

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of May 24, 2010  
MINUTES**

The meeting was called to order in the Selectmen's Office of the Town Hall at 7:01 pm by Chairman Mark Heitz. Also in attendance was Board member Peter Broderick.

**Resident Inquiry into Pool Fence Ordinance**

Jeannette Dionne of 6 Meeks Road discussed with the Board her intention to place a 4' high, 18' diameter above-ground pool on her property, and her concern about the town's Pool Fence Ordinance (Article 305 of the Zoning Ordinance, adopted in 1977). She advised that she had spoken both with the Selectmen's Office and with Town Planner Glenn Greenwood, and finds that the Ordinance is vague regarding the requirement for fencing. Chairman Heitz read the Ordinance aloud and noted that the fence is required to be a minimum of 5' in height and sufficient to prevent an unsupervised youngster from entering the pool. Ms. Dionne noted that she has identified numerous residences in and around her neighborhood where there are pools with no fencing. She asked what the enforcement procedure is. Selectman Broderick explained that the town has no Code Enforcement Officer and that enforcement efforts usually are preceded by resident reports of violation, at which time the Building or Health Inspector initiates enforcement proceedings. Ms. Dionne asked the purpose in adopting Ordinances that aren't enforced. Chairman Heitz advised that there had been an attempt some years ago to gain voter approval for the position of Code Enforcement Officer, but that the attempt had been unsuccessful. The result is that violations are addressed as they are brought to the town's attention, but there are no personnel to seek them out. Ms. Dionne was provided with a building permit application for her pool.

**Non-public Session**

At the request of a resident, motion of Selectman Broderick and second of Chairman Heitz, the board adjourned at 7:31 pm to non public session under the provisions of N. H. RSA 91-A:3, c.

The Board returned to public session at 8:05 pm.

**Planning Board Memo Reviewed**

The Board reviewed a memo from the Planning Board relative to a biannual Renaissance Faire event held on Tucker Road. The Planning Board is concerned with the use in a Rural Residential area, and also is concerned that the owners haven't gone through Site Plan Review. It was agreed to ask the Planning Board if the process for issuance of Special Event Permits would meet the concerns expressed. If necessary, the Planning Board can advise the property owners that Site Plan Review and a possible use Variance from the Zoning Board of Adjustment will be required.

### **Contract for Preparation of FEMA Hazard Mitigation Grant Application Approved**

The Board approved and signed a proposal from CMA Engineering to prepare an application for FEMA Hazard Mitigation grant funds to replace Kingston Lake Outlet and Mill Road drainage structures.

### **Notice of Withdrawal of Appeal Reviewed**

The Board reviewed a notice that an appeal of the Superior Court decision relating to the razing of Gilmore Cottage on the old Sanborn Regional High School site has been withdrawn. The School has reached a course of action for relocation of the building that satisfies all parties involved.

### **Review of Previous Meetings' Minutes**

**MOTION:** Upon motion of Selectman Broderick and second of Chairman Heitz, it was voted to accept the minutes of the May 17, 2010 meeting as printed.

### **Adjournment**

There being no further business before the Board, the meeting adjourned at 8:36 pm and the Board retired to address administrative issues.

Respectfully submitted,  
Catherine Grant  
Administrative Assistant