

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of December 20, 2010  
MINUTES**

The meeting was called to order in the Selectmen's Office of the Town Hall at 7:00 pm by Chairman Mark Heitz. Also in attendance was Selectman Charles Hart.

**Petitioned Zoning Article Reviewed**

The Board reviewed a citizens' petition proposing change in the zoning of Lots 1, 54 and 71B of Tax Map R34 to Commercial II. Questions as to the legality of a sentence contained in the proposed article, which at the request of the Planning Board has been removed by the first signer of the petition, will be directed to Town Counsel. It's unclear whether the first signer has the authority to alter the text of the article after signatures of petitioners have been affixed.

**Planning Board Zoning Article Proposal Discussed**

Selectman Hart, who serves as the Board's representative to the Planning Board, advised that there will be an article on the March ballot proposing to change the zoning designation of certain lots that at present are split between more than one zone. Selectmen discussed the fact that, while not very many lots will be affected, the change will remove some property owners' options for use of their land.

**Site Plan Proposal Discussion**

The Board reviewed a plan submitted by First Congregational Church to build an addition and increase parking at their Church Street site. Selectman Hart noted that a previous discussion had been held with representatives of the Church about a right of way to Greenwood Lake that the Town owns adjacent to the Church. The Church questions the extent of the Town's property rights to the right of way, which was conveyed in 1907. Chairman Heitz advised that he had spoken briefly with the project's surveyor, who did a plan of the area in 2003 on behalf of the Town, and expects that a more in depth discussion will occur soon. It was agreed that, pending discussion either with the surveyor or with the developers, the Board will address a letter to the Planning Board advising of the need to protect the town's rights to the right of way area.

**Non-public Session**

**MOTION:** Upon motion of Selectman Hart and second of Chairman Heitz, it was unanimously voted to adjourn to non-public session under the provisions of NH RSA 91-A:3, II-c. The board adjourned at 7:55 pm.

The Board returned to public session at 8:12 pm.

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

**Review of Previous Meeting Minutes**

**MOTION:** Upon motion of Selectman Hart and second of Selectman Heitz it was unanimously voted to accept the minutes of the December 13, 2010 meeting as printed.

**Adjournment**

There being no further business before the Board, the meeting adjourned at 8:26 pm and the Board retired to address administrative issues.

Respectfully submitted,  
Catherine Grant  
Administrative Assistant