

Kingston, New Hampshire  
Board of Selectmen  
Meeting of April 30, 2018  
MINUTES- DRAFT

**PRESENT:** Phillip Coombs, Kevin St. James and Donald Briggs, Jr., Selectmen.

**ABSENT:** Mark Heitz, Chairman; George Korn, Selectman

Keven St. James as acting Chairman for the evening, called the meeting to order at 6:30 PM.

The meeting began in Non-Public session in order to meet with Counsel. Town's Attorney Sumner Kalman was present to discuss a legal issue.

At 7:23 PM, the meeting was opened to the public, with apologies for the late opening.

**PUBLIC HEARING: Barn Preservation Easement Applications**

Selectman St. James introduced the topic by reading from RSA 79-D:2, which defines "discretionary preservation easement" as "a preservation easement of an historic agricultural structure, including the land necessary for the function of the building, granted to a city or town for a term of 10 or more years." Definition of "historic agricultural structure" per 79-D2 is "a barn or other structure....currently or formerly used for agricultural purposes..." Selectman St. James noted that to be considered historic, the barn needs to be at least 75 years old.

**172 Main Street**

Property owner Jim Zotz addressed the Board, noting that Board members had toured his barn on April 23. He said that his house was built in 1848 and understands that the barn was there well before the house, documentation showing that it was built in the 1700's, 8 years after the Declaration of Independence was signed. Mr. Zotz said that he has been in touch with the Historical Society, and knowing the age of the building, has been careful to keep it as-is.

Selectman St. James said that a decision on the easement will not be made tonight, as a full board is not present. Applicants will be notified of a decision within 60 days of the application, as required.

**22 Cheney Road**

Virginia Morse, of 188 Main Street and Chair of the Historic District Commission, spoke for property owner Stanley Shalett, who was not able to attend. She said that this is a small barn, and not in the Historic District, but believes that it is eligible for easement. She said the New Hampshire Preservation Alliance is concerned that the towns pay attention to the intent of RSA 79-D. She said that the goal is to preserve agricultural history by restoring such barns. Ms. Morse said that Mr. Shalett has had the barn appraised by Emanuel Engineering (copies of this report were shared with the Board and are available to all interested) and is aware that there is work to be done. He plans

to continue with structural work that should be done to preserve the barn in keeping with its original style.

Selectman Coombs said that his understanding from Mr. Shalett's application letter is that the barn burned and was rebuilt in 1944. Ms. Morse said that this is news to her, and she will check with the Preservation Alliance to see if the building still qualifies since it sits on the same foundation.

Public comment in favor of preserving barns in general and these two in particular was shared by Debra Powers of the Heritage Commission (who had also written a letter in support of Mr. Shalett's application) and Glenn Coppelman of 108 Exeter Road. Mr. Coppelman noted that he has a preservation easement on his own barn, and that they are issued for a 10-year period, which can be renewed. Mr. Coppelman shared some contact information for people at the Division of Historical Resources and Preservation Alliance that might help with the questions of eligibility.

Selectman St. James said that the Selectmen have the option of placing the assessment reduction at between 25% and 75% of the current value of the barn, if the easement is approved.

There being no further comment or questions, Selectman St. James made a **MOTION** to close the public hearing, at 7:45 pm.

**SECOND:** by Selectman Coombs, approved by all.

#### **Abatement Application Denial**

Nancy Pratt of 154B Main Street explained to the Board that she was here to discuss her Abatement request, which was denied by the Selectmen on April 2. She said that after a meeting with the Assessor at her property in the summer of 2017, she had been under the impression that the Assessor agreed that her property was over-assessed. She said that he had reduced the condition for the garage from "good" to "fair" but that she had received no abatement, as she had hoped to receive for both 2017 and 2018.

After some discussion of the property, its condition and possible use, the Selectmen agreed to check with the Assessor on the details of his recommendation to deny this abatement request. Ms. Pratt will be contacted with an answer within 2 weeks.

#### **Group Interested in Purchase of Town-Owned Land**

No one appeared to discuss this topic.

