

**Kingston, New Hampshire
Board of Selectmen
Meeting of November 9, 2020
FINAL MINUTES**

The meeting was called to order at 6:27 PM in the Meeting Room at the Town Hall.

PRESENT: Phillip Coombs, Chair; Donald Briggs, Vice Chair; Kevin St. James, Electra Alessio, Richard Wilson, Select Board Members.

BOARD BUSINESS:

The Board reviewed their 2021 budget numbers. Several lines were adjusted in advance of the Board's meeting with the Budget Committee, which is set for December 2.

APPOINTMENTS:

Charles Hannagan re: Building Permit Request for 2 Ann Hannagan Lane

Mr. Hannagan reviewed his efforts over the years to be allowed to build a house on the remaining lot of land he owns in Kingston. He said he would like to come back to Kingston but the lot has been designated as unbuildable wetlands. Mr. Hannagan maintained that there is sufficient dry land for a house; he referred to several documents he had submitted for the discussion.

Chairman Coombs referred to minutes from a Planning Board meeting of 2007, which show Mr. Hannagan was told then that he needs to produce documentation that the lot is buildable. Mr. Hannagan argued that there is a small amount of dry land he could use and that he had hired a soil scientist who had drawn up a plan. He compared his proposed building to large projects such as the All American Assisted Living, saying his impact would be much smaller.

There was a lengthy conversation in which the Chairman pointed out that this had all been discussed at a prior meeting, and that the plan Mr. Hannagan is referring to does not have the requisite details or stamps. He added that even if a stamped plan was available right now, it would need to be reviewed by the Building Inspector and Town Engineer before being approved by this board. In conclusion, all five Board members agreed that until there is a stamped plan from a soil scientist showing 60,000 square feet that is buildable, nothing more can be done. It was noted that if a reasonably sized dry area under 60,000 square feet could be identified, Mr. Hannagan could then go to the Zoning Board of Adjustment to request a variance.

Town Clerk: Recognition of Election workers

Town Clerk Tammy Bakie said that she wanted to thank the Select Board members for their participation in the election. She said she thought it went very well, and would like a letter of recognition to go out to the ballot clerks and Supervisors of the Checklist for their work.

The Board commended the Clerk and her staff and all elections workers for a job well done. Selectman St. James mentioned that there were over 1,000 absentee ballots cast.

Tax bills mailed

Ms. Bakie said she had received the tax warrant for the second half tax collection and the bills have been mailed out.

Later in the meeting, Selectman St. James announced the decision made by the Board (at a Special Meeting) to apply the maximum fund balance allowed within Department of Revenue Administration standards to offset the tax burden. \$840,000 was taken from fund balance; the Town tax rate will be \$3.88 per thousand and the overall tax rate for 2020 is \$20.88 per thousand.

James Dufresne: Hawks Ridge Development - Request for Release of Cease and Desist Order

James Dufresne and Mark Viens were present to talk about progress at the Hawks Ridge condominium housing development. Mr. Dufresne said that he had sent in a request that the Board release the Cease and Desist order that had been put in place in November of 2018. He said that since that time, he had brought in Mr. Viens to assist in making changes to bring the site into conformance with the original site plan. Mr. Viens described work already done, including driveway culverts. Mr. Dufresne said that a lot of progress has been made with the drainage issues and he hoped to be allowed foundation permits for 2, 33 and 34 Bent Grass Circle, and for 30 and 31 Mulligan Way.

An email from Town Engineer Dennis Quintal was read, in which he said he has not written a report for this meeting, since he did not have plans for changes submitted for his review. He said that at this time he does not know how significant the changes will be, or if they will trigger an amended site plan.

Selectman St. James said that the Board has been waiting for 2 years for an amended site plan in order that the Cease and Desist could be lifted. Mr. Viens said that they are working to the original plan. In discussion it was learned that at Mr. Dufresne's request, SEC Surveying is working to put together a comprehensive roadway drainage design. In an email, engineer Charlie Zilch has suggested a Technical Review Committee be convened in order to expedite the process and limit the number of Planning Board meetings necessary.

