

2011 WARRANT



TOWN OF NEW BOSTON

To the inhabitants of the Town of New Boston, in the county of Hillsborough, qualified to vote in town affairs:

You are hereby notified to meet at the New Boston Central School in said New Boston on Tuesday, the eighth of March next. Polls will be open at 7 o'clock in the forenoon to take up Articles 1 – 18. Polls will close at 7 o'clock in the evening.

Article 1. To choose all necessary officers for the ensuing year.

Selectman for 3 years: (One seat)

Cemetery Trustee for 3 years: (One seat)

Fire Ward for 3 years: (Two seats)

Library Trustee for 3 years: (Two seats)

Town Treasurer for 3 years: (One seat)

Trustee of the Trust Funds for 3 years: (One seat)

Article 2. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

To amend the New Boston Zoning Ordinance, Article II, Establishment of Districts and District Regulations, Section 204.4, "R-A" Residential & Agricultural, as follows:

Add a new #14 "Accessory Dwelling Unit" to the list of Permitted Uses in the Table and delete #9 "Accessory Dwelling Unit" from the list of Special Exception uses.

YES [] NO []

Explanation for Article 2: This housekeeping article by the Planning Board would move Accessory Dwelling Units from the list of Special Exceptions to the list of Permitted Uses as voted on in 2010. Making this change to the Table of Uses was inadvertently missed in 2010.

Article 3. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

To amend the New Boston Zoning Ordinance, Article III, General Provisions, Section 314, Off-Street Parking, as follows:

Delete the existing Off-Street Parking section and replace it with the following language:

Section 314 Off-Street Parking

Off-street parking shall be provided on the same lot as the use and/or building it is to serve in accordance with the standards of the Non-Residential Site Plan Review Regulations of the Town of New Boston whenever any new use and/or building is established or any existing use and/or building is enlarged or expanded. All parking areas shall be prohibited within the entire required minimum front yard area and within the first 50% of the required minimum side and rear yard areas for any district, with the exception of one or two-family dwellings that do not have non-residential uses occurring therein.

Each residential use shall have a minimum of two parking spaces per dwelling unit.

Except as otherwise provided within this Ordinance, the Planning Board is authorized, through the Non-Residential Site Plan Review Regulations of the Town of New Boston, to adopt and administer regulations regarding parking standards for all uses of land.

YES [] NO []

Explanation for Article 3: This article by the Planning Board would delete the calculations for the numbers and standards for parking spaces and allow their inclusion instead in the Town's Non-Residential Site Plan Review Regulations to allow the Planning Board the flexibility to work with applicants during the site plan process rather than require a variance from the ZBA to alter parking requirements for a project.

Article 4. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

To amend the New Boston Zoning Ordinance, Article III, General Provisions, Section 318, Signs, as follows:

Delete existing Section 318 in its entirety and replace with the following Section 318:

Section 318 Signs

Section 318.1 Purpose

The Town of New Boston recognizes that signs must serve many purposes: they promote safety by providing directional information; they allow business owners to advertise their products or services; they publicize community events; they identify locations; they may be temporary, seasonal or permanent. Careless design and siting of signs can create confusion and distraction for drivers and pedestrians and produce visual clutter that detracts from the appearance of the community.

This ordinance is intended to provide uniform regulations for the installation and use of signs in the Town of New Boston, while: protecting the health, safety and welfare of the public; providing adequate business identification and advertising; and, maintaining and enhancing the appearance, aesthetics and traditional character of New Boston to preserve and maintain a rural quality of life.

Section 318.2 Definitions

Normal grade: Normal grade shall be used as reference for sign height. Normal grade shall mean the grade prior to construction or the established grade after construction exclusive of filling, mounding or excavation solely for the purpose of locating the sign.

Permanent sign: A sign displayed permanently for those purposes listed in Section 318.1 above.

Seasonal sign: A sign displayed only during the typical selling season of the item or service provided.

Sign: Any device having a display surface on one or both sides designed to inform or attract the attention of persons not on the premises on which the sign is located.

The following shall not be included in the application of the regulation herein:

- A. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises.
- B. Flags and insignia of any government except when displayed in connection with commercial promotion.
- C. Legal notices, identification, informational or directional signs erected as required by governmental bodies.
- D. Signs directing and guiding traffic and parking on private property, but bearing no advertising, and warning signs such as "No Hunting", and "No respasing".
- E. Historic reference signs not exceeding six square feet indicating only the date and name of the building.

Temporary sign: A sign that is used for a specific circumstance, situation or event intended or expected to take place or be completed within a short or definite period of time and which will be up for not more than thirty (30) days of fulfilling its function.

