

2015 WARRANT



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 2, 2015 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 tenth of March 2015 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)
- Library Trustee for 1 year (One seat)
- Trustee of the Trust Funds for 3 years: (One seat)
- Town Clerk 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?

ARTICLE II ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 204.4 "R-A" Residential & Agricultural

Amend existing section 204.4 to include a prohibition on backlots on non-connecting streets, as follows:

Areas and Dimensions

Minimum Lot Size Frontage Minimum Yard Dimensions

Lot Area Width Front Each Side Rear

Backlot 5 acres 50'***** -- 20' 20'

******Backlots are prohibited along non-connecting streets.*

YES [] NO []

Explanation for Article 2. This article by the Planning Board would update the Zoning Ordinance to mirror recent changes to the Subdivision Regulations that do not allow backlots to be created on cul-de-sac streets or dead end roads.

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?

ARTICLE II ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 204.6 Wetlands Conservation and Stream Corridor District

Amend Section 204.6 E.3.1 l. to delete reference to Site Specific Soils Maps, as follows:

1. Soils information for design purposes from a National Cooperative Soil Survey (NCSS) soil series map, ~~or a Site Specific Soils Map prepared in accordance with Section V T of the Subdivision Regulations.~~

YES [] NO []

Explanation for Article 3. This article by the Planning Board would delete the requirement for a site specific soils map to be submitted for a Conditional Use Permit application.

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?

ARTICLE II ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 204.6 Wetlands Conservation and Stream Corridor District

Amend Section 204.6 E 5.d. to allow partial bond releases for work performed, as follows:

- d. In the event that conditions precedent or subsequent are a condition of final approval, no bonds or other security shall be released until all conditions precedent or subsequent have been met, and, a Conditional Use Permit Compliance Statement has been received, or, if required under Section 204.6.E.6, a compliance hearing is held. ***Provided, however, that the Planning Board shall partially release said bonds or other security to the extent reasonably calculated to reflect the value of completed improvements or installations as phases or portions of the secured improvements or installations are completed and approved by the Planning Board or its designee.***

YES [] NO []

Explanation for Article 4. This article by the Planning Board would allow partial releases of bonds or other securities when portions of work have been completed for wetland crossings.

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?

ARTICLE II ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 206 Special Exceptions

Amend Section 206.1, General Provisions, sub-section B. Expiration, to change the time period for initiating a Special Exception from one year to two years per NH RSA 674:33, as follows:

- B. Expiration. A permit for a special exception shall be deemed to authorize only one particular use category and shall expire if the use shall cease for more than one (1) year for any reason, or if the use is not initiated within ***two (2) years from the date of final approval or as extended by the Board of Adjustment for good cause*** ~~one (1) year~~, and a new application shall be submitted for continuance for such special exception.

YES [] NO []

Explanation for Article 5. This article by the Planning Board would update the Zoning Ordinance to mirror recent changes in State statute with regard to special exceptions.

Article 6. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE III GENERAL PROVISIONS

Section 318 Signs

Amend Section 318.2, Definitions, sub-section 318.2, Sign, D., to include signs directing traffic to a business or other location up to 6 square feet as a sign not requiring a permit, as follows:

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

- D. Signs directing and guiding traffic and parking on private property, but bearing no advertising, warning signs such as "No Hunting", and "No Trespassing". ***Signs directing traffic to a business or other location, with only a location or business name, up to six (6) square feet.***

YES [] NO []

Explanation for Article 6. This article by the Planning Board based on input from the Building Inspector/Code Enforcement Officer would allow directional signs of a certain size to be installed without a permit.

Article 7. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE III GENERAL PROVISIONS

Add a new section, Section 322, Destruction of Property, to require removal and/or repair of destroyed property within one year of destruction, as follows:

Section 322 Destruction of Property

Any structure which is partially (more than 50%) or totally destroyed by reason of obsolescence, condemnation, fire or an act of God, shall be removed to grade and/or repaired/rebuilt/ replaced within one year of destruction, or the use for which the structure was utilized and the corresponding right to construct the structure will be deemed to have been abandoned. At the Building Inspector/Code Enforcement Officer's discretion this one year period may be extended not to exceed six months on a showing that the owner was unaware of the destruction or had no intention of abandoning the structure or corresponding use of the property but was prevented from repairing or otherwise replacing the structure for reasons beyond the owner's control.

YES [] NO []

Explanation for Article 7. This article by the Planning Board based on input from the Building Inspector/Code Enforcement Officer would establish timeframes, and a procedure for extension thereof, within which a structure which is partially or totally destroyed must be rebuilt, repaired or replaced.

