

## 2012WARRANT



## TOWN OF NEW BOSTON

To the Inhabitants of the Town of New Boston, New Hampshire in the County of Hillsborough, in said State qualified to vote in Town Affairs:

You are hereby notified in accordance with SB-2, the first session of all business other than voting by official ballot shall be held on Monday, February 6, 2012 at 7:00 pm, at the New Boston Central School. The first session shall consist of explanation, discussion, and debate of each warrant article. Warrant Articles may be amended, subject to the following limitations:

- (a) Warrant Articles whose wording is prescribed by law shall not be amended.
- (b) Warrant Articles that are amended shall be placed on the official ballot for final vote on the main motion, as amended.

The second session of the annual meeting, to vote on questions required by law to be inserted on said official ballot, and to vote on all warrant articles from the first session on official ballot shall be held on Tuesday, the thirteenth of March 2012 from 7:00 am until 7:00 pm to act upon the following:

### **Article 1.**

Selectman for 3 years: (One seat)

Cemetery Trustee for 3 years: (One seat)

Fire Ward for 3 years: (Three seats)

Library Trustee for 3 years: (Two seats)

Supervisor of Checklist for 6 years (One seat)

Town Clerk for 3 years (One seat)

Town Moderator for 2 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 208.2, Front Yard Regulations and Exceptions, as follows:

Amend Section 208.2,A, to clarify front yard requirements for corner lots, as follows:

- A. Any lot line contiguous to a street or ~~Class VI~~ road, ***including Class VI roads***, is deemed to be a front lot line; ~~a lot fronting on two streets shall be deemed to have two front lot lines and two side lot lines; a lot fronting on three streets shall be deemed to have three front lot lines and one side lot line.~~ ***except that, where a lot is a corner lot or otherwise has multiple lot lines contiguous to a street, the lot shall be required only to have one front yard for the purposes of these regulations. The front yard shall be adjacent to the lot line fronting the street from which driveway access is provided. In the event of a question or disagreement with regard to which lot line should be considered the front lot line the Building Inspector/Code Enforcement Official shall make the final determination.***

And to amend the New Boston Zoning Ordinance, Article III, General Provisions, Section 307, Yards on Corner Lots, as follows:

Delete Section 307 in its entirety.

Section 307 ~~Yards on Corner Lots~~ ***Section Deleted***

~~A corner lot shall be required to have one front yard for the purpose of these regulations.  
(Amended March 9, 2010.)~~

YES [ ] NO [ ]

**Explanation for Article 2:** This article by the Planning Board intends to clarify the required setbacks and yards for lots with more than one frontage. The proposed changes would require a corner lot to have only one front yard which is to be on the lot line fronting the street from which the driveway accesses the lot. The language that will be incorporated in Section 208.2,A, means that Section 307 becomes redundant and it is the intent of the article to delete this language.

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

To amend the New Boston Building Code, Chapter NB-2.0, Administrative, Section NB-2.5, Right of Appeal, as follows:

Delete Section NB-2.5, Right of Appeal, in its entirety and replace it with the language shown in bold italics:

~~A building code board of appeals is hereby created which shall consist of five members which shall be appointed by the Selectmen. The Selectmen may also appoint up to five alternates as provided in RSA 673:6. The qualifications for such members shall be consistent with RSA 673:6, and once constituted, the building code board of appeals shall exercise the authority provided for in RSA 675:34, and any other applicable statute. The terms of the members of the building code board of appeals shall be for a period of three (3) years and shall be staggered as required by RSA 673:5,II. The Selectmen, upon making the initial appointments shall appoint members in a manner that insures that no more than 2 appointments occur annually in the case of a 5 member board, except when required to fill vacancies. Appeals may be had to and from the building code board of appeals in the manner provided by applicable statutes. The building code board of appeals shall, within ninety days of its original appointment, pursuant to RSA 676:1, adopt rules of procedure governing the manner of conducting its business and may include in the subject matter of such rules matters that may be necessary to provide for an appeal process, to the extent not inconsistent with applicable statutes.~~

***Pursuant to RSA 673:1, the New Boston Zoning Board of Adjustment shall serve as the Building Code Board of Appeals.***

YES [  ]      NO [  ]

**Explanation for Article 3:** This article by the Planning Board based on input from the Building Inspector would allow the Zoning Board of Adjustment to serve as the building code board of appeals in the absence of a dedicated board of appeals.

