

Kingston, New Hampshire  
Board of Selectmen  
Meeting of May 29, 2018  
MINUTES - FINAL

The meeting was called to order at 8:34 AM in the Meeting Room at the Kingston Town Hall.

**PRESENT:** Mark Heitz, Chairman; Kevin St. James, Phillip A. Coombs and Donald Briggs, Jr., Selectmen.

**ABSENT:** George Korn, Selectman

**PUBLIC COMMENT**

**Parking in Beach Access Area, Maple Street**

Several residents of Maple Street were in attendance to discuss the issue of parking in the beach right-of-way. They were unhappy that “no parking” signs had been placed there but that the one “junked” car had still not been towed. They said that one neighbor has a caretaker that parks there, and that they park there periodically, but not overnight.

Selectman Briggs said that he had done research on the unregistered car and found that the same owner had parked a junk car there two years ago. The recent complaint that came to the Selectmen noted “unregistered cars stored continuously”, “cars parked overnight consistently” and “access blocked on right of way”. Selectman Briggs said that this complaint has caused a new set of issues; he has learned that numerous residents use the area for temporary parking and had heard from the woman whose caretaker comes and has no place to park now.

Chairman Heitz said that the property is meant to be usable for everyone for access to the lake and asked why there is a need to park there rather than on their own property. The residents said that they only use it for overflow at times, one saying that they currently have three cars but only parking space for two. Chairman Heitz said that it is no different than needing to park on one’s own property in the wintertime, or not being allowed to park in other areas that need to be kept passable.

There was a discussion of the property itself with input from Road Agent Rich St. Hilaire, who said that the beach access area is technically no-man’s land, as it is not deeded to the Town and no one pays taxes on it. He said the Town plows the road and uses the access area to dump snow from the neighborhood. He said there is no neighborhood association anymore.

There was a lengthy discussion of the “no parking” signs and options such as “no overnight parking”, parking on alternate sides, or parking only within certain hours. Mr. St. Hilaire questioned how enforceable some of the options might be.

It was agreed that the junk car needs to be removed, either by the owner (who has been notified) or by having it towed at the owner’s expense.

Chairman Heitz, after a discussion of how to proceed, said that now there has been abuse of the situation and a complaint has been received, the Town has had to get involved, resulting in the signs. He said that unless anyone comes forward with a deed showing the right to use the right-of-way, no one will be allowed to park there.

## **OLD BUSINESS**

### **Recreation Center Fence**

Mr. St. Hilaire asked the Selectmen the reason why a purchase order for fencing at the Recreation Center was not approved at the last meeting. There was a discussion of what the purpose of the fence is; it is meant to box in the beach area so that the children at the camp can be contained and supervised. Residents still have access via gates and there is a 12' gate for emergency or maintenance access. The Selectmen agreed to sign the purchase order.

### **Memorial Day**

Selectman St. James thanked Mr. St. Hilaire for his work, saying the Town looked good for the parade.

## **COMMITTEE REPORTS**

### **Planning Board - Selectman Coombs**

Selectman Coombs reported that there is a question about where the curb cuts for entrances should be for the Bresnahan Moving and Storage facility planned for 7 Marshall Road (Map R41 Lot 7-2). The applicant and the Planning Board would both prefer the main entrance to be off of Route 107, with a second entrance onto Route 125. It is requested that the Selectmen write a letter to the NH Department of Transportation to request that there be an entrance onto Route 107.

**MOTION:** by Selectman St. James, to send a letter to the NH DOT recommending an access point for the Bresnahan Moving and Storage facility off of State Route 107.

**SECOND:** by Selectman Coombs

There was a discussion of the background of the property and a problem concerning the Bureau of Right-Of-Way due to prior configuration of the highway. For this reason, a letter from the Town was suggested to help resolve the issue.

**ALL IN FAVOR**

### **NH DOT - Corridor Study**

On a related topic, Selectman Briggs noted that work was done over the course of several years on a Corridor study to create the State's Ten Year Transportation Improvement Plan for 2015 through 2024. He said that in November the NH DOT changed the entire plan to restrict access on Route 125, and suggested the Board should send a letter requesting that the Town be informed of any changes to the original plan.

**MOTION:** by Selectman St. James, to send a letter to the NH DOT referencing changes that have been made and requesting that the Town be notified whenever any changes are made to the Ten Year Transportation Improvement Plan.

**SECOND:** by Selectman Briggs

**ALL IN FAVOR**

## **HIGHWAY**

### **Road Agent**

Mr. St. Hilaire said he would like the Board to begin discussing plans for when he retires, noting that while he has no immediate plans to retire, health issues could push the issue. Either way, he suggested that the Road Agent position should be changed from elected to appointed in anticipation of finding a suitable replacement.