Article 8. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE IV SPECIAL PROVISIONS

Section 401 Open Space Development Standards

Amend Section 401.4, General Requirements, sub-section 401.4 B. Permitted Uses, to delete two family dwellings from Open Space Developments, as follows:

- B. ***Permitted Uses*** - An Open Space Development shall only include, single ~~and two~~-family dwellings, accessory structures, incidental recreational uses, and home occupations as defined in this ordinance.

YES [] NO []

Explanation for Article 8. This article by the Planning Board would delete the allowance for two family dwellings within Open Space Developments.

Article 9. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE IV SPECIAL PROVISIONS

Section 401 Open Space Development Standards

Amend Section 401.4, General Requirements, sub-section 401.4 C. Permitted Density, to include a new sub-section, Permitted Density on Non-Connecting Streets, as follows:

Permitted Density on Non-Connecting Streets - No more than 12 lots shall be permitted on a non-connecting street of the maximum 1,000 feet. For non-connecting streets shorter than the maximum 1,000 feet, the number of lots shall be prorated based on frontage and all other ordinance and regulation requirements. Fractions of lots shall be rounded down to the nearest whole lot.

YES [] NO []

Explanation for Article 9. This article by the Planning Board would update the Zoning Ordinance to mirror recent changes to the Subdivision Regulations that specify the maximum number of lots to be allowed on a cul-de-sac street or dead end road.

Article 10. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE IV SPECIAL PROVISIONS

Section 404 Accessory Dwelling Units

Amend Section 404.3, Requirements/Limitations, to make clear that accessory dwelling units are not permitted in Open Space Developments, as follows:

1. Accessory dwelling units are permitted in the Residential-Agricultural "R-A" District, ***except in Open Space Developments.***

YES [] NO []

Explanation for Article 10. This article by the Planning Board would specify that accessory dwelling units are not allowed in Open Space Developments.

Article 11. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE VI DEFINITIONS

Section 602 Term Definitions

Amend the definition of Lot, Back (backlot), to include the prohibition of backlots on non-connecting streets, as follows:

Lot, Back (backlot): A lot using backland, thereby, being behind a road frontage lot, and having 50' of road frontage on a Class V or better road. ***Backlots are prohibited along non-connecting streets.***

YES [] NO []

Explanation for Article 11. This article by the Planning Board would add to the backlot definition the prohibition against backlots on cul-de-sac streets or dead end roads.

Article 12. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE VI DEFINITIONS

Section 602 Term Definitions

Amend the definition of Sawmill to add the word "Commercial" in the first sentence and to delete the second sentence in its entirety, as follows:

Sawmill: ~~Commercial s~~Sawmill operations or forest products manufactured in structures provided they are not within 200 feet of any property line and provided that outdoor storage shall not be located within the required front yard or within 50 feet of any property line. ~~Portable sawmills shall be allowed in any zone for a maximum two (2) year period with the required permit issued by the Town.~~

YES [] NO []

Explanation for Article 12. This article by the Planning Board based on input from the Building Inspector/Code Enforcement Officer would change the definition of sawmill to specify that it applies to commercial sawmills and to delete reference to portable sawmills.

Article 13. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE VI DEFINITIONS

Section 602 Term Definitions

Add a definition of Street, Non-Connecting, as follows:

Street, Non-Connecting: A Class V or better street that connects to a Class V or better street only at one end, such as a cul-de-sac street or loop road.

YES [] NO []

Explanation for Article 13. This article by the Planning Board would add a definition of non-connecting street.

Article 14. Are you in favor of the adoption of the following amendment to the existing Town Zoning Ordinance as proposed by the Planning Board?

ARTICLE VII ADMINISTRATION AND ENFORCEMENT

Section 706 Variance

Amend Section 706.1, to refer to NH RSA 674:33 regarding variance criteria and time limits, as follows:

Section 706.1

The Board of Adjustment may, on an appeal, grant a variance from the provisions of this Ordinance ***only after it finds that the variance criteria of NH RSA 674:33, I(b), as amended, are met.*** ~~if all the following facts are found by the Board of Adjustment and such finding is specified in its decision:~~

