

# 2016 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 1, 2016 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 eighth of March 2016 from 7:00 am until 7:00 pm to act upon the following:

### Article 1.

Selectman for 3 years:                 Rodney Towne (610)  
   Dwight Lovejoy (267)

Cemetery Trustee for 3 years:       Irene Baudreau (873)

Fire Ward for 3 years:                 Dale Smith (557)  
   Dick Moody (653)  
   Brandon Merron (470)

Library Trustee for 3 years:         Tom Mohan (712)  
   Bill Gould (713)  
   Betsy Holmes (780)

Town Moderator for 3 years:         Lee Nyquist (835)

Trustee of the Trust Fund for 3 years: Mark Damien (796)

Trustee of the Trust Fund for 1 year:

Supervisor of the Checklist for 6 years: Sarah Chapman (879)

**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 204.1 "IND" Industrial

*Amend existing Section 204.1 to add Fuelwood Processing Yard to the list of Permitted Uses, as follows:*  
Uses

<u>Permitted Uses</u>	<u>Allowed by Special Exception</u>
1. Any light manufacture, compounding, processing, packing, treatment, or warehousing of goods and products, provided the use meets standards of performance of this ordinance	1. Vehicular Sales Facility
2. Office	2. Vehicular Repair Facility
3. Newspaper	3. Essential service
4. Printing/Copying	4. Auto service station
5. Accessory building or use	5. Contractor's yard
6. Warehouse or trucking terminal	6. Research & Development Facility
7. Sawmill	7. Removal of earth products
8. <b><i>Fuelwood Processing Yard</i></b>	

YES [647]      NO [316]

**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 204.3 "R-1" Residential One

*Amend existing Section 204.3 to add Attached Accessory Dwelling Unit to the list of Permitted Uses, as follows:*  
Uses

<u>Permitted Uses</u>	<u>Allowed by Special Exception</u>
1. One family dwelling	1. Outdoor recreational facility
2. Two family dwelling	2. Funeral home
3. Multi-family dwelling*	3. Hospital
4. Accessory building or use	4. Lodging house
5. Agriculture	5. Home business
6. Open Space Development in accordance with the provisions of Article IV.	6. Essential service
7. <b><i>Attached Accessory Dwelling Unit</i></b>	7. Manufactured Housing Park**
	8. Office
	9. Public Use
	10. Private school and/or day care center
	11. Home shop
	12. Family day-care home

YES [628]      NO [318]

**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 204.4      "R-A" Residential & Agricultural

*Amend existing Section 204.4 to add Attached Accessory Dwelling Unit to the list of Permitted Uses, as follows:*

Uses

Permitted Uses

Allowed by Special Exception

1. Agriculture
2. Forestry
3. One or two family dwelling
4. Seasonal dwelling
5. Accessory building or use
6. Open Space Development in accordance with the provisions of Article IV\*\*
7. Home business
8. Family day-care home
9. Private school and/or day care center
10. Home shop
11. Public use
12. Boarding and/or riding stable
13. Expanded home business
14. Accessory Dwelling Unit
- 15. Attached Accessory Dwelling Unit**

1. Lodging house
2. Recreational Camping Park\*
3. Essential service
4. Removal of earth products
5. Hospital
6. Sawmill
7. Kennel
8. Outdoor recreational facility

YES [631]      NO [310]

**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 IV      SPECIAL PROVISIONS**

Section 401      Open Space Development Standards

*Amend Section 401.4, General Requirements, sub-section 401.4 G. Requirements Applicable to Internal Design*

*Features: Frontage, to delete the notes regarding frontage and front yards, as follows:*

**G. Requirements Applicable to Internal Design Features:**

*Frontage* - The road frontage for individual building lots within Open Space Developments shall be as shown in the table below.

*Yard Requirements* - The following standards shall govern building setback and height:

<u>Street Frontage</u> <sup>‡</sup>	<u>Front Yard</u> <sup>‡‡</sup>	<u>Side &amp; Rear Yards</u>	<u>Maximum Building Height</u>	
			<u>Feet</u>	<u>Stories</u>
50'	30'	20'	35'	<u>2.5</u>

~~\* The minimum frontage requirements may be further reduced by the Planning Board to allow for the use of wedge or irregularly shaped lots.~~  
~~\*\* The average depth of all front yards within an Open Space Development shall not be less than 30 feet; however, no front yard of any lot shall be less than 24 feet.~~

YES [573]      NO [363]