Section 318.3 General Requirements for Signs

A. Permit Required

A permit shall be required for all signs except those listed in Section 318.6, Regulated Signs not Requiring a Permit.

B. Permit Procedure

1. An application form, provided by the Building Department, and completed and signed by the owner and/or applicant, shall be submitted to the Building Department, along with the following information and any such other information pertaining to the proposed sign(s) as the Building Inspector/ Code Enforcement Officer may reasonably require:
 - a. the fee as specified by the Building Department in its published list of permit fees.
 - b. a plan/sketch of the proposed sign(s) and building, as applicable, drawn to scale, that includes:
 - i) the total square footage of the proposed sign(s);
 - ii) the proposed support structure of the proposed sign(s);
 - iii) the height, setback and location on the property of the proposed sign(s);
 - iv) the relationship of the proposed sign(s) to other signs on the property, if any;
 - v) photographs of any existing signs;
 - vi) the proposed materials of the sign(s);
 - vii) any other design information, including, but not limited to, proposed illumination.
2. Approval. The Building Inspector/Code Enforcement Officer shall notify the owner/applicant, in writing, within 30 (thirty) working days after the receipt of all required information of the approval or disapproval of the application. The sign authorized under a sign permit must be erected within 12 (twelve) months from the date of approval or the permit shall be null and void, unless the permit is renewed. The owner/applicant shall notify the Building Inspector/Code Enforcement Officer once the sign is installed for an inspection to verify conformity to the application.

C. Permanent Signs

All permanent signs shall be constructed of durable materials and shall be maintained in good condition and repair at all times.

D. Prohibited Signs

The following signs are prohibited:

Internally illuminated signs;

Signs which are animated, flashing, or with intermittent illumination;

Signs with more than two (2) faces;

Roof signs; and,

Signs that are attached to or are an intrinsic part of an awning.

E. Externally Illuminated Signs

Externally illuminated signs are permitted in all districts.

Externally illuminated signs shall be shielded in such a way as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Illumination shall be focused upon the sign itself.

F. Sign Calculations

The area of a sign shall be determined by the shape of the surface upon which lettering, numbers, designs, pictures and/or borders are applied or displayed. The mathematical formula for area will be used that represents the closest geometrical shape of the sign surface.

Exception: Street/address numbers may be displayed and shall not be included in the calculation of sign area, when displayed outside the primary sign area.

G. Building Code Compliance

Structural aspects of signs shall comply with the adopted International Building Code.

Electrical connections, wiring and related equipment shall comply with the adopted National Electrical Code.

The Building Inspector may require review by a design professional of any permanent sign for structural stability.

H. Real Estate Development Signs

Real Estate Development Signs may be placed on a lot to advertise building lots or real estate units for sale or lease. The sign may be no larger than 12 square feet per face, shall be constructed of durable materials and shall be maintained in good condition and repair at all times. Signs are to meet the property line setbacks and height restrictions for the zoning district within which the development is located. The sign shall be removed within 30 days of meeting its purpose.

I. Special Events

Special Events signs are those intended to advertise an event that is not a normally scheduled function of the business or other location at which the event will take place. This may include, but not be limited to, open houses, pig roasts, tent sales, and so on.

Understanding the need for attracting attention to the event, there is no limit on the size of such a sign. However, it is the intent of this section that the sign size be reasonable and the Building Inspector/Code Enforcement Official shall make the final determination as to the size allowed. The sign shall not be displayed for more than 30 days.

Special Events for bona fide non profit organizations are discussed in Section 318.6.

J. Maintenance

Any sign which becomes in disrepair shall be removed upon order of the Building Inspector/Code Enforcement Official if not repaired after 30 days notice.

K. Property of Others

No sign shall be placed upon private property of others, or property of the Town of New Boston or State of NH or within State or Town rights-of-way without written permission. (See Section 318.7, for further details regarding signs on Town owned property.)

L. Preexisting/Permitted Signs

Any legally established and permitted sign, as of the date of adoption of this ordinance (March 8, 2011), may remain in use until such time the sign is moved or altered. For purposes of this section, altered shall mean a change to any part of the sign regulated by this ordinance, including, but not limited to, size, height and location.

A sign permit runs with the land and is not specific to the landowner.

