

Minutes of the Town Meeting

March 12, 2019

The Annual Town Meeting was called to order at 8:00 AM at the Swasey Gymnasium at 178 Main Street, Kingston, by Moderator, Electra Alessio for the election of Town Officers, 18 regular Town Articles, and 9 Zoning Articles, as well as the voting for the election of Officers for Sanborn Regional School District, with regular Articles for the School District.

Electra Alessio, Moderator swore in Election Officials Tammy Bakie, Mark Heitz, Kevin St.James, Phillip Coombs, Holly Ouellette, Gail Ramsey, Larry Smith, Janet Hart, Ellen Faulconer, Barry Sargent, Peter Sullivan, Deb Powers, Lillian Lehman, and Bart Noyes. The Supervisors of the Checklist, Chairman Charlotte Boutin, Traci Conlon, and Ken Isaacs, were also sworn in by the Moderator for duty.

Total count of cast ballot including absentee ballot was 1405 total registered voters on checklist are 4570, which indicates 31% participation.

The following results were obtained:

Selectman for Three Years

William Sable.....	218
Richard Wilson.....	428*
Donald W. Briggs, Jr.....	1190*
Charles Hart.....	420

Treasurer for Three Years

Jayne Ramey	1141*
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Trustee of the Trust Fund for Three Years

Karen Coombs.....	1118*
William McColgan.....	22*

Library Trustees for Three Years

Kim Boyd.....	1005*
Sharon Curtis Phelan.....	870*

Library Trustee for Two Years

Stephanie Hasselbeck.....	874*
Stanley Shalett.....	214

Budget Committee Member

Mary Cyr.....	9*
Ray Donald.....	7*

Planning Board for Three Years

Peter Bakie	980*
Christopher Bashaw	955*

Planning Board for Two Years

Robin Duguay.....	635*
Robert Pellegrino	437

Zoning Board of Adjustment for Three Years

Richard Johnson	873*
Jacquelynn Leone.....	836*

ARTICLE 2: Are you in favor of the following amendment, as proposed by the Planning Board, to Article 201, the Aquifer Protection Ordinance, Section 201.4 Use Regulations, Section "C. Maximum Lot Coverage" to read as follows:

"Within the Aquifer Protection District, no more than 15% of a single lot may be rendered impervious to groundwater infiltration in Zone A. In Zone B, no more than 25% of a single lot may be rendered impervious to groundwater infiltration. However, in Zone A lot coverage may be increased up to 35% and in Zone B lot coverage may be increased up to 60% if the applicant can show to the satisfaction of the Planning Board storm water management techniques that would allow for recharge on the property to be developed."

RECOMMENDED BY THE PLANNING BOARD

YES 871*

NO 387

ARTICLE 3: Are you in favor of the following amendment, as proposed by the Planning Board, to amend Article 109, Commercial Zone C-II, Section 109.9, Lot Coverage to read as follows:

"Lot coverage shall be no more than 35%. However, lot coverage may be increased up to 60% if the applicant can show to the satisfaction of the Planning Board storm water management techniques that would allow for recharge on the property to be developed."

RECOMMENDED BY THE PLANNING BOARD

YES 869*

NO 385

ARTICLE 4: Are you in favor of the following amendment as proposed by the Planning Board to amend the Definition Section of the Town Zoning Ordinance: Article Preamble II, Definitions, B by adding the following:

1. Agriculture: For the Town of Kingston agriculture, farm and farming are defined as found in RSA 21:34-a Farm, Agriculture, Farming, and as amended. This definition is as follows:

I. The word "farm" means any land, buildings, or structures on or in which agriculture and farming activities are carried out or conducted and shall include the residence or residences of owners, occupants, or employees located on such land. Structures shall include all farm outbuildings used in the care of livestock, and in the production and storage of fruit, vegetables, or nursery stock; in the production of maple syrup; greenhouses for the production of annual or perennial plants; and any other structures used in operations named in paragraph II of this section.

