

**TOWN OF KENSINGTON  
BOARD OF SELECTMEN MEETING**

**Kensington Town Hall  
95 Amesbury Road  
Kensington, NH 03833**

**MONDAY**

**July 24, 2017**

**6:30pm**

**Meeting Minutes-Draft**

**In Attendance: Norman DeBoisbriand, Robert Wadleigh, Linda Blood**

**CITIZEN'S FORUM** – no one in attendance for citizen's forum.

**DEPARTMENT HEADS:**

• Police Department –Chief Scott Sanders- Chief Sanders reported about the increased traffic complaints due to trucking on Drinkwater Road, they are now giving the truck drivers one warning, then will ticket them. They have issued one violation for \$1,000.00 already to one driver. The activity seems to have slowed with the added patrols.

• Fire Department – Fire Department- Scott MacDougall reported that they are looking into the fire hydrants and ponds within town. He addressed the need to update the requirements for cisterns and dry hydrants within the current subdivision regulations. The current regulations are not helping the town, and the size of the cisterns are inadequate. He would like it updated in the near future.

He received an email last Monday on the development off of Osgood Road, and didn't have much notice to respond to the application. Their design was up to what the current regulations state, but the regulations need to be revised. Norman asked about the dredging of the fire ponds, he would like a coordination between the board, the fire department and Dave Buxton. They will see what the pond behind the Town Hall will cost and after they know what is left they will decide what one to do next. They are hoping to start the bidding process on that very soon. The board asked if the last fire chief has turned in the town phone yet, Scott has not seen that but reported that the lights have been removed from his truck. Scott will get back to him. Norman reviewed the posting for the fire chief and Scott will get back to the board with his comments before Wednesday morning.

• Road Manager – David Buxton - David was not in attendance, but Bob updated the board that the planning board has delegated him to be able to approve the driveway permits and asked the board what the steps where to appoint him as the planning boards delegate for driveway permit approvals. The board will look into the process and get David's appointment. Bob also reported from the planning board that they need to go to legal to see if a gravel pit can continue after the lot is merged with an abutting lot. The recent approval of the 825 Development subdivision and lot merger has caused some questions, so the board will ask legal advice on behalf of the planning board.

**Norman made a motion for the planning board to go to legal on the merging of lots with active gravel pits.**

**Bob seconded, all in favor.**

Bob continued that the engineer is doing more drainage reports to see if it is feasible to remove the piping from the center of the cul de sac.

• Emergency Management- Robert Gustafson- Bob is finishing off a grant that he has started. He has given the information to Chief Sanders.

Norman explained that this will be Bob's last meeting as Emergency Management Director and extended the boards appreciation for the dedication that he has given to the position. Chief Sanders indicated that the ham radios will be installed soon, and there should be some money left in the account from Seabrook Drills to cover the expenses. Bob reminded the board that the sound system will need to be installed within a time frame and that the state will be looking for updates and need progress reports from the town.

• Tax Collector- Carlene Wiggin-Nothing to report.

• Town Clerk – Dawn Frost- Kathy reported for Dawn that the hours on Tuesday's will now be 3-6pm.

• Recreation Department- no one in attendance

- Conservation Commission – nothing to report

**NEW BUSINESS:**

Julie LaBranche- Seabrook Groundwater discussion-

Julie LaBranche approached the Board of Selectmen with Pierce Rigrod from NH DES. Julie started by stating that she has not seen the board since they voted to rescind their vote to be part of the groundwater reclassification with Seabrook. She recounted the previous minutes that she felt that they did not have enough information presented on the reclassification project. She continued that the 11 businesses are still the only ones that would be affected. There is a notice that will be sent out to all residences within the district, that is per state legislation, but only the 11 businesses identified would be inspected. Bob recalled that the state site stated that anything over 5 gallons would be inspected. Mr. Rigrod simply stated if it involves a residence they would not be subject to this inspection process regardless of the gallons stored on the property. Norman asked about some of the home occupations that are operating in town, would they be subject to the inspections? No, they would not, as they are considered residential. The state is limited on how many people they have to inspect so legislation has allowed for the municipalities, or local government to do the inspection process. Local entities can do the inspection process every 3 years. Agricultural practices are generally exempt from this regulation. The underground fuel tanks in town were discussed, and this is a different level of compliance. Homeowners and non-commercial entities are not within the inspection process. The board does not feel that the inspections of the businesses is fair when the residences in town have underground fuel tanks. The reasoning for local involvement is because there is only 2 people within the state that do the inspections, and they want the towns to be involved and try to encourage cooperation between towns. This is totally in the towns jurisdiction to make the decision of whether to be involved. There are also Seabrook monitoring wells within Kensington that the board was not aware of, and the Town is concerned with how Seabrook is using the towns water sources.