It was noted that Mr. St. Hilaire liked being elected and opposed a prior Warrant Article that would have changed it to appointed, but is in favor now. He said the job has become more complex over the years and that the Selectmen would want to interview and select a qualified person.

This was taken under consideration.

## **FIRE DEPARTMENT BUILDING COMMITTEE**

### **Update -Fire Chief Bill Seaman**

Chief Seaman noted that minutes of the first meeting of the committee are available and gave the Selectmen a quick update on progress. He said that there is discussion of holding every other meeting at the Town Hall so that it can be televised; the next meeting is at the Fire House at 6:00 PM.

Chief Seaman also noted that one member, Kurt Baitz, has had to resign due to time constraints.

Later in the meeting there was a review of candidates for the committee.

**MOTION:** By Selectman St. James to appoint Charles Hart to the Fire Station Building Committee should he accept, to replace Kurt Baitz.

**SECOND:** By Selectman Coombs

**Approved by all.**

## **MEETING MINUTES**

**MOTION:** By Selectman St. James to accept the non-public minutes of May 14, 2018, as written.

**SECOND:** By Selectman Coombs

**Approved by all.**

**MOTION:** By Selectman St. James to accept the minutes of May 22, 2018, as written.

**SECOND:** By Selectman Coombs

**Approved by all.**

## **CORRESPONDENCE**

### **Complaint - Noise Ordinance**

A complaint has been received from a neighbor of Fremont Pizza alleging that a delivery truck makes loud noises every morning around 3:00 AM, and also that the workers can be heard talking outside after closing around 10:00. It was agreed that Selectman Briggs would look into this.

### **Response from Hawks Ridge to Notice of Violation**

A letter of response has been received from Hawks Ridge of South Kingston, LLC to the Notice of Violation sent by the Town for non-compliance to the Site Plan at the Granite Fields Condominium work site. It was agreed to have Town Engineer Dennis Quintal

look at the letter and go out to verify any changes made, and then to forward the letter and Mr. Quintal's findings to Town Attorney Sumner Kalman.

## **DISCRETIONARY HISTORIC BARN EASEMENTS**

### **Decisions: 22 Cheney Road and 172 Main Street**

**MOTION:** By Selectman St. James to grant a Discretionary Preservation Easement to the barn located at 172 Main Street (Map U10 Lot 24) at the rate of 25% of the assessment.

**SECOND:** By Selectman Coombs

There was a discussion of how to assign the percentage of the easement; Selectman Coombs said that the intention is to assign the maximum relief, and Selectman St. James said he would like it to mirror what was granted to 156 Main Street. It was understood that by setting the condition of the barn at 25%, abatement of the actual value would be 75%.

Upon further discussion, Selectman St. James amended his motion to read, "to grant a Discretionary Preservation Easement to the barn and the land necessary for its function, located at 172 Main Street (Map U10 Lot 24), at the rate of 25% of the assessment, for a term of 10 years, renewable at the end of the term."

**Approved by all.**

**MOTION:** By Selectman St. James to grant a Discretionary Preservation Easement to the barn located at 22 Cheney Road (Map R23 Lot 56) at the rate of 50% of the assessment.

**SECOND:** There was no second.

There was a discussion of the relative merits of the two barns. Reasons for not granting the easement to the Cheney Road property were that it did not sufficiently meet the requirements of Section 79-D:3 to be considered to provide a demonstrated public benefit. It was agreed that the structure at 172 Main Street met the requirements.

### **Non-Public Session**

**MOTION:** Upon motion of Chairman Heitz, **SECOND** of Selectman St. James, it was decided unanimously by roll call vote to adjourn to Non-Public session under the provisions of NH RSA 91-A:3, II (a): "The dismissal, promotion, or compensation of any public employee...", in order to discuss the Health Officer position. The Board adjourned at 10:05 AM.

**MOTION:** Upon motion of Selectman St James, **SECOND** of Selectman Briggs, it was decided unanimously by roll call vote to return to public session at 10:40 AM.

**MOTION:** By Chairman Heitz to pay the Health Officer a stipend of \$300 per week plus mileage.

**SECOND:** By Selectman St. James

**VOTE:** In favor: Heitz, Briggs, St. James

Opposed: Coombs

**MOTION:** by Selectman Briggs to adjourn, at 10:41 AM.

**SECOND:** by Selectman St. James  
**All in favor.**

Respectfully submitted,  
Susan Ayer  
Administrative Assistant