II. The words "agriculture" and "farming" mean all operations of a farm, including:

(a)(1) The cultivation, conservation, and tillage of the soil.

(2) The storage, use of, and spreading of commercial fertilizer, lime, wood ash, sawdust, compost, animal manure, septage, and, where permitted by municipal and state rules and regulations, other lawful soil amendments.

(3) The use of and application of agricultural chemicals.

(4) The raising and sale of livestock which shall include but not be limited to all beef and dairy cattle, steer, oxen, goats, sheep, swine, horses, mules or other equidae, as well as domesticated strains of buffalo, bison, llamas, alpacas, emus, ostriches, poultry, rabbits, yaks, elk (*Cervus canadensis*), fallow deer (*Dama dama*), red deer (*Cervus elephus*), and reindeer (*Rangifer tarandus*).

(5) The breeding, boarding, raising, training, riding instruction, and selling of equines.

(6) The commercial raising, harvesting, and sale of fresh water fish or other aquaculture products.

(7) The raising, breeding, or sale of poultry or game birds.

(8) The raising of bees.

(9) The raising, breeding, or sale of domesticated strains of fur-bearing animals.

(10) The production of greenhouse crops.

(11) The production, cultivation, growing, harvesting, and sale of any agricultural, floricultural, viticultural, forestry, or horticultural crops including, but not limited to, berries, herbs, honey, maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, trees and tree products, Christmas trees grown as part of a commercial Christmas tree operation, trees grown for short rotation tree fiber, compost, or any other plant that can be legally grown and harvested extensively for profit or subsistence.

(b) Any practice on the farm incident to, or in conjunction with such farming operations, including, but not necessarily restricted to:

(1) Preparation for market, delivery to storage or to market, or to carriers for transportation to market of any products or materials from the farm.

(2) The transportation to the farm of supplies and materials.

(3) The transportation of farm workers.

(4) Forestry or lumbering operations.

(5) The marketing or selling at wholesale or retail, of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.

(6) Irrigation of growing crops from private water supplies or public water supplies where not prohibited by state or local rule or regulation.

(7) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a, II(a)(4).

(8) The production and storage of compost and the materials necessary to produce compost, whether such materials originate, in whole or in part, from operations of the farm.

III. A farm roadside stand shall remain an agricultural operation and not be considered commercial, provided that at least 35 percent of the product sales in dollar volume is attributable to products produced on the farm or farms of the stand owner.

IV. Practices on the farm shall include technologies recommended from time to time by the university of New Hampshire cooperative extension, the New Hampshire

department of agriculture, markets, and food, and appropriate agencies of the United States Department of Agriculture.

V. The term "farmers' market" means an event or series of events at which 2 or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public. Commodities offered for sale must include, but are not limited to, products of agriculture, as defined in paragraphs I-IV. "Farmers' market" shall not include any event held upon any premises owned, leased, or otherwise controlled by any individual vendor selling therein.

RECOMMENDED BY THE PLANNING BOARD

YES 957*

NO 294

ARTICLE 5: Are you in favor of the following amendment, as proposed by the Planning Board, to amend the Permitted Uses of the Historic District I, Section 102.5 (A) 1, by adding the following?

1.I. Agriculture, farms and farming

RECOMMENDED BY THE PLANNING BOARD

YES 986*

NO 281

ARTICLE 6: Are you in favor of the following amendment, as proposed by the Planning Board, to amend the Permitted Uses of the Rural Residential District, Section 104.4, by adding the following?

K. Agriculture, farms and farming

RECOMMENDED BY THE PLANNING BOARD

YES 1021*

NO 244

ARTICLE 7: Are you in favor of the following amendment as proposed by the Planning Board, to amend the Permitted Uses of the Commercial Zone, C-I, Section 108.5, by adding the following and renumbering as needed?

M. Agriculture, farms and farming

RECOMMENDED BY THE PLANNING BOARD

YES 1000*

NO 250

ARTICLE 8: Are you in favor of the following amendment as proposed by the Planning Board, to amend the Permitted Uses of the Commercial Zone, C-II, Section 109.5, by adding the following?