**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 V      NON-CONFORMING USE(S)/STRUCTURE(S)**

Section 503      Alteration, Expansion and Change of Use

*Amend Section 503 to include a requirement for a Special Exception to be granted for minor alterations, expansions or changes of a non-conforming use or structure, and to include details regarding expansions of structures with non-conforming setbacks, as follows:*

*Non-conforming uses shall not be altered, expanded or changed. However, minor changes that meet the criteria set forth below, may be permitted by special exception. In order to qualify for such a special exception, the applicant must demonstrate that the conditions applicable to special exceptions generally have been met as well as demonstrating that the following additional conditions are met, namely that the proposed alteration/expansion/change (1) does not substantially change the nature and purpose of the original use; and, (2) the change does not have a substantially different effect on the neighborhood.*

*Additionally, any and all non-conforming property may be altered and expanded internally as the business and conditions warrant, providing, however that any such expansion does not make any existing conforming building non-conforming within the terms of this Ordinance; nor shall the change or expansion render the premises proportionally less adequate for the use in terms of the requirements of this Ordinance; nor shall the height exceed the limits as defined; nor shall such property be materially altered in purpose of the particular use category; nor shall the change or expansion have a substantially different impact on abutting property or the neighborhood. Non-Residential Site Plan Review shall be required in any event **for any non-residential use.***

**Any alteration, expansion or change of any structure with non-conforming setbacks shall only be permitted in accordance with this section and according to the diagram below.**

**Expansions of structures with non-conforming setbacks**

YES [553]      NO [372]

**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 VI      DEFINITIONS**

Section 602      Term Definitions

*Add a definition of Dwelling Unit, Accessory, as follows:*

***Dwelling Unit, Accessory:*** *A single detached secondary dwelling unit, constructed either within an existing accessory building or within an accessory building constructed for that purpose, that is subordinate to the permitted principal dwelling unit in accordance with the provisions of this section.*

*In the event that an existing dwelling unit on a lot meets the requirements and limitations of an accessory dwelling unit, a second dwelling of any size, meeting all other zoning and building code requirements, may be built on the same lot to be considered thereafter the principal dwelling unit.*

YES [601]      NO [327]

**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 VI DEFINITIONS**

Section 602 Term Definitions

Add a definition of *Dwelling Unit, Attached Accessory*, as follows:

***Dwelling Unit, Attached Accessory:*** A single attached secondary dwelling unit, that is either attached (by way of a common wall or floor), or contained wholly within the principal one-family dwelling and is no larger than 50% of the living space of the principal one-family dwelling. Attached Accessory Dwelling Units shall not be permitted on any lot with an existing two-family dwelling or Accessory Dwelling Unit.

YES [599] NO [320]

**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 VI DEFINITIONS**

Section 602 Term Definitions

Add a definition of *Separate Unit*, as follows:

***Separate Unit:*** A unit within a principal building containing a mix of commercial uses within that building on a commercial lot constituting a separate commercial unit for owner occupancy, rental or lease, and physically separated from other commercial units within the same building and containing independent sanitary facilities. Shared sanitary facilities may be provided in a common area of the principal building on a commercial lot with the approval of the Building Inspector and in accordance with all applicable local, state and federal regulations.

YES [611] NO [310]

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

**CHAPTER NB-1.0 General**

Section NB-1.5 Adoption

Amend Section NB-1.5.2, to delete reference to the edition of NFPA 13D as follows:

**NB-1.5.2:** The Town, by this Ordinance, adopts ~~the 1999 edition of~~ NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, as published by the National Fire Protection Association, and as amended, as the standard that shall apply to all new one- and two-family dwellings and manufactured homes, if the builder or owner wishes to install a sprinkler system (s) in lieu of a required firefighting water supply. (Added March 12, 2002 and amended March 9, 2004.)

YES [625] NO [324]

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

**CHAPTER NB-1.0 General**

Section NB-1.5 Adoption

Amend Section NB-1.5.3, to delete reference to the edition of NFPA 13R as follows:

**NB-1.5.3:** The Town, by this Ordinance, adopts ~~the 2002 edition of~~ NFPA 13R, Standard for the Installation of Sprinkler Systems in Multi-Family Dwellings, as published by the National Fire Protection Association, and as amended, as the standard that shall apply to all new Multi-Family dwellings. (Section added 3/8/05.)

