

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of April 1, 2013  
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 of Interest Forgiveness Authority**

The Board reviewed a memorandum from Tax Collector Melissa Fowler relating to the authority to forgive interest accrued on property taxes. Typically local Tax Collectors are authorized to write off small amounts of interest, such as amounts accrued due to mail delays or for other routine causes. The Board agreed that the amount of \$5.00 in interest may be forgiven without further authorization of the Board, for just cause.

**Health Officer Updates**

Selectman Broderick, who also serves as the Health Officer, discussed with the Board certain violations observed at a Little River Road property. There is a question as to whether a Notice of Violations has already been mailed to the property owner. The Board suggested that a Notice be sent by certified mail allowing a 30-day period during which the owner can correct the violations.

Selectman Broderick also reported that he had called the Department of Environmental Services to accompany him on inspection of a Route 125 business that was discharging runoff. It was determined that there is no violation as long as the discharge doesn't extend beyond the property's boundaries.

**Highway Department Updates**

Road Agent Richard St.Hilaire discussed with the Board bids he'd received for purchase of a new backhoe. Of the four bids received, a Caterpillar Model 430 at \$103,000.00 and a John Deere Model 410 at \$107,000.00 are the preferable machines due to their larger size. The Caterpillar bid offers a \$600.00 higher trade-in for the town's present machine in addition to having the lower price. Forks, a 24" ditching bucket in back and the loader bucket all are included in the bid, along with an extended warranty. Upon Mr. St. Hilaire's recommendation, the Board agreed that the Caterpillar bid will be accepted.

A quotation for assistance with the new MS4 permitting requirements from GeoInsight Environmental Engineering was reviewed. The Board requested that Mr. St. Hilaire ask if the initial permitting requirements can be contracted, with future requirements being considered at a later date. It's hoped that some of the testing, monitoring and reporting requirements can be done in-house to make the process less costly. Chairman Heitz will try to attend an informational meeting on the new requirements to be held on April 2, 2013 in Manchester.

Quotes for a new Bobcat mower were reviewed. Mr. St. Hilaire advised that the mower will be additional to the present mower, to allow the buildings maintenance crew to spend only one or two days mowing each week during the summer. With only one mower, one of the two employees has been dedicated to mowing nearly every weekday during the summer months.

**Resident Discussion of Building Proposal**

Ryan Denver of Small Pox Road was present, along with Joe Wilson, the original developer of Mr. Denver's subdivision, to discuss with the Board the intent to construct a garage on the site of Mr. Denver's existing home. One of the issues to be addressed is the proposed height of the

building, which exceeds the allowable 30'. It was agreed that neither the Building Inspector nor the Board has authority to waive the restriction and that Mr. Denver will have to redesign the building or apply to the Zoning Board of Adjustment for a Variance. The other issue stems from the fact that Mr. Denver had planned to install a separate septic system for the new building rather than tie in to the system used for the house. There is to be a half bath in the garage and the initial design had included in the building's upper level a kitchen area and family room area. Selectman Broderick explained that, as Health Officer, he felt the town's position allowing only one dwelling unit per lot to be better protected if there were only the existing septic system into which both buildings would be tied. Mr. Denver explained that to tie the new garage into the existing system - which is far removed from the new building site on his 7.5 Acre property - he would have to dig up all of the landscaping he's invested in around the house. He has already had design plans drawn up for the new septic system, based on Mr. Broderick's advice to go ahead with them. He has provided the town with a letter advising that he has no intention of occupying the new building as living space nor does he intend ever to allow anyone to occupy the new building.

Following discussion, in their capacity as the Board of Health, it was agreed by Selectmen Heitz and Korn that Mr. Denver will be permitted to install a second septic system on his property and to tie the new garage into the new system, with the understanding that the garage is never to be used as living space. Chairman Heitz reminded Mr. Denver that the new building either will have to meet the town's height restrictions or he will have to seek a Variance to those restrictions from the Zoning Board of Adjustment. It also was noted that, because there is no provision for fire suppression in the development, the new building will need to have a sprinkler system installed.

#### **Acceptance of Donations on Behalf of Library Trustees**

**MOTION:** Upon motion of Selectman Korn and second of Selectman Broderick, it was unanimously voted to accept on behalf of the Library Trustees donated items having an estimated value of \$260.00.

#### **Acceptance of Proposed Default Town Budget**

The Board initialed copies of the proposed default budget provided by the Finance Officer for their review to indicate their acceptance of those budget numbers.

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

**MOTION:** Upon motion of Selectman Korn and second of Selectman Broderick, it was voted to accept the minutes of the March 25, 2013 meeting with the following amendment: On page 2, under the heading "Highway and Buildings Maintenance Discussion", add to the last line of paragraph 1 the words, "if approved to do so". Chairman Heitz abstained from the vote.

#### **Adjournment**

There being no further business before the Board, the meeting adjourned at 8:55 pm and the Selectmen retired to address administrative issues.

Respectfully submitted,  
Catherine Grant  
Administrative Assistant