

MINUTES OF THE TOWN MEETING

MARCH 11, 2014

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 secret ballot election of Town Officers, 22 regular Town Articles, and 6 Zoning Articles, as well as the voting for the election of Officers for Sanborn Regional School District, with 8 regular Articles for the School District.

Electra Alessio, Moderator swore in Election Officials Melissa Fowler, Mark Heitz, Peter Broderick, Donna Grier, John Whittier, Joanne Lambert, Peter J Sullivan, Holly Ouellette, Ellen Faulconer, Gail Ramsey, and Sandra Foy. Due to sickness, Electra Alessio, Moderator had to be excused. Ms. Alessio Deputized Mr. Bart Noyes as Moderator for the March 11, 2014 Election.

Total count of cast ballot including absentee ballot was 705; total registered voters on checklist are 4018, which indicates 18% participation.

The following results were obtained:

Moderator for Two Years

Electra Alessio 611*

Selectman for Three Years

Mark Heitz 532*

Supervisor of the Checklist Six Years

Charlotte Boutin 564*

Trustees for the Trust Fund for Three Years

Nancy Imonti 520*

William McColgan 487*

Trustees for the Trust Fund for Two Years

Kirsten Arnold 356*

Michael Hall 253*

Richard G. Tremblay 334*

Municipal Budget Committee for Three Years

Mary Fidler 500*

Lynn Gainty 495*

Michael Morris 473*

Municipal Budget Committee for One Year

Library Trustees for Three Years

Jennifer Goodwin 525*

Jef Flanders-McDougall 490*

Planning Board for Three Years

Glenn Coppelman	513*
Adam Pope	494*

Zoning Board of Adjustment for Three Years

Electra Alessio	546*
Daryl Branch	494*

ARTICLE 2: Are you in favor of the following amendment as proposed by the Planning Board to amend the Historic District Article of the Town Zoning Ordinance:

Amend Article 102.5A (1) Description and Permitted Uses by adding:

- j. Bed and Breakfasts, when the use meets all of the following conditions:
 - i. Non-residential structures commonly associated with residential structures such as barns, out buildings or other accessory buildings shall not be converted for guest rooms or for guest functions regardless of whether said structure is attached to the residence or is a free-stranding structure.
 - ii. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
 - iii. The bed and breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as kitchens are not included in this calculation.
 - iv. No exterior alterations other than those required by law to ensure safety of the structure shall be made to any building for the purpose of providing a bed and breakfast use.
 - v. There shall be no more than four guest rooms in the establishment.
 - vi. The bed and breakfast use is subordinate and incidental to the main residential owner-occupied use of the building.
 - vii. The applicant proposing a bed and breakfast establishment must submit a site plan to the Planning Board in accordance with the Town's Site Plan Review regulations.
 - viii. There shall be two parking spaces for the dwelling unit residents and one for each guest room.

ix. The parking area shall be as unobtrusive as possible and not visually detract from the general appearance of the building and its grounds or neighboring properties. No offsite parking in Town or State road rights-of-way will be permitted.

x. All appropriate state and local health and safety regulations must be met.

xi. Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 days in any one year.

xii. Meals to be provided shall only be served to guests taking lodging in the facility.

xiii. The bed and breakfast shall not cater to special or ancillary functions. Any meeting or seminar shall be held inside the premises as an incidental activity to the bed and breakfast function.

YES 532* NO 149

ARTICLE 3: Are you in favor of the following amendment as proposed by the Planning Board to amend the Commercial Zone C-II of the Town Zoning Ordinance: 109.5 Permitted Uses.

Amend “These uses are permitted uses for the following Rural Residential lots in Tax Map R33: Lots 21, 21-1, 21-2 and Tax Map R34, Lots 1, 1-1 and 2”, **by adding Lot 20 to the list in Tax Map R33.**

YES 448* NO 185

ARTICLE 4: Are you in favor of the following amendment as proposed by the Planning Board to amend the Shoreland Protection Ordinance of the Town Zoning Ordinance:

Add to 205.3.A, District Boundaries of the Shoreland Protection District the following ponds: Cedar Swamp Pond, Half Moon Pond and Long Pond so the last sentence will read:

The Great Ponds are Great Pond (also known as Kingston Lake), Country Pond, Pow Wow Pond, Greenwood Pond, Mill Pond, Bayberry Pond, **Cedar Swamp Pond, Half Moon Pond and Long Pond.**

YES 536* NO 130

ARTICLE 5: Are you in favor of the following amendment as proposed by the Planning Board to amend the Residential Home Occupation Ordinance to comply

with NH State RSA 170-E:3 (Child Day Care Licensing) by amending section "6" under standards (G) as shown below :

207.1 Purpose: The standards of this Section dealing with home occupations are designed to protect and maintain the residential character of a neighborhood while permitting certain limited commercial activities which are traditionally carried out in a home.

