

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of May 10, 2010  
MINUTES**

The meeting was called to order in the Selectmen's Office of the Town Hall at 6:58 pm by Chairman Mark Heitz. Also in attendance were Board members Peter Broderick and Charles Hart.

**Non-public Session**

**MOTION:** Upon request of Ellen Faulkoner, motion of Selectman Broderick, second of Selectman Hart and a unanimous vote, the Board adjourned to non-public session under the provisions of N. H. RSA 91-A:3, II-b. The Board adjourned at 7:02 pm.

The Board returned to public session at 7:20 pm.

**Non-public Session**

**MOTION:** Upon request of Richard St. Hilaire, motion of Selectman Broderick, second of Selectman Hart and a unanimous vote, the Board adjourned to non-public session under the provisions of N. H. RSA 91-A:3, II-a and c. The Board adjourned at 7:24 pm.

The Board returned to public session at 8:17 pm.

**Highway Department Updates**

Road Agent Richard St. Hilaire advised the Board that he intends to lay logs along the Fairgrounds in order to deny access to would be illegal dumpers, who've created several piles of construction debris, brush, and other waste that the highway department is continually clearing away. There will be gated areas through which town trucks can gain access.

Selectmen approved the highway department creating a parking area prior to the Timberland Company's dedication of the work they did on the Hunt Road Town Forest back in April.

Mr. St. Hilaire advised that the Planning Board is continuing with the process of Stormwater Management and the EPA mandated permitting.

**Energy Committee Presentation of Proposal**

Bart Noyes, Energy Committee Chairman, introduced Ed Doherty of Halifax-American Energy company, who presented to the Board a proposal for purchase of the supplier portion of the town's municipal energy service. The contract, extendable in 30-day periods, would provide power through the existing distributor, at market rate plus as .012 per kwh adder. Mr. Noyes explained that the Energy Committee will be auditing costs on a monthly basis to track savings, and that he has contacted Unitil to see whether there are any repercussions to switching suppliers. Chairman Heitz noted that Unitil has been very cooperative to Kingston in times of emergency and wouldn't want to risk that relationship for the limited savings that might be realized by switching suppliers. The Board will wait to hear from Mr. Noyes about his findings before taking action on the proposal.

**Property Permitting Discussion**

Daniel Mastroianni of Tupelo, LLC, discussed with the Board a letter he'd received from acting Building Inspector Larry Middlemiss. Mr. Middlemiss had stated that a 2004 building permit for 51 Route 125, which had been renewed twice for 2-year periods, was invalid due to work not having been started within 6 months of issuance. The proposed use of the property now is disallowed by Zoning, which doesn't allow residential use in the C- III zone. Mr. Mastroianni advised that he had done some electrical work within six months of the initial issuance, and had been working on the project at varying paces since. He said that the lower level of the former garage structure is insulated, and now is intended to be used for a commercial business. The upper level is intended to be an apartment and has been framed out, with the cabinets and doors on site and ready for installation. Wiring is done and sheet rocking is planned to be done as soon as a framing inspection has been made. Chairman Heitz

asked if the town's assessors had visited the property each year to note changes made. Mr. Mastroianni advised that the first assessor he'd seen had been there this year. Chairman Heitz asked if the Building Inspector had inspected progress prior to any of the permit extensions. Mr. Mastroianni advised that he had not. Chairman Heitz requested a time line for the work that had been completed to date. Mr. Mastroianni advised that the upstairs wiring had been done within six months of the initial issuance, but that most of the other work had been done more recently. Work that he'd intended to complete downstairs had been delayed because there had been the chance of a Tractor business using the site. Insulation that had been installed upstairs was damaged during the February windstorm and was removed and will be replaced. He's obtained the necessary septic design approval, although it needs to be renewed now, and Mr. Middlemiss has refused to review the plan due to the question about the building permit and proposed use. He pointed out that there are 5 months remaining in the current building permit extension and that work is well underway. He'd like to be authorized to continue with the project. Chairman Heitz stated that he'll be speaking with Mr. Middlemiss and that the Board will be in touch with Mr. Mastroianni with a decision.

### **Review of Previous Meeting Minutes**

**MOTION:** Upon motion of Selectman Broderick and second of Selectman Hart, it was voted to accept the minutes of the May 3, 2010 meeting as printed. Chairman Heitz abstained from the vote.

**MOTION:** Upon motion of Selectman Broderick and second of Selectman Hart, it was voted to accept the minutes of the May 3, 2010 non-public session as printed. Chairman Heitz abstained from the vote.

### **Non-Public Session**

**MOTION:** Upon motion of Selectman Hart and second of Selectman Broderick, it was unanimously voted to adjourn to non-public session under the provisions of N. H. 91-A:3, II-a. The Board adjourned to non-public session at 9:30 pm.

The Board returned to public session at 9:40 pm.

**MOTION:** Upon motion of Selectman Hart and second of Selectman Broderick, it was unanimously voted to seal the minutes of the non-public sessions held for an indefinite period.

### **Adjournment**

There being no further business before the Board, the meeting adjourned at 9:41 pm and the Board retired to address administrative issues.

Respectfully submitted,  
Catherine Grant  
Administrative Assistant