- ~~A. That there are unique physical circumstances or conditions including irregularity, narrowness or shallowness of lot, size or shape or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Ordinance in the neighborhood or district in which the property is located.~~
- ~~B. That because of such physical circumstances or conditions there is no possibility that the property can be used in strict conformity with the provisions of this Ordinance for a permitted use of the applicant's choice and that the authorization of a variance is therefore necessary to enable reasonable use of the property.~~
- ~~C. That the variance if authorized will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.~~
- ~~D. That the variance if authorized will represent the minimum variance that will afford reasonable relief; and,~~
- ~~E. That the spirit of the Ordinance shall be observed and substantial justice done.~~

In authorizing a variance, the Board of Adjustment may attach such conditions and safeguards as it deems necessary to protect the neighborhood and the community, ~~including but not limited to, a time limit when the variance will expire if not utilized.~~ ***Variances shall be valid if exercised within two years from the date of final approval or as extended by the Board of Adjustment for good cause.***

YES [] NO []

Explanation for Article 14. This article by the Planning Board would update the Zoning Ordinance to mirror recent changes in State statute with regard to variances.

Article 15. To see if the Town will vote to raise and appropriate the sum of **two hundred thousand dollars (\$205,000)** for the purchase of land Map 8, Lot 110-2 (approx. 3.25 acres); the sum of **two hundred and five thousand dollars (\$205,000)** to come from the unreserved fund balance with no amount to be raised by taxation. (Majority vote required) (Selectmen and Finance Committee recommend 6 -1 abstained)

YES [] NO []

Explanation for Article 15. This land is available and is centrally located and easily accessible being located on Mont Vernon Road next to the Post Office. The property could be used for any town use as designated by the Selectmen including a fire station. *NOTE: At the Deliberative Session, this article was amended to have the full \$205,000 come from the unreserved fund balance (surplus). That means this article now has No Tax Impact.*

Article 16. 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, six hundred nine thousand, six hundred sixty (\$4,609,660)** Should this article be defeated, the default budget shall be **four million, five hundred twenty nine thousand, seven hundred seventy four (\$4,529,774)** 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 and Finance Committee Recommend 6 -1 abstained)

YES [] NO []

Explanation for Article 16. 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 17. To see if the Town will vote to raise and appropriate the sum of **three hundred fifty thousand dollars (\$350,000.00)** for the purpose of completing the road improvements on Old Coach Road to include reconstruction of surface, drainage repairs, engineering and other necessary construction related to this project, the sum of **three hundred fifty thousand dollars (\$350,000.00)** to come from fund balance with no amount to be raised from taxation. This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2020. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 17. This will complete the Old Coach Road repair and reconstruction programs. This specific area of construction will be focused at the beginning of Old Coach at Mont Vernon Road. The purpose is to create a safer road and design and complete all drainage recommendations and requirements.

Article 18. To see if the town will vote to raise and appropriate the sum of **forty thousand dollars (\$40,000.00)** to be placed in the Town Hall Renovation Capital Reserve Fund already established. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 18. Last year the town meeting approved the initial \$45,000 toward the completion of the repairing and renovations to the basement of the town hall. There is a need for insulation, furnace, electrical work and plumbing along with a new concrete floor. The amount of \$40,000 will complete the said project.

Article 19. To see if the Town will vote to raise and appropriate the sum of **ninety one thousand two hundred and sixteen dollars (\$91,216)** for the purpose of completing the town hall renovation (primarily for the completion of the cellar insulation, flooring and other proposed energy saving repairs) and furthermore, to authorize the withdrawal of **ninety one thousand two hundred sixteen dollars (\$91,216)** from the Capital Reserve Fund for this purpose. This article is contingent on the passage of Article 18. Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 19. This is the last phase of the proposed renovations at the Town Hall which consists of completing several energy saving modifications in the basement of the building. Included will be an insulation program along with the construction of a new floor, removal of unused tanks and purchase and installation of a new central heating system.

Article 20. To see if the Town will vote to raise and appropriate **one hundred ten thousand dollars (\$110,000)**, to be placed in the existing **Fire Department Vehicle Capital Reserve Fund.** (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 20. Based on the replacement cost of each vehicle and the year of replacement or refurbishment, \$110,000 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 21. To see if the Town will vote to raise and appropriate **seventy thousand dollars (\$70,000)** to be placed in the existing **Highway Truck Capital Reserve Fund.** (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 21. 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. 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 22. To see if the town will vote to raise and appropriate the sum of **fifty thousand dollars (\$50,000)** for the purchase of one pre-owned six wheel dump truck for the New Boston Highway Department, and furthermore to authorize the withdrawal of **fifty thousand dollars (\$50,000)** from the Highway Truck Capital Reserve Fund. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 22. The CIP Committee and Selectmen have agreed in the past two years that this is a great window of opportunity, the Selectmen and Finance Committee favor taking advantage of this same opportunity for 2015.