Section 318.4 Signs in Residential Districts

- A. In any residential district, a sign is permitted up to six square feet per face which announces the name, address, phone number and/or website, or professional or home business of the occupant of the premises on which said sign is located. One off-site sign is allowed with the written permission from the landowner and the Board of Selectmen.
- B. Signs shall not be greater than 8 feet high measured from the base of the sign at normal grade to the top of the highest attached component of the sign.
- C. The closest portion of the sign to any side and rear property line shall be no closer than 15 feet. The closest portion of a sign may be placed no closer to the road than the Town's right-of-way. In addition to the specified setback, signs shall also meet the State's setback requirements on State roads.
- D. No sign shall obstruct visibility of other signs, driveways or intersections.

Section 318.5 Signs in the Commercial and Industrial Districts

In any commercial or industrial district, a business sign shall be permitted in connection with any legal business or industry located on the same premises and meeting the following requirements:

- A. Each lot shall have a maximum of 100 square feet of signage; all visible sign faces included.
 - 1. One free standing sign shall be permitted to be a maximum of 70 square feet. The 70 square feet includes both faces.
 - 2. A maximum of 30 square feet may be used for all wall signs and/or portable "A" frame signs.
 - 3. Lots with three or more legally established businesses thereon may utilize an additional 30 square feet for wall signs.
 - 4. Buildings on corner lots may have wall signs on both walls facing the street, however, the size of the wall signs shall remain within the allowable maximum square footage for signage for the lot.
- B. Signs shall not be greater than 15 feet high measured from the base of the sign at normal grade to the top of the highest attached component of the sign.
- C. Setbacks from property lines will be 15 feet from side and rear. The front setback will be determined with regards to safety, road maintenance and other applicable easements by the Building Inspector/Code Enforcement Official. In addition to the specified setbacks, signs shall also meet the State's setback requirements on State roads.
- D. Signs shall not project over public rights-of-way or property lines except that in commercial districts signs may project over the sidewalks up to a vertical line from a point one foot from the curb providing the signs are at least 10 feet above the sidewalk.

E. Interior Window Signs

Internally illuminated signs displayed from the interior of a window are prohibited.

Exception: An "OPEN" sign not greater than 425 square inches may be displayed from the interior of a window.

F. Manual Changeable Readerboard Signs

Any manual changeable readerboard sign area shall be included in the calculation of the total square footage of allowable sign area for the lot.

"A" Frame signs may be displayed during business hours only.

G. No sign shall obstruct visibility of other signs, driveways or intersections.

Section 318.6 Regulated Signs not Requiring a Permit

A. Bulletin Boards

A bulletin board not exceeding 24 square feet per face is allowed in connection with any church, school, or similar public structure.

B. Political Signs

Political signs shall be allowed in accordance with state legislation, RSA 664:17.

C. Temporary Signs

A temporary agricultural products or construction sign is allowed that shall not exceed 12 square feet per face. Such a sign shall be removed within 30 days of fulfilling its function.

D. Real Estate Signs

Real estate signs are permitted on the property being sold, leased or developed. Such sign shall be removed within 30 days of fulfilling its function and shall not exceed 12 square feet per face. (This does not apply to real estate development related signs as described in Section 318.3,H.)

E. Special Event Signs for Non-Profit Organizations

Signs for special events such as fund raising events for bona fide non-profit organizations (Example: IRS Code 501(c)(3)) shall be displayed for no more than 30 days. Off-site signs are allowed with the written permission from the landowner and the Board of Selectmen.

Understanding the need for attracting attention to the event, there is no limit on the size of such a sign. However, it is the intent of this section that the sign size be reasonable and the Building Inspector/Code Enforcement Official shall make the final determination as to the size allowed.

F. Seasonal Signs

Seasonal signs are those that are displayed for sales or functions that are limited by a season of the year such as the sale of agricultural products. Such signs may be displayed for a maximum of 90 days and shall not exceed 12 square feet per face.

Section 318.7 Signs on Town Owned Property

The Board of Selectmen regulates signs on Town of New Boston owned property and has adopted an ordinance for that purpose, "Temporary Signs on Town Owned Property", Approved July 11, 2005, and as amended.

YES [] NO []

Explanation for Article 4: This article by the Planning Board proposes to replace the existing sign ordinance with a new ordinance prepared by the Sign Committee. The ordinance includes a Purpose section; Definitions; a permit procedure; a method of calculating sign area; requirements for building code compliance; size and time limits for real estate development and special events signs; size, height, setback, and visibility requirements for signs in Residential, Commercial and Industrial Districts; requirements for signs not requiring a permit; and, a reference to the Selectmen's ordinance for temporary signs on Town owned property.

Article 5. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

To amend the New Boston Zoning Ordinance, Article VI, Definitions, Section 602, Term Definitions as follows:

Amend the definition of Sign by deleting the current definition and replacing it with the following:
"Sign: Signs shall be defined as in Section 318 of this Ordinance."

