

**Kingston, New Hampshire
Board of Selectmen
Meeting of March 10, 2014
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.

Public Hearing on Application for Special Events

Chairman Heitz opened a public hearing for the purpose of reviewing and considering an application for a Special Events Permit for two proposed musical benefit events to be held in July and September of this year, on property owned by George and Yvette Kuzirian at 60 Depot Road. As well as the Board and Mrs. Kuzirian, Police Chief Don Briggs and Fire Chief Bill Seaman and an abutting property owner were present.

Chairman Heitz thanked Mrs. Kuzirian for coming and explained that the Board is concerned about the permitting of the events because of injuries that had occurred and complaints that had been received during prior, similar events at this location. He advised that while the statute doesn't allow the Board to prohibit activity of this sort on private property, it does provide the Board with a means to regulate events for public health and safety. He then read aloud the permit application and an initial letter received from Mrs. Kuzirian. The events are to be Country/Blue Grass musical presentations, with a bon fire to follow. Up to 500 spectators and 20 staff are expected to attend and other activities will be held on the site (such as a truck event).

Discussion was held about past injuries sustained at the event, the last of which was held in 2011. Mrs. Kuzirian advised that there were injuries in 2011 and that she intends to have an on-site EMT for the events this year. To a question from Chairman Heitz about liquor, Mrs. Kuzirian advised that she doesn't provide liquor but spectators are allowed to bring their own. She also noted that she has received no complaints about previous events from neighbors other than from Ed Conant. Mr. Conant advised that he has no objection to the music aspect of the events, although a truck event held on the property at the same time is excessively loud. A copy of the town's noise ordinance and standards was provided to Mrs. Kuzirian.

Police Chief Briggs spoke about potential liability to the Kuzirians, noting that he had spent substantial time with an investigator concerning a serious injury sustained by a participant at the 2011 event. Chief Seaman noted that he also had been visited on several occasions by investigators and had provided information to them. Mrs. Kuzirian noted that, while investigations had been undertaken, there has been no claim for damages filed and the 3-year window for filing such a claim is nearly over. She intends to obtain a rider to her insurance policy for the events this year.

Fire Chief Bill Seaman advised that there were three transports of injured participants from the 2011 event and that one of the town's ambulances was effectively tied up all day, although one of the transports was handled by East Kingston. Discussion was held concerning the fact that one of the injuries had been a dog bite that should have been immediately reported to the Police to ensure that proper licensing and vaccination records were on file. Additionally, one of the transports has never been paid for, so taxpayers have incurred an approximate \$900.00 expense.

Chairman Heitz suggested that a second public hearing be arranged, to which abutting property owners will be invited. At a minimum, he sees as conditions to issuance of a permit for the events:

- Requirement of a bond to cover expenses incurred by the town

- Some substantiation that there are no lawsuits pending from prior events
- A comprehensive plan to handle medical emergencies that may occur, possibly including an on-site EMT and ambulance
- A much stronger plan for traffic control and on-site security than has been implemented in the past
- A plan to ensure that drivers under the influence are not exiting the property onto town or state roads
- A plan to provide a sufficient number of portable toilets

In addition to those conditions, it's very possible that Town Counsel's advice to prohibit alcohol at the events will become a condition, based on past problems with the events and the feeling that many of them have been alcohol related.

Chairman Heitz stressed that the town intends to limit its exposure to potential liability by making the events as safe for participants and the general public as possible. He intends to speak with the Planning Board to see if, because the Kuzirians have been holding these events somewhat regularly, the property should be subject to site plan review. Another hearing on the application will be held on April 14, 2014, at 7:00 at the Kingston Town Hall.

Chairman Heitz closed the hearing at 7:50 pm.

Acceptance of Donated Items on Behalf of the Library Trustees

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, it was unanimously voted to accept on behalf of the Library Trustees \$664.12 in donations of private property.

Administrative Issues

Appointments were made of Paul Blais and Amanda Moulaison to the Conservation Commission and of Charlotte Boutin to the Historic District Commission.

A Notice of Violation to a property owner at 89 Route 125 was reviewed and signed.

Application to use the Swasey Gymnasium for the September Primary and November General Election were signed.

A report from the Plaistow Town Planner about a possible disposal violation at a property that extends into Kingston was reviewed. Copies of the report have been provided to the Building Inspector and Planning Board, and as more information becomes available, the issue will be addressed.

Town Clerk Melissa Fowler, Police Chief Don Briggs and Road Agent Rich St. Hilaire discussed the issue of traffic at the Swasey Gymnasium during local elections. It was agreed that the Charter School will be requested to advise parents of a one-way traffic pattern for drop-off and pick-up of students on Election Day in order to minimize congestion.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick it was unanimously voted to accept the minutes of the March 3, 2014 meeting as printed.

Adjournment

There being no further business before the Board, the meeting adjourned at 8:03 pm.

**Respectfully submitted,
Catherine Grant
Administrative Assistant**