L. Agriculture, farms and farming

RECOMMENDED BY THE PLANNING BOARD

YES 992*

NO 253

ARTICLE 9: Are you in favor of the following amendment as proposed by the Planning Board, to amend the Permitted Uses of the Commercial Zone, C-III, Section 110.3, by adding the following?

U. Agriculture, farms and farming

RECOMMENDED BY THE PLANNING BOARD

YES 980*

NO 254

ARTICLE 10: Are you in favor of the following amendment as proposed by the Planning Board, to amend Article 103, the Single Family Residential District, Section 103.2, by adding the following to become the final sentence in the section:

"The raising of chickens and the sale of eggs in association with a conforming single family residence are permitted activities but no roosters are allowed in this district."

RECOMMENDED BY THE PLANNING BOARD

YES 775*

NO 506

ARTICLE 11: To see if the Town will vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by vote of the first session for the purposes set forth therein, totaling \$ 5,824,307.00. Should this article be defeated, the default budget shall be \$5,703,680.00, which is the same as last year with certain adjustments required by previous action of the town or by law, or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI to take up the issue of a revised operating budget only. This operating budget warrant article does not include appropriations contained in any other warrant article.

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 892*

NO 433

ARTICLE 12: To see if the Town will vote to authorize the Tax Collector to allow a 1½% deduction from Property Tax when payment is made prior to the due date. It is the responsibility of the taxpayer to take the deduction; deductions not taken by the taxpayer on or before the due date will not be refunded. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 1293*

NO 76

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of up to \$375,000.00 for the purpose of purchasing land and improvements thereon located adjacent to 148 Main Street at 4 Rockrimmon Road, Kingston, NH (Tax Map U-11, Lot 14), to create a larger parcel for building a new fire station and to authorize the withdrawal of \$375,000.00 from the Capital Reserve Fund established for the Future Replacement, Refurbishment or Upgrade of Fire Department Buildings in 2004. Further, to authorize the Board of Selectmen to enter into an agreement for a land swap and lot line adjustment with the owner of the property located at 146 Main Street, Kingston, NH (Tax Map U11-Lot 13). No amount to be raised by taxation. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 1062* NO 314

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of \$85,000.00 to be placed in the previously established Fire Apparatus Replacement Capital Reserve Fund. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 975* NO 380

ARTICLE 15: To see if the Town will vote to create a full- time Assessing-Permitting Clerk position and eliminate the current part-time position. Further, to raise and appropriate the sum of \$25,909 for salary and benefits, to be added to the \$30,056 currently in the proposed Executive budget. This appropriation will be for salary and benefits for nine months; if approved, this position will become part of the operating budget in ensuing years. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 10-1

YES 684* NO 647

ARTICLE 16: On petition of 54 registered voters, to see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be placed in the Land Acquisition Capital Reserve fund for the future purchase of development rights, conservation easements and other land acquisition to conserve the Town's rural character, provide open space for outdoor recreation by the public, and help stabilize the tax base.

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 6-5

YES 833* NO 510

ARTICLE 17: To see if the Town will vote to raise and appropriate the sum of \$50,000.00 to be placed in the previously established Town Buildings Maintenance and Repairs Capital Reserve Fund. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 949* NO 393

ARTICLE 18: To see if the Town will vote to raise and appropriate the sum of \$20,000.00 to be placed in the previously established Highway Department Equipment Capital Reserve Fund. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 977* NO 365

ARTICLE 19: To see if the town will vote to raise and appropriate the sum of \$65,000.00 for the purchase of a wood chipper for the Highway Department. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 677* NO 581

ARTICLE 20: On petition of the Kingston Heritage Commission and 41 registered voters, to see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be placed in the previously established Heritage Fund for future enhancements to support preservation and utilization of the Town's historic properties.