Article 23. 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 Committee Recommend 7-0)

YES [] NO []

Explanation for Article 23. This fund allows for the replacement of the loader, grader, and the backhoe on a 12-15 year replacement cycle.

Article 24. To see if the Town will vote to raise and appropriate the sum of **eighty five thousand dollars (\$85,000)** for the purpose of improvements **on Bedford Road**. This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2020, whichever comes first. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 24. This year's request is an ongoing effort to embark on important repairs on Bedford Road to make it safer and also meet the standards as prescribed by the Road Agent.

Article 25. 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**. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 25. The funding under this Warrant Article is consistent with the CIP recommendation and scheduling for bridge repair and replacement projects. In order to keep up with the high cost of bridge repairs in the future, the Road Agent has a long term plan for the future upkeep and construction. In order not to spike the appropriation for some years, the CIP Committee spread the Capital Reserve funding to be consistent each year.

Article 26. 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 update. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 26. 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 27. To see if the Town will vote to raise and appropriate the sum of **one thousand thirty seven dollars (\$1,037.00)** to be added to the expendable trust fund established in 2014 for the purpose of offsetting the cost of police 'detail' coverage incurred by New Boston non-profits when they sponsor public events in New Boston that require security (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [] NO []

Explanation for Article 27. Last year this article came before the voters and passed. This article is designed to make the amount expendable by the Selectmen as needed and unspent funds may be carried over from year to year. Each year it is intended that this fund be replenished to the \$2,500 amount. In 2014 the fund was depleted by \$1,037.00.

Article 28. To see if the town will vote to raise and appropriate the sum of **twenty four thousand five hundred dollars (\$24,500.00)** for the purpose of purchasing and installing new wall mount heat pump air conditioning and heating units in the town hall offices. (Majority Vote Required) (Selectmen and Finance Committee Recommend 6-1)

YES [] NO []

Explanation for Article 28. This will replace the cumbersome and extremely heavy older window air conditioners previously installed in each window during the spring and removed in the fall. The Town's Safety Committee has recommended this purchase. It will be most effective in reducing the Town Hall electricity costs as the units will be far more energy efficient than the older window air conditioners. This purchase will involve eight town hall offices.

Article 29. To see if the Town will vote to raise and appropriate the sum of **two hundred thirty thousand dollars (\$230,000)** to design and construct a footbridge over the Piscataquog River connecting Mill Pond Conservation Area owned by the Town of New Boston, with property owned by the Town of New Boston (Library), allowing public access to the businesses located in the post office section of town, and furthermore, the entire amount of **two hundred thirty thousand (230,000)** is to be fundraised by the New Boston Foot Traffic Safety Committee. This will not have any effect on the tax rate. (Majority Vote Required) (Selectmen and Finance Committee recommend 7-0)

YES [] NO []

Explanation for Article 29. This article will have no bearing on the tax rate. The recently formed New Boston Foot Traffic Safety Committee plans to design and construct a footbridge across the South Branch of the Piscataquog River between town-owned Library land and the Mill Pond Conservation property. The bridge will be a safe connector between the Village Center and the developing South Village commercial/municipal area and will enable pedestrians to avoid the dangerous route along Mont Vernon Road NH State Rte. 13. The Committee plans required that all monies needed for the bridge project be fundraised privately, with no impact on the New Boston tax rate.

Article 30. To propose to retain the Town Veteran Tax Credit at \$500.00 as allowed by state law: Credit to be applied to New Boston Veterans Home Owner's property tax as a tribute for their Sacrifice and Service for our country. (Submitted by Petition)

YES [] NO []

Article 31. To see if the Town will add a new section on the semi-annual tax bill to provide a way for taxpayers to donate and additional dollar amount to be dedicated specifically to the New Boston Central School. The new section will allow taxpayers to allocate donations to one of the following areas:

- Technology upgrades
- Purchase of musical instruments or art supplies
- Playground facility upgrades
- Any of the above

Donations received will be held in separate accounts administered by the School Board. Any costs to track and distribute these funds will be deducted from the total and reimbursed back to the town.

As a show of appreciation, the names of those who donated and wish to be known will be reported at least once per year in an advertisement placed in the local newspaper or other town-wide publication. (Submitted by Petition)

YES [] NO []

Article 32. To act on any other business that may legally come before this meeting.