attendance at the first part of this meeting.

It was then voted to recess until Thursday night at 7 P.M. at the Town Hall. (The gym was not available.) The meeting adjourned at 12:05 A.M.

Bettie C. Ouellette
Kingston Town Clerk

MINUTES OF CONTINUED TOWN MEETING AT TOWN HALL - MARCH 16, 1989

Meeting was called to order at 7:05 P.M. by Electra L. Alessio, Moderator. She announced that she had received two written notifications for the reconsideration of the Budget article and for Article 40, concerning the full time Fire Chief. These were in the form of petitions, signed by voters. The Moderator announced that the voters would have until 7:38 P.M. to petition for reconsideration.

ARTICLE 41 - This article relative to creating a Capital Reserve Fund of \$10,000. for the purpose of future library expansion was defeated. When the voice vote was uncertain, the Moderator called for a hand vote, and it was again declared DEFEATED.

ARTICLE 42 - It was voted, as amended, to support a "Zero Tolerance War on Drugs" effort in our community. To encourage our Police, School and other authorities to take the following kinds of measures and send a clear message that we don't want drugs in our towns:

We support active Police Patrol of all juvenile gathering places.

We support thorough Police investigations of all suspected drug activities in our communities.

We support the conduct of searches on reasonable grounds of specific-case pocket and locker searches in the schools.

We encourage the local press to heavily publicize every drug arrest in our communities newspapers.

We support maximum prosecution of anyone caught dealing drugs to kids.

The first amendment made by Brian Collins was later replaced by an amendment made by Frank Brosnan, Jr. During the lengthy discussion, there were three "cut off debate" votes passed and these were made by Arthur Schultz, John Flanders and David Sanford. State Representative David Welch made a point of order and asked that the Moderator not respond too quickly to cut off the debate, whereupon the Moderator explained that when someone moves to cut off debate, those who do not wish to stop debate should just vote against that motion and the debate will continue.

ARTICLE 43 - It was voted as amended to raise and appropriate \$3,000. for the Drugs Are Dangerous, Inc. This money is to be used as follows: for a "Hope Instead of Dope" Program. This program will introduce young people in our community to individuals who have accomplished success in endeavors which might serve as inspirations and encouragement to avoid involvement in drugs. This program engages these

young people in activities which might help them build success and self-esteem in their own lives; and for a "Natural High" Program. This program will provide young people and families in our community with healthy and fun alternative activities through the year to help guide them away from the use of drugs and alcohol.

This vote was taken after a motion to cut off debate, made by David Conant, was passed.

ARTICLE 44 - It was voted to pass over this article relative to raising and appropriating \$5,700. for Drug Programs for the Recreation Committee.

ARTICLE 45 - It was voted, as amended, to raise and appropriate the amount of \$4,800. for the Police Department to use in the Town's "Zero Tolerance War Against Drugs" to conduct undercover Police activities under the supervision of the Chief of Police.

The vote was taken after a motion to cut off debate, made by David Knight, was passed.

ARTICLE 46 - It was voted to raise and appropriate the amount of \$1,200. for the Police Department to use towards the purchase of various items at the discretion of the Chief of Police, in the Town's "Zero Tolerance War Against Drugs".

This vote was taken after a motion to cut off debate, made by Edward Ahlman, was passed.

ARTICLE 47 - It was voted to raise and appropriate \$500. for the Richie McFarland Children's Center (\$250. per child; 2 children served).

ARTICLE 48 - It was voted to raise and appropriate the sum of \$1,000. for the purpose of helping to defray the cost of services provided to the Town of Kingston and its residents by Area Homemaker Home Health Aide Service, Inc.

ARTICLE 49 - It was voted to raise and appropriate the sum of \$1,500. to help defray the costs of maintenance of the Vic Geary Senior Center, Plaistow, N.H.

ARTICLE 50 - It was voted to raise and appropriate the sum of \$638. for the purpose of defraying the cost of services provided to the Town of Kingston and its residents by Seacoast Big Brother/Big Sister of New Hampshire.

ARTICLE 51 - It was voted to raise and appropriate an amount not to exceed \$250. to support the Drop A Dime - Dial Against Drugs anonymous call-in line (642-4042) to get word to authorities of suspected drug activities in our town.