207.2 Definition: Home occupation is defined as any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of the building, This regulations applies to all zoning districts.

207.3 Standards:

G. The following businesses, occupations or activities are specifically prohibited:

6. **Private homes in which more than three children, NOT including the provider's own children, are cared for regularly for any part of the day. (Three children or less, not counting the provider's own children, are exempt from Day Care licensing and site review.)** (In compliance with State RSA 170-E:3).

YES 506* NO 154

ARTICLE 6: Are you in favor of the following amendment as proposed by the Planning Board to amend the Sign Ordinance:

303.3 Sign Requirements

A. General Provisions

Amend the last paragraph in this section to include a new first sentence as shown:

All signs shown on an approved site plan may not be altered without the approval of the Planning Board unless the proposed alternative is to change a tenant name or the effect of the alteration does not make the sign more intensive and/or obtrusive. Changes in sign lighting shall require review. Reductions in sign area shall not require review or approval. Changes in language or fascia shall not require review unless the change also increases the signage, changes the lighting, or represents a new signage area not previously approved.

C. Provisions

Amend section 3 to read:

3. **No sign shall be animated, moving, flashing, or intensely lighted; there shall be no visible moving parts, blinking, scrolling, flashing or repeating messages, images or displays; there shall be no glaring illumination; no part may consist of banners, pennants, ribbons, streamers, spinners or other similar devices; no sign shall emit audible sound, noise or visible matter.** No sign shall be of the computer-generated type; this prohibition includes but is not limited to **electronic message centers, electronic reader-boards, animated signs, electronic changeable copy signs, and signs of similar configuration.** This regulation does not prohibit a wall name sign consisting solely of a rectangular banner made of a flexible cloth type material, attached at all corners either perpendicular or flat and conforming to all of these regulations. In addition, one "Open" flag is permitted per business.

D. Specific Standards

Amend section 5b to read:

b. Changeable face and text signs are permitted for **free-standing signs**, provided the text changes are limited to one change per twelve (12) hour period. **The maximum portion of a free standing sign dedicated to changeable copy is twenty per cent (20%).**

YES 476* NO 179

ARTICLE 7: Shall the Town 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 \$4,828,665.00? Should this article be defeated, the default budget shall be \$4,735,319.00, 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 & 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.

YES 449* NO 236

ARTICLE 8: Shall the Town vote to authorize the Tax Collector to allow a 1 ½ % deduction from Property Tax when payment is made within 30 days of billing?

YES 673* NO 22

ARTICLE 9: Shall the Town vote to raise and appropriate the sum of \$650,000.00 for construction of a new Highway Garage on the same site as and adjacent to the present garage and further, authorize withdrawal of that amount

from the income account of the Infrastructure Improvement Expendable Trust Fund held by the Board of Selectmen?

YES 408* NO 278

ARTICLE 10: Shall the Town vote to raise and appropriate the sum of \$75,000.00 to be placed in the previously established Highway Department Equipment Capital Reserve Fund?

YES 463* NO 233

ARTICLE 11: Shall the Town vote to raise and appropriate the sum of \$85,000.00 to be placed in the previously established Fire Apparatus Replacement Capital Reserve Fund?

YES 451* NO 245

ARTICLE 12: Shall the Town vote to raise and appropriate the sum of \$75,000.00 to be placed in the previously established Fire Department Buildings Replacement, Refurbishment or Upgrade Capital Reserve Fund?

YES 423* NO 278

ARTICLE 13: Shall the Town 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?

YES 483* NO 211

ARTICLE 14: On petition of 47 registered voters, shall the Town vote to postpone for two years the final decision for the demolition of the historic Grace Daley House for the purpose of investigation of building viability? It shall be the charge of the Heritage Commission and the Historic District Commission to offer oversight, analysis, input and recommendations to the Selectmen, Budget Committee, Planning Board, CIP Committee and taxpayers. The Heritage Commission and Historic District Commission shall review the options to provide data to make informed recommendations to the citizens regarding the potential viability (or not) of the Grace Daley House. The study, analysis and recommendations are to be made by March 2016 for the purpose of action at the March Town Meeting.