YES [648] NO [304]

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

**CHAPTER NB-4.0      Smoke Alarms**

*Amend existing Chapter NB-4.0, to delete the words "Smoke Detectors Required" from the heading of the first paragraph and to add requirements for carbon monoxide detectors in the first paragraph, as follows:*

~~Smoke Detectors Required:~~ Smoke detectors shall be installed in each bedroom and on each additional story of the dwelling, including basements, cellars and unfinished spaces, but not including crawl spaces and uninhabitable attics. ***Carbon monoxide detector or combination (smoke and carbon monoxide) is required on each level of the dwelling in hallways or similar areas where appropriate.*** Attached garages shall include a heat detector in each stall interconnected with required smoke detectors. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected to provide, when actuated, an alarm which will be audible in all sleeping areas. All detectors shall be approved and listed and shall be installed in accordance with the manufacturer's instructions. (Amended March 11, 2008.)

YES [641]      NO [318 ]

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

**CHAPTER NB-5.0      Sprinkler Systems for new One- and Two-Family Dwellings and Manufactured Homes.**

Section NB-5.3    Process

*Amend existing Section NB-5.3.1, to delete reference to the edition of NFPA 13D, as follows:*

NB-5.3.1 All residential sprinkler system designs shall be in accordance with the requirements of ~~the 1999 Edition~~ of NFPA 13D, as modified by this ordinance.

YES [611]      NO [339]

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

**CHAPTER NB-5.0      Sprinkler Systems for new One- and Two-Family Dwellings and Manufactured Homes.**

Section NB-5.4    Design

*Amend existing Section NB-5.4, to delete reference to the edition of NFPA 13D, as follows:*

All sprinkler systems shall be designed in accordance with ~~the 1999 edition of~~ NFPA 13D except as follows:

YES [615]      NO [331]

**Article 15.** 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 ninety seven thousand, five hundred twenty three dollars (\$4,697,523)**. Should this article be defeated, the default budget shall be **four million, five hundred one thousand, eight hundred sixty four dollars (\$4,501,864)** 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 7-0)

YES [403] NO [585]

**Article 16.** 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 [447] NO [531]

**Article 17.** To see if the Town will vote to raise and appropriate **nineteen thousand five hundred dollars (\$19,500)** for the purpose of producing three separate professionally prepared cost estimates for three fire station options. These options are 1-raising & rebuilding on the current site, 2-renovating the current station and 3-construction of a new fire station to be located on Route 13 at Map 8 Lot 110-2. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [340] NO [633]

**Article 18** To see if the Town will vote to raise and appropriate the sum of up to one hundred ninety six thousand three hundred dollars (\$196,300) for the purpose of replacing the radio building and antenna tower at the cul de sac on Ridgeview Drive that serves the Town's emergency services with ninety eight thousand one hundred fifty dollars (\$98,150) from a State of NH EMPG grant and ninety eight thousand one hundred fifty dollars (\$98,150) to come from unassigned fund balance. In addition, fire proofing the area and installing a security fence around the building and tower would be part of the plan. Said project is a collaborative effort by the Police, Fire and Highway Departments who will benefit from this upgrade. This is contingent on receiving the NH EMPG Grant and is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2021. (Majority Vote Required) (Selectman and Finance Committee Recommend 7-0)

YES [528] NO [465]

**Article 19.** To see if the Town will vote to raise and appropriate **eighty five thousand dollars (\$85,000)** to be placed in the existing **Highway Truck Capital Reserve Fund.** (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [421] NO [558]

**Article 20.** To see if the Town will vote to raise and appropriate the sum of **thirty thousand dollars (\$30,000)** to be added to the **Revaluation Capital Reserve Fund** to be used for the 2021 complete town wide revaluation. (Majority Vote Required) (Selectmen and Finance Committee recommend 7-0)

YES [420] NO [566]

**Article 21.** To see if the Town will vote to raise and appropriate the sum of **eighty thousand dollars (\$80,000)** for the purpose of completing the required revaluation update due in 2016 as required by law (every five years) and furthermore, to authorize the withdrawal of **eighty thousand dollars (\$80,000)** from the Capital Reserve Fund for this purpose. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [502] NO [485]

**Article 22.** 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 [415] NO [566]

**Article 23.** 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 Dougherty Lane**. This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2021, whichever comes first. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [287]      NO [487]

**Article 24.** 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 [493]      NO [482]

**Article 25.** To see if the Town will vote to raise and appropriate the sum of **two thousand four hundred fifty eight dollars (\$2,458.00)** 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 [477]      NO [509]

**Article 26.** To see if the Town will vote to discontinue the Riverdale Road Capital Reserve Fund with said funds with accumulated interest to date of withdrawal, to be transferred to the Town's general fund. (Majority Vote Required) (Selectmen and Finance Committee Recommend 7-0)

YES [746]      NO [233]