

Kingston, New Hampshire  
Board of Selectmen  
Meeting of November 6, 2017  
MINUTES

The meeting was called to order at 6:40 PM in the meeting room of the Kingston Town Hall.

PRESENT: Mark Heitz, Chairman; Peter Broderick, George Korn, Selectmen

Selectman Broderick led those present in the Pledge of Allegiance, followed by a moment of silence for shooting victims in Texas.

**Fire Department Building Committee**

Fire Chief Bill Seaman led a presentation of findings of a feasibility study of potential locations for a new fire station. In a power point presentation, he outlined the history of the fire department and its current makeup. The structural deficiencies of the current fire house were discussed, along with the timeline to date of planning for a new structure, which began in 2007.

Initially, five potential sites were explored, including the current location. The parcel at the corner of Wadleigh Point Road and Main Street (Tax Map U5 Lot 62) is the focus of the feasibility study at this time as the most suitable location. In discussion it was noted that this parcel, formerly owned by the Newburyport YWCA, was purchased by the Town "for municipal use" in 2008 upon voter's approval of Article 15. It is a 3.7 acre parcel currently in use by the Recreation department.

Ken Walker, Chairman of the Building Committee, spoke of the work of the feasibility study and introduced Eric Palson and Jason LaCombe of SMP Architecture. Site photos, preliminary site plans, floor plans and placement on the site were shown. Chief Seaman stressed that this was not a completed design, but a "fitting exercise" to see if the site would accommodate the proposed fire house.

The discussion was opened for public comments and questions.

Muriel Ingalls of 100 Main Street said that the Lake Association was grateful to receive a presentation in September and reviewed the information in October. A vote was taken by the Association's Board of Directors, and it was decided that the site is not in the best interest of Kingston Lake and the greater watershed area.

Patricia Keeler of 8 Wadleigh Point Road expressed concern for wildlife if washing of fire engines or other activity causes substances to leach into the lake. She also asked if the sinkhole behind the building site would be filled in as she felt this would also cause runoff into the lake.

Chairman Heitz asked Chief Seaman to address the contamination issues at the current fire house site, and to have the architects answer the question about filling in the depression on the site.

Chief Seaman said that in the past foam PFOA material was used that has since been found to be harmful. Also, oil from the cars and engines went into floor drains. He said the harmful Class B foams have not been used for 15 years, that now environmentally safe foams are used and are contained in a 50 gallon tank on the truck. He said that currently, a floor drain cannot be used unless it drains into a tank that can be removed, and that no vehicle maintenance would be done on the premises. Adding that a fire station is held to higher environmental standards than a home, he did not believe that any risk to the lake would be posed by the new building.

Architect Eric Palson explained that as the sinkhole is in the wetland area, it would not be included as part of the construction site.

Beth Ann Scanlon of 11 Wadleigh Point Road said that the Recreation Commission does a great job and could include more activities at the Wadleigh Road site. She said she is concerned about contamination and feels the location of the fire department there would be detrimental to the lake.

Steven White of 1 Senters Grove Road read from the information about the aquifer that he found on the Kingston Town website. He asked if the Chief could guarantee that nothing will leak into the ground from the proposed fire house. Chief Seaman answered that there are very strict standards governing leaks. If there is a leak, it goes into a floor drain. If there is even a slight drip from an engine, it is serviced. He said that in 28 years he had not seen a serious leak.

A resident of Wadleigh Point Road expressed concern that the road is already narrow and would need to be widened. He also asked about traffic control and traffic lights. Road Agent Rich St. Hillaire reminded him that this is a feasibility study only, so that no engineering has been done and specific questions about a site plan can't be answered at this time. Questioned about when more details will be known, Chief Seaman said that a possible next step is to request funding in a Warrant article to develop building plans to show the building, the tanks, the septic system, drainage and other features. At that time questions can be cleared up.

Kathryn Hobb of 13 Wadleigh Point Road said that a traffic study will be needed as there are already numerous accidents at that corner which she feels will be made worse by fire and emergency vehicles entering and exiting. She also expressed concern that changing natural soils to a hard surface will add to existing drainage problems in the area, and that pushing snow over the bank of the parking area will erode the hill. She said that sand and salt will end up in the wetland.

Chairman Heitz asked about daily activity of the Fire Department. Chief Seaman said that about 75% of the department's activity takes place between 6 AM and 6 PM, and only about 2% occurs after midnight. He said there would be no great influx of traffic

from medical calls, and fire calls bring in fire fighters from all directions. He said he does not see the traffic as a problem as compared to where the station is located now.

John Whittier of Rockrimmon Road said that he likes the station where it is now, and wondered if additional bays could be added and renovations made to the drains and to the upper floor. Chief Seaman answered that this has been looked into, but they were informed that the old station would need to come down and be rebuilt in order to cover current and future needs. He said he feels it would be a mistake to spend 3 to 5 million dollars on a Bandid.

A resident of south Kingston also said she would like to see the building rebuilt on the current site and said she was concerned about what will happen to the current building. She asked again what has been considered aside from Wadleigh Point Road. Chief Seaman said that the matter has been under discussion since 2005 and that money has been set aside since 2008. The Capital Improvement Plan and Master Plan committees have addressed it. The idea of a combined Public Safety complex was rejected by the Police Chief.