ARTICLE 52 - It was voted to raise and appropriate the sum of \$2,000. for the support of the Child Development Council, Inc. doing business as the Kingston Children's Center. This is a non-profit organization that provides educational and child-care services, including kindergarten.

ARTICLE 53 - It was voted to raise and appropriate the sum of \$5,000. to be added to the Recreation Department Capital Reserve Fund for a future recreation building as created in the 1984 town meeting.

ARTICLE 54 - It was voted on a standing vote (Yes 91 and No 77) to create a Community Center Committee consisting of a minimum of five (5) Kingston residents to study the need for a Community Center in the Town of Kingston.

This vote was taken after a motion to cut off debate, made by Edward Ahlman, was passed. The tellers assisting the Moderator were David Conant, Norman Hurley, William Timmons, Jr. and Robert Whitney.

ARTICLE 55 - This article relative to raising and appropriating \$10,000. for the purpose of instituting a feasibility study for a Community Center in the Town of Kingston, was DEFEATED.

The vote was taken after a motion to cut off debate, made by Kathy Radford, was passed.

The Moderator declared a 10 minute recess at this time.

The Moderator declared the meeting reconvened, and Roxanne Moore made a motion to reconsider Article 40 relative to the full time Fire Chief. Several citizens addressed the people, and when the Moderator called for the vote, it was defeated. However, to be certain, she asked for a standing vote, and again declared the reconsideration DEFEATED.

ARTICLE 56 - It was voted to raise and appropriate the sum of \$1,380. to the Women's Resource Center, a private non-profit organization, to assist in funding the Rape Crisis Intervention Program. The agency trains police on sexual abuse issues and helps sexual abuse survivors in your town.

ARTICLE 57 - It was voted to pass over this article relative to repealing the election by ballot of Police Officers under RSA 41:47.

ARTICLE 58 - It was voted to pass over this article relative to repealing the election by ballot of Police Chief under RSA 41:47.

ARTICLE 59 - It was voted to establish the term of office of the Police Chief including the Police Chief elected at the 1989 election, as a one year term in order to correct the erroneous action of the 1988 Town Meeting.

ARTICLE 60 - It was voted to pass over this article relative to repealing the election by ballot of Constable under RSA 41:47.

ARTICLE 61 - It was voted to repeal the election by ballot of the Auditors under RSA 41:31 and terminate the office of Auditors effective Town Meeting, 1990.

(It was announced by the Selectmen, that these auditors were no longer necessary, and that the Audit and Management Report is on file in the Selectmen's Office. This Report was received too late to be printed in the annual report.)

ARTICLE 62 - This article relative to repealing the election by ballot of the Highway Road Agent, effective 1990, was DEFEATED. Selectman Charles Wagner attempted to introduce an amendment to change the Term of Office to 3 years, but this was ruled out of order by the Moderator. This vote was taken after a motion to cut off debate, made by David Knight, was voted.

ARTICLE 63 - It was voted to indemnify and save harmless for loss or damage occurring after said vote any person employed by it and any member or officer of its governing board, administrative staff or agencies, including but not limited to Selectmen, from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit or judgement by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage or destruction was acting in the scope of his employment or office, as set forth in RSA 31:105 Law of N.H.

ARTICLE 64 - It was voted to authorize the Board of Selectmen to apply for, accept and expend without further action by the Town Meeting, money from the State, Federal or other governmental unit or a private source which becomes available during the 1989 calendar year provided that such expenditure be made for purposes for which a Town Meeting may appropriate money and that such expenditure not require the expenditure of other Town funds. Further, that the Board of Selectmen and the Municipal Budget Committee hold a public hearing prior to accepting and spending such money.

ARTICLE 65 - A motion was made, seconded and amended to adopt the provisions of RSA 76:15a (Supp 1988) so that taxes will be billed and collected semi-annually as provided in that statute, effective 1990, or as soon thereafter as the Selectmen and Tax Collector are prepared to do so. This article was DEFEATED.

The vote was taken after a motion to cut off debate, made by Edward Ahlman, was passed.

ARTICLE 66 - It was voted to accept the following Amendment to the Town Dump Ordinance.

AMENDMENT TO ORDINANCE

Approved September 7, 1988, Amended September 14, 1988 and February 8, 1989.