Mr. Rigrod explained that this came about to try to help the towns regulate the substances. There are 60 water systems that do this in the state, and the public hearings are not generally controversial. The board is concerned that Seabrook would be able to come into the town and shut down a business that sits on the aquifer, the board doesn't want another town to come in and regulate what is done in Kensington. Bob asked how many gallons the Nuke uses per day, and continued that it is 5 million gallons monthly. He was told that there were wells drilled for the plant and only used for plant use. Julie does know what the plant draws from the aquifer on the coast, and it is a different aquifer than what is in Kensington. When the drawing of water is coming from Kensington's aquifer it concerns the town. Who oversees Seabrook in their commercial ventures and the possible contaminations. Norman feels that this community could manage the aquifer and the inspection process. Mr. Rigrod explained that Salem and Windham share the inspections, and there are documents that get drawn up between the towns to stipulate what can be done. The board asked if this type of agreement would devalue the town's properties. Mr. Rigrod explained that having a contaminated well or site will lower your property values, so there is value in keeping your water clean. Seabrook has been doing the inspection process for 9-10 years and have never shut down a business. Most of the time it is poor transfers or something very basic that can be easily corrected.

Julie asked if Kensington is interested in starting the inspection process for their town, Norman replied that the board might consider it. They could start a program within the town and keep it in house. The town would have to pass some further regulations in order for them to implement the process and handle it within Kensington. If the Town of Seabrook thinks that there is an issue within Kensington who would inspect? Mr. Rigrod stated that if he got a complaint then he would go onto the property and inspect. Julie stated that moving forward Seabrook will do some windshield inspections. Mr. Rigrod stated that if the application goes forward then they would only be within the road way to do the windshield inspections, Seabrook would not be able to access the property to inspect. Norman is concerned with the authority that Seabrook has to do windshield inspections within Kensington and report that to the state. The town has agreed to do what they can to protect the aquifer, and doesn't see the need to have another community make referrals to the state. If the application goes through without Kensington's participation, the Town of Seabrook can still do the windshield inspections, which are done from the road without any access to the property. Local entities have the authority to go into any other community and do windshield inspections through statute. Mr. Rigrod thanked the board for their time, and he will provide information to the board about how to start the inspection process in Kensington if they choose.

**Eagle Scout Project-7:16pm**

Isaac Soucy from Troop 337 in Exeter approached the board with some ideas for a new sign to be constructed in front of the Town Hall. He attended the meeting because he needs to do an Eagle Scout Project and thought that this would be a good project. Isaac made up a presentation of pictures and sketch for the board to review. He will need

the board's approval to be able to submit the project to the Eagle Scout Board. They all agreed that they want to keep the color scheme to match the colors of Kensington. Bob questioned the requirements on the size of the sign and thinks that it has to be 12 square feet. The regulations will be looked into for the size limits. **Norman made a motion to proceed with the sign and the Eagle Scout Project, Bob seconded, all in favor.** The board will check the requirements and get back to them. The board signed the needed sections of the project and a copy will be forwarded to the town.

**Possible Violation-Stairway**-The Board asked about a possible violation of a stairway complaint, and the stairway is hazardous. The board will have to refer this to counsel and see what and who can go onto the property to inspect. The Health Officer or the building inspector will have to inspect if there is a safety issue, but the board wants to make sure before contacting the owner that they have the right to address the safety concerns.