Evelyn Nathan, Conservation Commission Chair, said that she was unaware of plans for a new fire house until a month ago. She said her issue is with natural resources, and read excerpts from the Shoreline Protection Ordinance (Article 205). She also read a letter from a hydrologist concerning sampling for high levels of polyflouorocarbons (PFCs). Ms. Nathan said that the existing station has an issue with PFCs contaminating surrounding wells that is still under investigation. She also mentioned the use of foaming agents to wash trucks. She concluded that the Conservation Commission would lean against this placement of a fire house so close to the lake.

Chairman Heitz said that as the building site is placed outside of the shoreland protection buffer area the ordinance will not apply. He also said that as to contaminants, these date back to bad practices of the past, such as using the Type B foam before the problems were understood. Once known, usage was discontinued. He added that another reason not to use the current location is that it is a contaminated site, the Town will need to comply with the State going forward, and it is unknown where that will lead. Mr. Heitz continued that the consideration of the Wadleigh Point Road site goes back to a feasibility study in 2007, which focused on emergency response times. The area was identified as central point in the town, and the potential use for a future fire house was a factor in the decision to purchase the YWCA site. The wording of the Warrant article, "municipal use" was not meant to designate only recreational usage.

Bill Bixby of Wadleigh Point Road said that if the Warrant article had mentioned a Fire Station it would not have passed. Chief Seaman said that there were discussions about the article at the time wherein potential uses were discussed. Beth Ann Scanlon said that she spoke with Roger Clark who apparently started the article with a petition, and said that it was to be for recreational use.

Patricia Gavin of Main Street said that she felt the building should go where there is unused property, such as the old high school.

Captain John Merrill of the Fire Department said that he had been a proponent of keeping the fire station where it is. But after the study was done he was convinced it should be moved, and it should be in the geographic center of town. He said the old high school is farther out. He also said that as to traffic and accident concerns at Wadleigh and Main, the department is well aware as they go through the intersection every day. Chief Seaman added that the old high school is problematic as it is across from the elementary school, and they would be responding in and out of a school zone.

Nancy Birdsall of Wadleigh Point Road added her concern about drainage problems and the addition of hardscape near the lake. She said it is not just the lake, that the Powwow area is connected.

Chairman Heitz thanked the Fire Department for the update and feasibility study. He said that a Selectmen's agenda is posted every Friday and that the discussion will be continued in coming weeks. He said that while this discussion is preliminary, the issue has been going on for a long time. The Wadleigh Point area was identified as best only after five potential locations were analyzed. Mr. Heitz said that if and when the Fire Department goes forward with a proposal, it will be on a ballot for the residents to vote on.

Chief Seaman encouraged residents to look at the Fire Department's Facebook page for information.

Ellen Faulconer, Jericho Drive, said she is aware of the Planning and Zoning regulations involved, and asked if the Town would go through the same stringent process as any other person wishing to build. Chairman Heitz said that he would go to the Planning Board, and that while the Town does not have to adhere to its own regulations, he would like to. He said the Town could apply for waivers like anyone else. Eric Palson said that in his experience, he has never seen a town not comply with its own ordinances. If they tried, the State would not allow it, and civil engineers rely for their licensing on meeting State regulations.

In closing, Selectman Broderick said that the ultimate decision will belong to the Town's residents. He encouraged all to keep abreast of developments going forward and participate in the discussion. Chairman Heitz added that while it is natural to not want changes in one's back yard, if he thought this project would jeopardize Kingston Lake and the town's natural resources, the Board would not even be here.

At this time there was a half hour recess while the hall cleared. The meeting reconvened at 8:40 PM in the Selectmen's office.

#### **Cost Proposal for PFOA Monitoring, Testing and Analysis**

Road Agent Rich St. Hillaire went over the breakdown of testing to be done and associated costs. The total cost will be \$48,300, the bulk of which is for mandated water testing. It was noted that there are time constraints; the Town is currently on an extension of time and the work must be done and sent to the Department of Environmental Services by December 15. Selectman Korn said he did not see that the

Board had any choice but to sign the cost proposal. Chairman Heitz said he would like to take the time to read it over before signing.

#### **Application for FEMA Assistance**

The Road Agent was asked to submit a cost analysis of storm damage and cleanup from the recent wind and rain event to FEMA for funding.

#### **Non-public session**

**MOTION:** On a motion by Selectman Korn, seconded by Selectman Broderick, the Board convened a non-public session at 8:55 PM under the provisions of NH RSA 91-A:3, II (c). Vote to enter non-public session was unanimous.

**PRESENT:** Mark Heitz, Chairman; Peter Broderick and George Korn, Selectmen.

**MOTION:** Motion to leave non-public session and reconvene in public session was made by Chairman Mark Heitz, seconded by Selectman Broderick and voted unanimously. Public session reconvened at 9:15 PM.

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

#### **Administrative Issues**

The Selectmen signed an application for a Veteran's property tax exemption to be effective in 2018.

The Selectmen signed an Elderly property tax exemption to be effective in 2018.

The Selectmen approved and signed an appointment form for David Joy to serve on the Conservation Commission.

Correspondence was reviewed by the Board, including a letter from Waste Management regarding their proposal for contract renewal with the Town. Waste Management will call to be placed on an upcoming agenda.

#### **Adjournment**

There being no further business before the Board, the meeting adjourned at 9:30 PM.

Respectfully submitted,  
Susan Ayer