Selectman Wilson said he would like to talk with the Town Engineer before allowing any building. Chairman Coombs said that it is not a problem if they are working to the original site plan, but that the drainage affects future houses. Asked if an amended site plan is to be submitted to the Planning Board, Mr. Dufresne said that they will be doing this, and the Technical Review Committee is to work out details ahead of time. Chairman Coombs mentioned that the Building Inspector had brought up the issue of house numbering, and that one house was built across the street from where it was on the plan, and that numbers had been switched.

MOTION: by Selectman St. James, that the Chairman or his designee call Dennis Quintal regarding the status of the Hawks Ridge Cease and Desist, and ask for his recommendation.

SECOND: Selectwoman Alessio

All in favor.

Mr. Dufresne was invited to come to the next meeting for an update.

PUBLIC COMMENT I: None heard

OLD BUSINESS:

Timber Intents: Wily Fox Update

Upon research, it had been learned that William Newman, the owner of the property on Wily Fox Road for which a timber intent had been signed, will need to submit a new Forest Management Plan before harvesting any timber as the land is part of a conservation easement. This has been conveyed to Mr. Newman and his logger. The Intent to Cut has been signed and submitted to the DRA.

Road Agent Rich St. Hilaire brought printed information and went over the process followed to submit and approve an Intent to Cut timber. He said that the Intent is a tax form, meant to inform the state that a cut will take place that will generate a tax bill. He said that the Board of Selectmen must sign it within 30 days, unless certain specific requirements are not met. He said if it is filled out fully and correctly, signed by the owner, and if the land is not in designated as Current Use Unproductive category, the Selectmen must sign and submit. However, as soon as an Intent is received, it should be reviewed by the Conservation Commission and the Road Agent to identify any local issues.

Paving in Progress

Mr. St. Hilaire said that road paving is finished as of today, but the shoulder gravel needs to be done next. He said this is usually done by the same company, but it was not included in the contract with Pike. The cost will be \$21,000. Selectman Briggs said that the shoulders need to be completed as soon as possible as they are dangerous for drivers.

MOTION: by Selectwoman Alessio, to pay Pike to complete the shoulders in the newly paved areas.

SECOND: by Selectman Wilson

All in favor.

35 Marshall Road: Driveway Complete - Information

This driveway project is complete and a final occupancy permit can be issued.

2021 Medical Insurance Renewal - Sign if approved

There was a brief discussion in which it was affirmed that the department employees would like to stay with the current health plan rather than switch to an alternative that was presented to them.

MOTION: by Selectman St. James, to authorize the Chairman to sign the Health plan renewal with Health Trust.

SECOND: by Selectman Wilson

In favor: Alessio, Briggs, St. James, Wilson. Abstain: Coombs. Passes.

NEW BUSINESS:

Employment Contracts, Fire, Highway - Review

MOTION: by Selectman Wilson, to table this discussion until the next Board meeting.

SECOND: by Selectman St. James

All in favor

COMMITTEE LIAISON REPORTS:

Selectman Wilson reported that the Kingston history books are available by pre-order for \$50 each. They are “first come first served”.

Chairman Coombs said that at the Inspectors meeting, the issue of heating and cooling units being installed in sheds was discussed.

PUBLIC COMMENT II: None heard.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- A letter has been received from a resident on Exeter Road who has concerns about commercial use in the residential zone. Chairman Coombs said he did not see how the matter could have been handled differently; the property owner signed an affidavit of planned use that is in the property file. He said the building permit could not be held up on speculation about what the owner might do.
- A letter has been received from the Library Trustees asking that budget funds in the amount of \$14,816 be transferred to their operating account.

MOTION: by Selectman Wilson to approve the transfer of \$14,816 to the Library’s operating account, as requested.

SECOND: by Selectwoman Alessio

In favor: Alessio, Briggs, Coombs, Wilson. Opposed: St. James

- The 2020 Equalization Municipal Assessment Data Certificate was signed and will be uploaded to the DRA portal.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectwoman Alessio to approve the public and non-public meeting minutes of October 26, 2020 and November 5, as written.

SECOND: by Selectman Wilson

In Favor: Alessio, Briggs, Coombs, St. James, Wilson.

Torromeo Update

Following up on an earlier conversation with counsel, the Selectmen agreed a site walk at the quarry, to include the owners and the neighbors, will be planned.

Adjournment:

MOTION: by Selectman St. James to adjourn at 9:03 PM

SECOND: by Selectman Wilson

All in favor.

Respectfully submitted,
Susan Ayer, Administrative Assistant