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

NOT RECOMMENDED BY THE BUDGET COMMITTEE 7-4

YES 638* NO 613

ARTICLE 21: Shall the Town modify the Veteran's Tax Credit in accordance with RSA 72:28, II from its current property tax credit amount of \$300 per year to an amount not to exceed \$500 per year? (Majority vote required.)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 1065* NO 184

ARTICLE 22: Shall the Town modify Article 601: Solar Energy Property Tax Exemption, by making the following changes: Remove "solar energy heating or cooling system" and replace it with "solar energy system as defined in RSA 72:61"? (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

YES 961*

NO 270

ARTICLE 23: To see if the Town will vote to discontinue the Recreation Building Capital Reserve Fund created in 1984. Said funds, with accumulated interest to date of withdrawal are to be transferred to the Town's general fund. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

YES 889*

NO 321

ARTICLE 24: To see if the Town will vote to establish a Recreation Revolving Fund pursuant to RSA 35-B:2 II. The money received from fees and charges for recreation park services and facilities shall be allowed to accumulate from year to year, and shall not be considered to be a part of the general fund unassigned fund balance. The treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen designated by the local legislative body (no further legislative body approval required). These funds may be expended only for recreation purposes as stated in RSA 35-B, and no expenditure of other funds that have not been appropriated for that purpose. (Majority vote required)

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 11-0

YES 951*

NO 272

ARTICLE 25: On a petition of the Powwow Pond Council, Inc. and 43 registered voters, to see if the Town will vote to raise and appropriate the sum of \$14,000 to treat milfoil and other invasive aquatic plant species targeted for treatment by NH Department of Environmental Services at Powwow Pond. This amount will be offset by a grant from NH Department of Environmental Services equal to 25% of the anticipated treatment costs for Kingston in the amount of \$3,500 with the remaining amount of \$10,500 to be raised by taxation. This will be a non-lapsing appropriation and will continue until treatment is complete or until December 31, 2024.

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

RECOMMENDED BY THE BUDGET COMMITTEE 10-1

YES 920*

NO 337

ARTICLE 26: On a petition of 55 registered voters, to see if the Town will vote to adopt the Community Revitalization Tax Relief Incentive outlined in NH RSA 79-E of state law and to designate Historic District I (HDI) as meeting the standards for an

eligible district as set forth in NH RSA 79-E:2. If adopted, the Board of Selectmen shall have the option of granting temporary property assessment relief to encourage substantial reinvestment in qualifying structures. The goal is to promote rehabilitation of underutilized buildings in the Town's village center, thereby contributing to a strong local economy and smart, sustainable growth.

NOT RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

NOT RECOMMENDED BY THE BUDGET COMMITTEE 8-2-1

YES 560

NO 660*

ARTICLE 27: On petition of 29 verified voters, to see if the Town will allow the operation of keno games within the town.

RECOMMENDED BY THE BOARD OF SELECTMEN 4-0

YES 727*

NO 490

ARTICLE 28: On petition of the Conservation Commission and 32 verified voters, to see if the Town of Kingston will designate the following parcels, already in Conservation Easement with Southeast Land Trust, as Town Forests under RSA 31:110:

Map R24 Lots 1, 2 and 4, 100 acres; Lot 14C, 5 acres; Lot 14G, 5.4 acres;

Map R31 Lot 15, 52.42 acres; Lot 13, 4.89 acres.

The forests are accessible via Acorn Drive and Rockrimmon Road, and will be called, respectively, Acorn Town Forest and West Kingston Town Forest. They will be under the jurisdiction of, and managed by, the Town Conservation Commission, subject to approval of the Board of Selectmen, as provided for in accordance with RSA 31:112, for the following multiple use purposes: timber management, wildlife management, passive recreation use, and as an educational tool for the town school system.

NOT RECOMMENDED BY THE BOARD OF SELECTMEN 2-1-1

YES 674*

NO 541

Respectfully Submitted,

Tammy L. Bakie
Town Clerk-Tax Collector