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

To amend the New Boston Building Code, Chapter NB-2.0, Administrative, Section NB-2.8, Plans, to include septic systems and wells in the list of required items to be shown on plans submitted to the Building Inspector, as follows:

Section NB-2.8      Plans

When required by the Building Inspector, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and the extent of the work proposed and shall show in detail that it will conform to the provisions of the Code, and all relevant laws, ordinances, rules and regulations. Plans shall show a plot plan drawn to scale showing the ***proposed and/or existing*** location of easements, drainage facilities, adjacent grades, property lines, wetlands, ***septic systems, wells***, the proposed building and of every existing building on the property. (Amended March 9, 2010.)

YES [  ]      NO [  ]

**Explanation for Article 4.** This article by the Planning Board based on input from the Building Inspector would require certain features to be added to the list of things to be included on plot plans.

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

To amend the New Boston Building Code, Chapter NB-3.0, Definitions, as follows:

Amend Chapter NB-3.0 to delete the definitions listed and refer to the definitions contained in State Statute, as follows:

For the purpose of this Code, terms, abbreviations, phrases, and certain words shall be *as defined in accordance with RSA 155-A:1 and RSA 155-A:2(II), and as such statutes shall be amended.* ~~as given below and also in accordance with CHAPTER 1.0: Section NB 1.2; NB 1.2.3.~~

~~**Area:** For the purpose of determining the floor area of a portion of a building, the area shall be the horizontal projected floor area inside the exterior enclosure walls or between the exterior and fire walls.~~

~~**Attic:** The space between the ceiling beams of the top habitable story and the roof rafters.~~

~~**Attic, habitable:** This shall mean an attic which has a stairway as a means of egress and in which the ceiling area at a height of seven and one third (7 1/3) feet above the attic floor is not more than one third (1/3) the area of the floor below.~~

~~**Basement:** A portion of the building partly underground, but having less than one half (1/2) its clear height below the average grade of the adjoining ground.~~

~~**Cellar:** The portion of the building partly having one half (1/2) or more than half its clear height below the average grade of the adjoining ground.~~

~~**Existing Building:** An existing building is a building which has been erected and is habitable prior to the adoption of this Code.~~

~~**Grade Level, average:** The average grade level of a building shall be the average finished ground level adjoining the building at the exterior walls.~~

~~**Gross Floor Area:** The gross floor area of a building shall be the sum of the habitable areas within the outside of the exterior walls of all levels with no deductions.~~

~~**Height:** As applied to a building, height shall mean the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the~~

highest point of the roof, for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs.

~~**NFPA:** National Fire Protection Association~~

~~**Nominal Size:** The nominal size of building materials is the commonly acceptable commercial size designation of width and depth which is somewhat larger than the finished size.~~

~~**Renovation, substantial:** Substantial renovation shall mean any improvements to a building which require a town building permit and results in more than fifty (50) percent increase in the assessed valuation of the building.~~

~~**Solid Fuel Device:** Any chimney connected device that burns wood, coal, or other similar organic materials or any combination of them for purposes of heating, cooking or both.~~

YES [ ] NO [ ]

**Explanation for Article 5.** This article by the Planning Board based on input from the Building Inspector would delete the current definitions included in the Building Code and refer to State Statute to avoid conflict between definitions.

**Article 6 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 **four million, sixty thousand, nine hundred forty five (4,060,945)**. Should this article be defeated, the default budget shall be **three million nine hundred forty nine thousand, nine hundred forty seven (\$3,949,947)** 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. This operating budget article doesn't contain appropriations contained in any other articles. **(Majority Vote Required)**  
**(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 6** This year's budget is lower than last year's budget by **\$95,228**. 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 vote to raise and appropriate Five thousand dollars **(\$5,000)** to be placed in the existing **Transfer Station Machinery and Equipment Expendable Trust**.  
**(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 7** 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 this year and next, capping the fund at \$15,000. The fund now has \$5,000.

**Article 8.** To see if the Town will vote to raise forty thousand dollars (**\$40,000**) to partially fund a Transfer Station trailer to meet the quality standards set forth by the Selectmen and Department Manager. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the building is completed or by December 14, 2014. (**Selectmen & Finance Committee Recommends 7-0**)

YES [ ] NO [ ]

**Explanation for Article 8** The Stecco trailer that is used to move refuse from the transfer station needs to be replaced in 2013. There is an abundant amount of rust on the trailer. The plan is to replace it with a J & J trailer with \$40,000 to be raised this year and the balance of \$38,000 in 2013 for a total cost of \$78,000.

