

**Kingston, New Hampshire
Board of Selectmen
Meeting of September 12, 2016
MINUTES
(as amended at the Board meeting of 9/26/16)**

The meeting was called to order at 6:45 pm in the Selectmen's Office of the Kingston Town Hall. In attendance were Chairman Mark Heitz and Selectmen Peter Broderick and George Korn.

Non Public Session

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, Chairman Heitz polled the Board for a unanimous vote to adjourn to non-public session under the provisions of NH RSA 91-A:3-I(a) and at the request of Police Chief Don Briggs.

The Board entered non-public session at 6:48 pm. The Board returned to public session at 7:28 pm.

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was unanimously voted to seal for an indefinite period the minutes of the non-public session.

Conservation Easement Restrictions Discussion

Deborah Goard, Easement Stewardship Director, and Duane Hyde, Land Conservation Director, both of the Southeast Land Trust of New Hampshire, were present to discuss with the Board the purposes and benefits of conferring easement rights in town conservation properties to the Land Trust. Ernie Landry of FOKOS (Friends of Kingston Open Space) also was present. At the meeting of August 29th, the Board had been advised that failure on the town's part to enforce restrictions included in such easements could result in the Land Trust bringing suit against the Selectmen. Ms. Goard clarified that such an action - which would be a last resort in any case - could only be brought if the town were allowing restricted activities to occur; the town cannot be held responsible for third party violations and the Land Trust is well aware that towns don't have unlimited resources for enforcement activities. She and Mr. Hyde also both advised that it is the policy of the Land Trust to work with the property owners in any way possible to assist in enforcement of violations. Although their resources are somewhat limited, they are able to help with gating, surveillance, and liaising with state officials at the Fish & Game Department to facilitate enforcement. They also are happy to advise landowners on various ways they might deal with violations. Mr. Hyde noted that they've been very impressed with Kingston's willingness to attempt to identify and stop violations and have valued the relationship they have with the town. Ms. Goard noted that the purpose of the third party easement holder is to ensure that town-owned properties remain protected in perpetuity. Many of the parcels that now are designated town forests were acquired in ways that would not necessarily ensure they would remain protected (i.e., tax deeded or donated tracts). Towns like Kingston that have set goals for the conservation of large parcels often will vote to grant easements to third parties to guarantee that future boards and commissions aren't able to repurpose parcels for development. The Land Trust also has been able to identify and secure grants that have helped Kingston in acquiring and protecting large tracts - most recently the Rockrimmon Forest area.

Discussion was held about the restrictions included in easements that allow certain types of recreation on conservation properties while banning others. The town forests and many of the LCIP properties restrict motorized vehicles from being used, while allowing snowmobiles, horses, bicycles, etc. Ms. Goard noted that the problem with motorized vehicles other than

snowmobiles is the damage that can be done to the terrain. If a trail system was created and maintained, that damage could be minimized. The Board discussed the possibility of locating and designating an area for use by all terrain vehicles so that all residents will have locations where they are able to enjoy their preferred activities.

Heritage Commission Capital Improvement Submittals

Ernie Landry of the Heritage Commission was present to discuss the Commission's submittals for the Capital Improvements Plan. The proposed projects all are related to the Nichols Building and all were proposed by an engineering study completed earlier this year. The proposals would add approximately \$40,000.00 per year for the next several years to planned capital improvement expenditures.

Administrative Issues

It was agreed that Selectman Broderick will meet with Department Heads to review proposed 2017 budgets prior to the Selectmen presenting the overall budget to the Budget Committee.

Town Counsel will be consulted about the eviction process for a town property on Maple Street.

Road Agent Richard St. Hilaire will be requested to look into installation of a generator for the Town Hall.

The Board approved a Department of Safety application for a Utility Dealer License on Route 125.

An application for use of the town beach at Greenwood Pond will be delayed pending input from the Fire Chief.

A Parade Permit for the 2017 Homecoming Parade was signed

An application for Veteran Credits was approved and signed.

The Board reviewed several resident complaints about alleged land use violations. Selectman Broderick has inspected the properties involved.

A resident letter relating to an alleged noise violation on an adjacent private lot was discussed and a response was signed.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was voted to accept the minutes of the August 29, 2016 meeting as printed. Chairman Heitz abstained from the vote.

Adjournment

There being no further business before the Board, the meeting adjourned at 9:22 pm.

Respectfully submitted,

Catherine Grant
Administrative Assistant