#### **OLD BUSINESS**

##### **Use of Magnusson Field by Seacoast United**

Selectman St. James said that he had spoken with Road Agent Rich St. Hilaire regarding use of the ball field by Seacoast United, which is a for-profit company. He said they have not been charged for the use of the field for the past 5 years, as they have not been invoiced. They have already played on the field one time this year, although the Facilities Use Permit is not yet signed, pending answers to these questions. Selectman St. James will contact Seacoast United about payment.

### **57 Exeter Road Land for Sale**

Ernest Landry of 17 Thorne Road and Friends of Kingston Open Space (FOKOS) gave an update on progress made on the matter of land that the Board has authorized FOKOS to gather information on, to possibly purchase in the future together with the Town of East Kingston (the land is partially in East Kingston). There is agreement on shared payment for an appraisal and the group is now seeking a qualified appraiser. Mr. Landry said that once the appraisal is done, the Town may approach Southeast Land Trust to put forward a proposal to purchase the property, and also to seek out grants. He said grants may also be available to pay part of the cost of the appraisal. He said there is a short time frame in order to get this done, and asked the Board if they are interested in having him pursue this.

Selectman St. James said that the appraisal needs to show the value of each town's portion of the land so that figures are known when it is time to negotiate terms.

**MOTION:** by Selectman Briggs to authorize FOKOS to seek a grant on behalf of the Town of Kingston to offset the cost of appraisal of 57 Exeter Road.

**SECOND:** by Selectman Coombs, approved by all.

### **Well Easement for Senior Housing Development**

Well Easement Agreement and Settlement Statement documents have been received from Panciocco Law for signatures in anticipation of a closing on the sale of the easement, set to take place on May 4, 2018. The Board signed the documents and will send to the title company, pending review by Town Counsel.

Also related to the Senior Housing project, a pre-construction meeting has been set with All American Assisted Living personnel, for May 22 at 10:00 AM.

### **CORRESPONDENCE**

- Two complaints regarding code enforcement issues were reviewed. One was not signed; Selectman St. James commented that the Board cannot consider an anonymous complaint.
- A letter expressing concerns about Kingston Days was reviewed.
- Waste Management has sent information about changes to the recycling program due to new restrictions to what is accepted by China. New posters provided will be put on the Town's website.

### **PUBLIC COMMENT**

Muriel Ingalls of 100 Main Street asked about progress on forming the Fire Station committee. Selectmen informed her that they are in the process of looking through the eleven letters of interest in order to choose 6. A board of eleven members will be formed, to include three firemen, one Selectman and the Road Agent.

Jim Edwards of 31 Wadleigh Point Road asked why three firemen are to be included. Selectmen Coombs said that representatives of the Fire Department would be able to address technical aspects of the new building and its placement, and that as there are different roles within the Fire Department, more than one person would be helpful in answering questions.

Carol Croteau said that after a Budget Committee meeting, a person in a wheel chair used the Town Hall lift and had difficulty keeping the door open to get out. She asked the Selectmen to consider looking into a push plate in the lift for opening the door. Selectman Coombs said that the Board had discussed this and that if the door takes anything under 7 pounds of pressure to open, it does not require a push plate to be ADA compliant. Ms. Croteau said that it was not so much about opening the door as it was to keeping it open to get out, and that this person needed help to do so, which is a matter of independence.

Jim Serrell of 25 Great Pond Road asked for feedback about the Fire Station Committee, wanting to know what weight decisions of the committee will have, and also how disagreements within the committee will be resolved. Selectman Coombs said that there will be 11 members so that there will be a tiebreaker to any vote, decisions being made by a simple majority. As to impact, it was stated that the Selectmen will rely heavily upon the findings of the committee.

### **Adjournment**

There being no further business before the Board, the meeting adjourned at 8:40 PM.  
(**MOTION:** Selectman St. James; **SECOND:** Selectman Briggs, unanimous)

Respectfully submitted,

Susan Ayer  
Administrative Assistant