YES 469* NO 205

ARTICLE 15: On petition of 64 registered voters, shall the Town vote to raise and appropriate the sum of \$48,000.00 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?

YES 437* NO 243

ARTICLE 16: On petition of the Powwow Pond Council, Inc. and 52 registered voters, shall the Town vote to raise and appropriate the sum of \$18,300.00 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 40% of the anticipated treatment costs for Kingston, in the amount of \$7,300.00, with the remaining amount of \$11,000.00 to be raised by taxation. This will be a non-lapsing appropriation and will continue until treatment is completed or until December 31, 2019.

YES 525* NO 155

ARTICLE 17: On petition of 59 registered voters, shall the Town vote to raise and appropriate the sum of \$5,000.00 for ongoing maintenance and repair costs to the building known as Kingston's historic "Church on the Plains"? Not a working church, but on the National Historic Register, it survives only through contributions and fundraisers to keep its doors open for private and town functions throughout the year. Because of the recent costly restoration of the steeple, roof and other repairs, the Kingston Improvement & Historical Society (KIHS), a nonprofit 501C-3 corporation, is for the first time asking the people of Kingston for their help to keep the "Pearl of the Plains" a shining reminder of Kingston's heritage.

YES 499* NO 180

ARTICLE 18: On petition of 43 registered voters, shall the Town vote to raise and appropriate the sum of \$4,000.00 to support the services of the Kingston Community House, Inc., which operates the Town's Thrift Shop, serving the citizens of Kingston since 1977? Previously located in the Grace Daley House, the Town had provided operating expenses of approximately \$3,600.00 annually to keep these services in that building. Since no longer able to occupy that building, the Thrift Shop has relocated to Church Street Station at a reduced rent of \$800.00 a month plus utilities. The Kingston Community House relies solely upon donations; all "employees" are volunteers; all profits are used to support the community. This request is being made to hopefully ensure that the Thrift Shop can remain open and that Kingston Community House, Inc. will continue to serve as "neighbor helping neighbor".

YES 512* NO 169

ARTICLE 19: On petition of 30 registered voters, shall the Town vote to raise and appropriate the sum of \$500.00 to support CASA (Court Appointed Special Advocate) of New Hampshire? CASA of NH is a state-wide non-governmental not-for-profit organization that serves and advocates for abused and neglected children who have been thrust into the court system. In 2013 CASA served 125 children in Rockingham County. Within these numbers, multiple children within Kingston have been removed from their homes over the past 5 years for abuse and neglect and have been served by the volunteers of CASA, advocating for their best interest in the court system.

YES 586* NO 96

ARTICLE 20: On petition of 50 registered voters, shall the Town vote to raise and appropriate the sum of \$4,850.00 to support the services of the Vic Geary Drop-in Center? The Vic Geary Center is a non-profit organization providing a safe, comfortable gathering place for senior citizens of the town of Kingston as well as surrounding communities, to share a meal, provide medical clinics, distribute resources and participate in recreational and social activities.

YES 524* NO 158

ARTICLE 21: On petition of 33 registered voters of the Town of Kingston, shall the Town vote to accept the provision of RSA 202-A:4(d), permitting the Library Trustees of the public Library to accept gifts of personal property, other than money, that may be offered to the Library for any public purpose? This authorization will remain in effect indefinitely, until specific rescission of such authority.

YES 466* NO 202

ARTICLE 22: On petition of 38 registered voters, shall the Town vote to join nearly 500 municipalities in 16 other states, including all the other New England states, in calling upon Congress to move forward a constitutional amendment to safeguard fair elections through the authority to regulate political spending, and clarify that the constitutional rights were established for people, not corporations; that the New Hampshire Congressional delegation support such a constitutional amendment; that the New Hampshire State Legislature support such an amendment once it is approved by Congress and sent to the State for ratification; and that the record of the vote approving this article shall be transmitted by written notice to Kingston's state and federal legislative delegation by the Board of Selectmen within 30 days of the vote?

YES 525* NO 127

Results were announced by the Town Moderator at 9:00 PM

Respectfully Submitted by

A handwritten signature in black ink, reading "Melissa J. Fowler". The signature is written in a cursive style with a large, prominent initial 'M'.

Melissa J Fowler, Town Clerk