

**Kingston, New Hampshire
Board of Selectmen
Meeting of April 21, 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 Selectman Peter Broderick.

Discussion of Property Owner Building Permit Status

Rob Waters and two of his associates from the firm of Berkshire-Dominion Holdings were present at the request of the Board to discuss work being done on a mixed use property located at 92 Route 125. Two building permit applications had been filed with the Building Inspector - on February 24, 2014 and on March 20, 2014 - but neither has been issued because the Planning Board is awaiting information from the property owners about their intentions concerning the commercial aspect of the property. Mr. Waters advised that the work being done is installation of a roof beam considered necessary for the structural integrity of the building, and installation of a handicapped accessible bathroom. Additional work being done on the house that also is on the lot is only interior work, necessary because the house was gutted some years ago. He advised that he hasn't firmed up plans for the commercial use of the property, although he has engaged a firm to prepare a site plan.

Mr. Heitz advised that when town officials had noticed workers on the property in February, 2014 a Notice of Violation citing Article 301.2.A of the Ordinance had been sent and the workers as well as one of the property owner's associates had been verbally advised to cease work. Subsequent to that time, work had continued to be done on the structures and that work has been photographically and anecdotally documented by town officials. He advised that all construction requires that a building permit be obtained prior to beginning work. Selectman Broderick, who also serves as the Health Officer, noted that demolition work had been done on the commercial structure without a permit, and that he and the state Department of Environmental Services Air Quality Bureau still are waiting for receipts indicating to what location the demolition debris had been transported. Mr. Waters advised that he will provide those receipts. He also produced copies of letters he indicated had been provided to the Planning Board in February and March, requesting that the Board allow permits to be issued for the beam as well as for some electrical work and replacement of the bathrooms. He noted in the letters and to the Board that none of the proposed work is geared toward a change in the use of the property and should therefore be allowable before the site plan process is undertaken.

Chairman Heitz noted that having filed an application or having written to the Planning Board doesn't constitute having received a permit. He suggested that should Mr. Waters have believed the permitting process to be taking too long he had the option to approach the Board of Selectmen. He did not however, have the option to begin work without permits or to continue work once he'd received a Notice of Violation. He agreed with Mr. Waters that the limited work being proposed now - the replacement of bathrooms, installation of the roof beam and repair of roof leaks, electrical work and interior work on the house - all likely can be done prior to obtaining site plan approval since none of that work necessarily indicates a change in use. He asked if Mr. Waters is clear about the fact that continuing non-compliance with the town's Ordinances will result in the town undertaking to collect fines of up to \$275.00 per day for each day of non-compliance. Mr. Waters stated that he understands that. He apologized for the miscommunications and misunderstandings and stated that he would see the Building Inspector the following morning to get the necessary permits. Selectman Broderick will speak with the Building Inspector to advise him of the Board's discussion with Mr. Waters.

Chairman Heitz cautioned Mr. Waters that certain levels of renovation sometimes can trigger having to bring the entire property up to current code, including ADA and NFPA codes as well as building and energy codes.

Highway Department Discussion

Road Agent Richard St. Hilaire advised that the bridge leading from Country Pond Road in Newton to Wilders Grove Road in Newton - the only access for residents of Concannon Road in Kingston - is due to be posted by the state for a maximum weight of 18 tons. Fire and emergency response vehicles still will be able to travel on the bridge, but the Waste Management trucks used in Kingston will be too heavy. Waste Management will be contacted and asked if they can arrange for smaller vehicles to service that section of town.

Amendment to Finance Policy

MOTION: Upon motion of Selectman Broderick and second of Chairman Heitz, and In response to a suggestion by the town's finance officer, it was agreed that the maximum amount of departmental purchases to be allowable without the prior approval of the Board via a signed purchase order will be increased from \$500.00 to \$1,000.00, and that the maximum amount of an emergency purchase that can be approved by the verbal authorization of a single Selectman will be increased to \$3,000.00. The two changes are to be effective retroactive to January 1, 2014.

Administrative Issues

An Intent to Cut for Tax Map R39, Lot 12 was signed

A permit for a musical event to be held on private property in July was reviewed and will be held pending receipt of payments conditional to the permit.

An Elderly Exemption application was reviewed and approved.

An appointment of Steve Farnum to a term of 3 years as an Alternate Library Trustee was signed.

It was agreed that a property owner on Whipple Spring Road may arrange for removal of six pine trees from town property adjacent to his, at no expense or risk to the town. An Agreement will be drafted and proof of insurance will be provided.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Broderick and second of Selectman Heitz it was voted to accept the minutes of the April 14, 2014 meeting as printed.

Adjournment

There being no further business before the Board, the meeting adjourned at 8:19 pm.

**Respectfully submitted,
Catherine Grant
Administrative Assistant**