

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of October 17, 2016  
MINUTES**

The meeting was called to order at 7:00 pm in the Selectmen's Office of the Kingston Town Hall. In attendance were Chairman Mark Heitz and Selectmen Peter Broderick and George Korn.

**Discussion with Lefevre Drive Resident Concerning Construction Practices**

Joseph Fortin of 6 Lefevre Drive was present to ask the Board about whether the contractor/developer of the Lefevre Drive subdivision is conforming with standard practices in storing stumps and construction debris along the property line of the lot adjacent to him. Mr. Fortin is concerned that the developer has indicated he may leave the debris in that location for as long as ten years, which is a concern for Mr. Fortin's wife and which may present a danger to Mr. Fortin's grandchildren when they're playing in the yard. He asked if the town's engineer is overseeing the subdivision and road construction, and if it's appropriate for the developer to be removing debris from one location to consolidate it on the lot adjoining Mr. Fortin's. Chairman Heitz advised that the Town Engineer reviews development sites to the extent necessary to ensure that construction adheres to the subdivision and road development plans submitted. Mr. Fortin asked why corner monuments aren't required so property owners will know the location of their boundaries. He was advised that monumentation is one of the final steps in completing the subdivision and will be required prior to acceptance of the road, but is generally not done while construction is ongoing.

The Board noted that the issue appears to be a personal dispute between Mr. Fortin and the developer/construction manager. The construction debris is not impinging on Mr. Fortin's lot, and setback standards apply to structures; they aren't required of landscaping features, stumps, etc.

Mr. Fortin addressed the issue of excavation and whether the contractor is violating the provisions of RSA 155-E relating to mining and excavation operations. Selectman Broderick advised that he will contact the liaison for gravel excavation activity at the state to see what is required. He also offered to mediate between Mr. Fortin and the contractor and will contact them to set a time for meetings.

Selectman Broderick advised that both parties to the dispute appear to be acting in perfectly legitimate ways; each has a legal right to do what they're doing on their own properties. It's for the parties involved to somehow reach a resolution of their differences and to stop being concerned with the legal activities being undertaken by one another.

**Administrative Issues**

The Board noted an email from Conservation Commission Chair Evelyn Nathan requesting that it be noted that she was present at the Selectmen's meeting of September 12, 2016, during a discussion with the Southeast Land Trust. She further requested that it be noted that No Trespassing signs discussed during the meeting of August 29, 2016 had been placed adjacent to the Dorre Road Town Forest rather than the Valley Lane Town Forest.

The Board appointed Andrew Silver of the Kingston Fire Department to serve as a Fire Warden for the purpose of issuing permits.

The Board signed a Land Use Change Tax Warrant for a property undergoing development.

The Board regretfully noted that Assunta Ternullo has resigned from her position on the Recreation Commission, and signed an appointment for Beth Ann Scanlon to complete the remainder of that term.

A settlement agreement for a Land Use Violation case was signed and notarized.

The Board reviewed the 2017 Capital Improvements Plan submittal from the Fire Department.

The Board discussed and agreed to hiring of a video broadcaster to broadcast some of the town's public meetings. Broadcasting will resume once the new equipment being purchased has been installed and training has been provided.

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

**MOTION:** Upon motion of Selectman Korn and second of Selectman Broderick, it was unanimously voted to approve the minutes of the October 3, 2016 meeting as printed.

### **Adjournment**

There being no further business before the Board, the meeting adjourned at 8:05 pm.

**Respectfully submitted,**

Catherine Grant  
Administrative Assistant