**Article 9** 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**. (**Selectmen & Finance Committee Recommends 7-0**)

YES [ ] NO [ ]

**Explanation for Article 9** 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 15-30 years.

**Article 10** To see if the Town will vote to raise and appropriate **forty-six thousand dollars (\$46,000)** to partially fund the replacement of the **salt shed at the Highway Department**. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the building is completed or by December of 2014. (**Selectmen & Finance Committee Recommends 7-0**)

YES [ ] NO [ ]

**Explanation for Article 10** The Highway Department has needed this facility for several years. The present building is now deteriorating and is in disrepair. The new building will be 60' by 60' and will be able to be providing storage for back-to-back storms. Total cost is approximately \$92,000.

**Article 11** To see if the Town will vote to raise and appropriate the sum of **two hundred six thousand six hundred seventy eight (\$206,678)** for a new 10 wheel dump truck for the New Boston Highway Department and authorize the withdrawal of **one hundred fifty eight thousand dollars (\$158,000)** from the Capital Reserve Fund created for that purpose. The balance of **forty eight thousand six hundred seventy eight (\$48,678)** is to come from general taxation. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 11.** The Highway Truck Capital Reserve Fund covers the replacement of a small dump truck plus the three regular six wheelers and one 10-wheel dump. This vehicle will be replacing a 1997 six wheeler for a second ten wheeler. 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 snow.

**Article 12** 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.** **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 12** This fund allows for the replacement of the loader, grader, and the backhoe on a 12-15 year replacement cycle.

**Article 13** To see if the Town will vote to raise and appropriate the sum of **eighty five thousand dollars (\$85,000)** for the purpose of continuing **improvements on Old Coach Road.** This is a non-lapsing budget article until the project is complete or until December 31 2014. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 13** This year's request is an ongoing effort to continue repairing Old Coach Road from the upper road, Route 13 to the highway garage to make it safer and also meet the standards as prescribed by the Road Agent.

**Article 14** To see if the Town will vote to discontinue the Tucker Mill Road Bridge Capital Reserve Fund created in 2008. Said funds, estimated at twenty one thousand dollars **(\$21,000)** with accumulated interest to date of withdrawal, are to be transferred to the general fund. If this article fails, article 16 is null and void. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 14** Previously, the Town established a Capital Reserve Fund exclusively for the Tucker Mill Road Bridge. The Capital improvements Committee has voted to recommend and support this article by transferring the \$21,000 to the Town Bridge Repair/Replacement Capital reserve Fund. Article 15 will complete this task.

**Article 15** To see if the Town will vote to raise and appropriate the sum of **twenty one thousand dollars (\$21,000)** to be placed into the **Town Bridge Repair/Replacement Capital Reserve Fund**. This sum to come from fund balance and no amount to be raised by taxation. If article 15 fails this article is null and void. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

See explanation for Article 14

**Article 16** To see if the Town will vote to raise and appropriate **forty thousand dollars (\$40,000)** to be added to the existing **Town Bridge Repair/Replacement Capital Reserve Fund (CRF)**. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation of Article 16.** These funds are set aside for future bridge repairs and replacements. It has been determined that a consolidation of various bridge accounts would be better served under one Capital Reserve account mainly due to the previously projected estimates being less than originally projected.

**Article 17** To see if the town will vote to raise and appropriate **fifty six thousand dollars (\$56,000)** to be placed in the already established **Riverdale Road Bridge Capital reserve Fund** **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 17** 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 18** To see if the Town will vote to raise and appropriate the sum of **twenty thousand dollars (\$20,000)** to be added to the **Revaluation Capital Reserve Fund** to be used for the 2016 town wide revaluation. **(Selectmen & Finance Committee Recommends 7-0)**

YES [ ] NO [ ]

**Explanation for Article 18** State Law requires the Town to undertake a complete revaluation or update every five years. In order to alleviate a large appropriation request of \$80,000 for the scheduled update in 2016, it is more prudent to raise funds in annual increments.

**Article 19** To see if the Town will vote to have the Town of New Boston provide a combined tax credit against any property owned and used as the principal place of residence of any persons, or persons, Sixty-five (65) years of age, or older, in the amount equal to Twenty-five Percent (25) of the School Taxes assessed against the property in the previous year. (**By Petition**)

*Submitted by Petition*

YES [ ]      NO [ ]

**Article 20** To transact any other business that may legally come before this meeting.