**Parking Ordinance** Changes adopted- The board reviewed the changes to the ordinance and opinion obtained that stated the change can be made at a regular meeting of the board. **Bob made a motion to amend the town parking ordinance, Norman seconded, all in favor.**

**Open Air Permit** for Alnoba- Norman asked why they would be getting an open-air permit now when they have not in the past. Chief Sanders stated that he and Bruce had a conversation, and where it is outside they thought it best to obtain the permit. **Bob made a motion to approve the permit for Alnoba for August 11, 2017, Norman seconded, all in favor.**

**Drinkwater Road Complaint**- There was a written complaint forwarded to the board requesting them to look into the truck traffic as well as the motorcycle's speeding. Chief Sanders has made contact with the resident and has increased the presence of the department on Drinkwater Road. Linda asked if the town can restrict the road usage for trucks hauling from a local pit, and Chief Sanders stated that the current ordinance states that the truck company needs to obtain permission from the town before any through trucking is allowed. There have been tickets and warnings given out to the violators.

#### **OLD BUSINESS:**

The Charrette has been approved and the weekend will be the 21<sup>st</sup> and 22<sup>nd</sup>. **Norman made a motion to allow the uses of the Town Hall and Grange for the Charrette that is planned for October 21 & 22<sup>nd</sup>. Bob seconded, all in favor.**

**Rockingham Planning Commission Contract** review- Norman asked if there had been any information forwarded from Glenn Greenwood at the Rockingham Planning Commission and Kathy has not received anything back yet. She will follow up with Glenn tomorrow.

**Fire Department Posting of Chief position**-brief description for review to post, Scott will take the description and review and get back to the board by Wednesday so that it can be posted by Friday this week.

Follow up with Exeter-ongoing-An email was received this afternoon from Russ Dean of Exeter asking for more information from the town, Kathy will prepare that and get it out to him this week.

Key Heating was called for the air filter light being on for the Air Handling system. There were no issues with the system, the filter just needed to be changed. Art will change the filter for the system every 90 days. Norman asked if Chief Sanders could take inventory of the downstairs and how the rooms are, he indicated that everything was very good downstairs.

Kathy had sent out copies of the current Burner Permits and Cash Transmittals for estimates and Infinite Imaging was the only one to return the request. **Norman moved to approve the Estimate from Infinity Imaging for Gas Burner Permits for the quantity of 150, and for the Cash Transmittal quantity of 200. Bob seconded, all in favor.**

Donations- Sawyer Kensington Trust

**Norman made a motion to accept the \$2,500-dollar donation from the Sawyer Kensington Trust for the Fireworks display held at the Kensington Old Home Days. Bob seconded, all in favor.**

**Norman motioned to accept the \$500 donation from the Sawyer Kensington Trust for their purchase of the Grill and propane tanks for the Old Home Festival in July, Bob seconded, all in favor.**

Bills were reviewed and signed.

Scott MacDougall asked about sending the new regulation information directly to the planning board. Norman stated that the board could review and forward to the planning board with Bob who is the current Selectmen's representative on the board. Scott will draft something up and bring to the next meeting.

There was some discussion about the recent subdivisions and that the fire department and police departments should be alerted when the plans are given to the town so that they can make comments on the emergency response side of the project. The board will see that they have copies when the applications are received. He also was concerned with the new Tannery Way development and if the cistern is filled by a well or does the fire department have to fill it? He has spoken to Christian Smith, the Town Engineer, and will be discussing the cistern further.

Bob stated that we have to rely on the ponds that we have now, so the fire ponds need to be on a schedule and addressed regularly. All agreed.

**OTHER BUSINESS:**

Intent to Excavate- the board held off on signing the intent to excavate for Ricci, due to the merging of the grandfathered gravel pit lot with a non-grandfathered and non-approved gravel pit lot. The board will seek legal on this matter.

- Non Public Session- RSA91A:3, II (a,b,c) if needed Norman motioned to go into nonpublic at 8:00pm, Bob seconded, all in favor. Norman motioned to close and seal the non-public minutes at 9:00pm, Bob seconded, all in favor.

- Approval of Board Minutes

**Norman motioned to amend the minutes from 6/22/17 of the board to read:**

Bob motioned to close and seal the minutes at 9:05pm, Norman seconded, all in favor.

This section was inadvertently left out of the public session of minutes.

**Bob seconded, all in favor.**

**• Next Meeting Date – August 7, 2017**

**Norman motion to adjourn the meeting at 9:29pm, seconded by Bob, all in favor.**

Respectfully submitted,

Kathleen T Felch