Amend the definition of Structure by adding the words: "signs as described in Section 318 of this Ordinance," to the third sentence of the definition so the definition reads as follows: "Structure: Anything constructed or erected which requires a location on the ground, or an attachment to something having a location on the ground. Structure includes, but is not limited to a building, swimming pool and associated barrier/fence, manufactured home, billboard, or poster panel. It shall not include a minor installation such as a fence six feet or less in height, *signs as described in Section 318 of this Ordinance*, mail box, flagpole or accessory building of 100 square feet or less."

This proposed amendment shall be contingent upon successful passage of the proposed amendment to Section 318, Signs.

YES [] NO []

Explanation for Article 5: This article by the Planning Board, based on work of the Sign Committee, would update the definitions to meet the proposed changes in the Sign Ordinance itself. This article will only pass if the vote on the Sign Ordinance is successful.

Article 6. 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 **four million one hundred fifty-six thousand one hundred seventy-three dollars (\$4,156,173)**. Should this article be defeated, the default budget shall be four million eighty thousand nine hundred and ninety two dollars (\$4,080,992) which is the same as last year, with certain adjustments required by previous action of the Town of New Boston 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. (Majority Vote Required) (Selectmen & Finance Recommend, 7-0)

YES [] NO []

Explanation for Article 6. The operating budget includes routine, and for the most part, recurring expenses related to staffing (including salaries and benefits), supplies, utilities, vehicles, maintenance, repairs, and the like required for the day-to-day operation of the town departments.

Article 7. To see if the Town will raise and appropriate **two thousand five hundred dollars (\$2,500) to offset the cost of police "detail" coverage incurred by New Boston non-profits** when they sponsor public events in New Boston that require security. Events receiving such subsidy would be run primarily by volunteers and all earnings raised by the event would be directly invested in New Boston. The Selectmen will determine an organization's eligibility. (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 7. When an event takes place that requires a dedicated police presence (the officer on duty might be called away for an accident, etc so an officer is assigned to the event and this is called a “detail”) those causing the need for police coverage must pay for it. For fundraising events that are strictly for the benefit of New Boston, such as the New Boston Community Church’s duck race (scholarships are for any student) and the NBCS PTA’s 5K race, a sizable amount of the money raised goes to paying for the police detail coverage. This article asks that taxpayers cover most of the police detail cost only for the few eligible events meeting the criteria that have been established. This will allow the funds raised to go entirely to the sponsored cause.

Article 8. To see if the Town will vote to **establish a Transfer Station Machinery and Equipment Expendable Trust** and to raise and appropriate **five thousand dollars (\$5,000) to be placed in the fund.** The Selectmen will serve as agents to expend from the fund. (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 8. The Transfer Station has around fifteen items that are valued in the \$6,000 - \$20,000 range. Rather than carrying a contingency amount in the operating budget annually to fund a repair or a replacement, the expendable trust approach allows money to be set aside and used only when needed and for only the purpose identified. It would be used for specific unforeseen events that are too large for the operating budget to absorb when not expected and funded. If it is known at budget time that an expense of this nature will be required in the coming year, it will be brought to voters for approval. But should something happen unexpectedly mid-year, this fund could cover the expense. The goal is to set aside \$5,000 over the next few years and cap the fund at \$15,000.

Article 9. To see if the Town will vote to raise and appropriate **fourteen thousand dollars (\$14,000) to complete the renovation of the Old Engine House (formerly the Historical Building) for use by the Recreation Department for their offices.** (Majority Vote Required) (Selectmen & Finance Recommend (TBD)

YES [] NO []

Explanation for Article 9.

Last year \$35,000 was voted to renovate the building for offices but proved insufficient to cover all expenses. This additional amount of \$14,000 will cover converting from electric heat to oil (off the Town Hall furnaces), installing a code compliant fire/burglary alarm system, vinyl for the entryway and carpet for the two offices, a new rear door (the current one is an interior door), and some wiring upgrades.

Article 10. To see if the Town will vote to raise and appropriate **one hundred seventy-five thousand dollars (\$175,000) to fund renovations to the Town Hall** including efforts to improve the energy efficiency of the building and **authorize the withdrawal of \$175,000 from the Capital Reserve Fund created for that purpose.** Because the cost is completely covered by funds from the Capital Reserve Fund there is **no 2011 tax rate impact.** (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 10. For a number of years now money has been approved almost annually to go toward Town Hall improvements. Last year we tried to leverage our \$180,000 in funds with a \$400,000 energy grant. We did not receive the grant. The goal now is to proceed with the energy improvements for the basement and attic that give us the largest payback while attending to our needs for some additional office space plus renovating the rear of the first floor and rear of the stage on the second level to provide for additional storage. Plans also include an enclosure for the boiler area, piping water from the newly installed 60,000 gallon cisterns into the Town Hall sprinkler system, and some new wiring.