Paragraph 2 of Dump Ordinance to read:

"Every vehicle entering the Town Dump must have a Town Dump Permit. Sticker is to be placed as designated by the Selectmen. These stickers are to be issued by the Kingston Town Clerk. Criteria for obtaining a sticker includes: A valid N.H. license or registration or proof as a taxpaying resident of Kingston or member towns of Brentwood, Fremont, Danville or East Kingston. Non-residents with seasonal property will be allowed one sticker. Individuals owning businesses in one of the contracted towns may be issued one sticker upon demonstration of ownership of property. A fee of \$1.00 per sticker will be charged for residential vehicles from the above towns. A fee of \$100.00 will be charged for commercial haulers of refuse. A fee of \$5.00 will be charged for other commercial business vehicles.

An amendment, made by Norman Hurley, to increase the cost of the Commercial stickers to \$50.00, was DEFEATED.

ARTICLE 67 - It was voted to authorize the Selectmen to sell surplus goods and equipment from various departments at public auction or by sealed bid.

An amendment, made by Robert Whitney, to strike out "or by sealed bid", was DEFEATED.

ARTICLE 68 - Was already taken up on previous night.

ARTICLE 69 - The motion was withdrawn on this article relative to maintaining roads in a passable condition.

ARTICLE 70 - No motion was made on this article relative to closing Ox Road.

ARTICLE 71 - It was voted to place the lower portion of Sunshine Drive and the circular end of it a "Salt Restricted Zone". We desire a sign indicating the above, with appropriate caution, on the lakeside border of the Lussier driveway and that the area south of this sign be a salt restricted area. The safety rationale for the above is that the entire area in question is flat and that vehicles should slow down for the circle anyway.

ARTICLE 72 - It was voted to send a message to the Legislature and Governor calling for a comprehensive toxics transition law requiring coordinated programs of planning, research, and development, education, enforcement, and economic incentives to achieve toxics reduction by substitution with safer substances.

ARTICLE 73 - It was voted, as amended, that "We, the people, being registered voters and concerned citizens of Kingston, strongly encourage our federal, state and local governments to consciously address and support legislation that will provide and secure the necessary funds and laws to insure the basic human needs and rights of our less fortunate citizens."

The amendment was made by Brian Collins, and the vote on the main motion was taken after a motion, made by John Merrill, to cut off debate, was passed.

ARTICLE 74 - It was voted to authorize the Board of Selectmen to appoint an Affordable Housing Committee within 30 days of the Annual Town Meeting, and that the Committee will make a report to the Board of Selectmen within six months of the appointment. A report of the recommendations by the Board of Selectmen is to be given to the voters at the next Annual Town Meeting stating solutions that have been recommended.

ARTICLE 75 - It was voted, as amended, to authorize the Selectmen to sell tax deeded property at public auction. Further, reference to Warrant Article #46, 1985 Town Meeting, whereby land which becomes town property by tax deed or other means shall be publicly reviewed by the Board of Selectmen, Planning Board and Conservation Commission, to see if it has any future suitable use as public land. Any such parcel identified as having such use will not be auctioned off, but will remain town land. Also reference to Warrant Article #51, 1986 Town Meeting, which precludes Selectmen from selling land that gave public access to waterways.

ARTICLE 76 - A motion was made by Carroll Wright to reconsider Article 2, and this was passed.

It was then voted to remove \$7,555. from the total budget figure of \$2,416,285. which had been voted previously. Mr. Wright explained this amount as being \$13,655. for the Fire Chief's full time salary, less \$2,100. for the second half of his part time salary, less \$4,000. for the fire inspections, making the net reduction on the budget \$7,555.

It was then voted to adopt the grand total of the budget and all articles at \$2,522,076.23. This was an affirmation of the total sum spent at this Town Meeting.

During the discussion, the police cruisers were explained, as \$15,500. for an additional police cruiser was in the budget voted.

The following Resolution was introduced by David Welch:

"Resolved that it is the intention of the voters of the Town of Kingston that any capital expenditure exceeding \$2,500. or the creation of any permanent part-time or full-time position be submitted to the voters at town meeting for prior approval. Recurring items shall be submitted the first year **only**."

It is further resolved that this item shall be submitted as a warrant item to the 1990 town meeting for its consideration."

The Resolution was adopted in the affirmative.

The meeting was adjourned at 12 Midnite.

Bettie C. Ouellette
Kingston Town Clerk