Article 11. To see if the Town will vote to raise and appropriate **ninety thousand dollars (\$90,000) to be placed in the existing Fire Department Vehicle Capital Reserve Fund.** (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 11. Based on the replacement cost of each vehicle and the year of replacement or refurbishment, \$90,000 must be allotted to the fund each year to ensure sufficient money is available at the time of scheduled

replacement/refurbishment. The department has 6 trucks with a life expectancy of between 25-30 years, plus the ambulance, that are covered by this fund.

Article 12. To see if the Town will vote to raise and appropriate **sixty thousand dollars (\$60,000)** to be placed in the existing **Highway Truck Capital Reserve Fund.** (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 12. The Highway Truck Capital Reserve Fund covers the replacement of a small 6-wheel dump truck plus the three regular six wheelers and one 10-wheel dump. The smaller truck has a life expectancy of 10 years and the larger trucks 15 years plus. If prudent, a replaced truck may be kept off line for back-up and to plow with.

Article 13. To see if the Town will vote to raise and appropriate **fifty thousand dollars (\$50,000)** to be placed in the existing **Highway Heavy Equipment Capital Reserve Fund.** (Majority Vote Required) (Selectmen and Finance Recommend 7-0)

YES [] NO []

Explanation for Article 13. This fund allows for the replacement of the loader, grader, and the backhoe on a 15 year plus replacement cycle.

Article 14. To see if the Town will vote to raise and appropriate **eighty-five thousand dollars (\$85,000) to repair Gregg Mill Road bridge and Dougherty Lane bridge.** (Majority Vote Required) (Selectmen & Finance Recommend 7-0)

YES [] NO []

Explanation for Article 14. Each year an article is presented relating to town road improvements for your consideration. This year's article is directed at two bridge repairs instead of roadwork. Gregg Mill bridge was to be replaced in 2014 but we found that a \$50,000 repair would buy us another 25 years. Dougherty Lane bridge has been seriously undermined. The NH Department of Transportation has offered to supervise our town forces in undertaking the repairs at a cost of \$35,000.

Article 15. To see if the Town will vote to establish a Town Bridge Repair/Replacement Capital Reserve Fund under the provisions of RSA 35:1 and have as one purpose funding the **replacement of the Riverdale Road bridge** and to raise and appropriate **seventy thousand dollars (\$70,000) to be placed in the fund.** The bridge is to be replaced under the NH Department of Transportation Bridge Aid program (80% State 20% Town funding). The Selectmen are to be made agents for the fund. (Majority Vote Required) (Selectmen & Finance Recommend 7-0).

YES [] NO []

Explanation for Article 15. This bridge consists of a large metal culvert pipe that is rusting at the sides. State aid will be available in 2014 for its replacement with a true bridge rather than a culvert pipe. In the meantime, the Town must set aside funds so we will have our 20% share in hand by then. Once this first installment of Town funds is in place we can request an inspection by NHDOT and they will prepare an estimate. It is expected the cost will be over \$1,000,000 due to the design and environmental standards of today.

Article 16. To see if the Town will vote to change the purpose of the Gregg Mill Road Bridge Capital Reserve Fund to the Riverdale Road Bridge Capital Reserve Fund. (2/3 Vote Required) (Selectmen and Finance Recommend 7-0).

YES [] NO []

Explanation for Article 16. Gregg Mill bridge was originally going to be replaced in 2014 for \$800,000 but we learned it can be repaired for \$50,000 and last another 25 years. Its spot for state funding will be taken by Riverdale Road bridge. A capital reserve fund for Gregg Mill Road bridge has been established and \$113,000 is now in the fund. With the Gregg Mill bridge replacement now well into the future, the desire is to take these funds and use them toward the Riverdale Bridge replacement (that can happen only if it is renamed) thus reducing by \$113,000 how much we will need to raise between now and 2014.

Article 17. To see if the Town will vote to discontinue the library capital reserve fund. Said funds, with accumulated interest to date of withdrawal are to be transferred to the general fund. (Majority Vote Required)

YES [] NO []

Explanation for Article 17. Last year voters approved removing the money from this account to help fund the new library. There are few if any funds left in it. With the library now built, we no longer need the capital reserve fund thus the request to close it.

Article 18. To transact any other business that may legally come before this meeting.