



Town of Danville

2014 TOWN WARRANT ARTICLE SUMMARY

TO BE VOTED ON March 11, 2014



Dear Resident:

This warrant article listing is being provided to help you better understand the ballot articles on which you will be voting. There is 1 zoning Warrant Article put forth by a Citizen Petition. Warrant Articles #19 through #30 inclusive are Selectmen and Department articles. The tax impact noted on the various articles is the Selectmen's best estimate based on the town's 2013 valuation of \$331,448,699 as defined by the MS-1 line 21.

You will note that some articles have recommendations by the Board of Selectmen and Budget Committee and some do not. This is a requirement by RSA 32:5, V- (a) which states that only special warrant articles shall contain the notation on whether or not the appropriation is recommended by these Boards. This doesn't mean the Boards do or do not recommend the other Articles. The Boards are not allowed to add this notation except for those warrants require by State law.

On Monday, March 3, 2014 (7:30 PM at the Town Hall) there will be a Candidate's Night. We encourage the public to ask questions of the election candidates and on the ballot articles. The Selectmen's Office has requested each department to be present to explain their ballot article and to participate in this public discussion.

Please vote on March 11th, polls will be open 8 AM to 7 PM. You may register to vote on March 11th at the polls (Danville Community Center) if you are not already registered.

Second Session of Annual Meeting (Voting)

You are hereby notified to meet on Tuesday, the 11th day of March 2014, at 8:00 o'clock in the forenoon at the Danville Community Center, Danville, New Hampshire to vote by official ballot on the election of town officials, and on all warrant articles.

Article 2014-1 *Choose all necessary Town Officers for the year ensuing. (March 11th only)*

Article 2014-2 *Choose all School District Officers for the year ensuing. (March 11th only)*

Article 2014-3 *Stone Walls and Fences*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to indicate that fences and stone walls in the Residential/Agricultural Zone are not considered permanent structures. Specifically, this will modify Article II.AA to read:

Article II.AA A combination of materials that form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water with the intention of maintaining said structure indefinitely. Class I through Class V roadways and driveways shall not be considered permanent structures. Commercial paved parking areas shall be considered permanent structures. Fences and stone walls in the Residential/Agricultural Zone shall not be considered permanent structures.

Recommended by the Planning Board (6-0)

Article 2014-4 *Building Size*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to clarify the intent of the regulations regarding building size. Specifically, this will reword Article VII.G to read:

Article VII.G Every residential unit, mobile home and park model shall have a minimum of one hundred fifty square feet (150 sq ft) of living space per occupant provided that each:

- a. Single family residential unit, excluding additions, shall have a ground floor area of not less than seven hundred twenty square feet (720 sq ft).
- b. Multiple-unit dwelling, built in the traditional construction method (side by side), excluding additions - Each unit within the multiple-unit dwelling shall have a ground floor area of not less than seven hundred twenty square feet (720 sq ft).
- c. Multiple-unit dwelling, built in the garden style construction method (over and under), excluding additions - Each unit within the multiple-unit dwelling (first floor unit and second floor unit) shall have a floor area of not less than seven hundred twenty square feet (720 sq ft). No third floor units are allowed.
- d. Mobile home, (including so-called park models) excluding additions, shall have a floor area of not less than three hundred twenty square feet (320 sq ft).

Recommended by the Planning Board (6-0)

Article 2014-5 *Multi-unit Structures*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to modify the number of units allowed in a multi-unit structure for developments that are 60% workforce housing per RSA 674:58. Specifically, this will modify Article IV.A.1.d.1).a to read:

Article IV.A.1.d.1).a Each dwelling will require a minimum lot or site size of two (2) acres per residential unit. In no case shall any structure contain more than four (4) residential units unless 60% of the residential units in the structure are workforce housing per RSA 674:58, in which case, five (5) residential unit structures shall be permitted unless stated otherwise elsewhere in this ordinance. In the case of workforce housing structures with five residential units, these units must remain as workforce housing per RSA 674:58 for a minimum of ten (10) years after receipt of an occupancy permit.

Recommended by the Planning Board (6-0)

Article 2014-6 *Development Allowance in the HCLI Zone*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to clarify that HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL ZONE permits Continuing Care Retirement Communities. Specifically, this will modify Article IV.C.1.a and to read:

Article IV.C.1.a Any business use such as: retail sales establishments, professional offices and studios, hospitals, medical and dental offices and related health care facilities, Continuing Care Retirement Communities (CCRCs), banks and other financial institutions, personal service establishments, restaurants with or without drive-through windows, bakeries and cafes, funeral homes, fraternal membership clubs, Inns and Bed & Breakfast establishments, governmental uses of land and buildings, automotive filling – service stations, automotive repair shops, and animal hospital and boarding and breeding kennels.

Recommended by the Planning Board (6-0)

Article 2014-7 *Structure Allowance in the HCLI Zone*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to clarify that HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL ZONE does not permit residential structures. Specifically, this will add Article IV.C.2.e and to read:

IV.C.2.e Residential structures are not permitted in this zone.

Recommended by the Planning Board (6-0)

Article 2014-8 *Roadway Setbacks*

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to clarify the roadway setback for multi-unit dwellings along private roads. Specifically, this will modify Article IV.A.1.d.1).c to read:

Article IV.A.1.d.1).c No dwelling unit shall be located within fifty feet (50') of abutting property lines nor closer than thirty feet (30') to existing or proposed roadways. The setback from the roadway shall be measured from the edge of the right-of-way or, in the case of private roads without a right-of-way, the setback shall be measured from a point twenty five feet (25') from and perpendicular to the roadway centerline.

Recommended by the Planning Board (6-0)

Article 2014-9 *Building Height*

To see if the Town of Danville will vote to amend the Town of Danville Zoning to clarify the points for measurement of building height. Specifically, this will modify Article IV.A.1.e, IV.A.1.d.2 and IV.B.3.d.2) to read:

Article IV.A.1.e Single family dwellings shall not exceed thirty feet (30') in height. The height shall be measured as the distance between the following points:

- i. The lowest point of junction between foundation and ground level
- ii. The highest point excluding chimneys

Article IV.A.1.d.2) Multiple-unit dwellings shall not exceed thirty feet (30') in height. The height shall be measured as the distance between the following points:

- i. The lowest point of junction between foundation and ground level
- ii. The highest point excluding chimneys

Article IV.B.3.d.2) No building height shall exceed 2.5 stories or thirty-five feet (35'). The height shall be measured as the distance between the following points:

- iii. The lowest point of junction between foundation and ground level
- iv. The highest point excluding chimneys

Recommended by the Planning Board (6-0)

Article 2014-10 Remedies for Violations

To see if the Town of Danville will vote to amend Article IX.C of the Danville Zoning Ordinance to add the following sentence regarding remedies for violations:

C. REMEDIES FOR VIOLATIONS

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation hereof, or any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies may institute any appropriate action or proceedings to prevent such unlawful action to restrain, correct, or abate such violation, to prevent the occupancy of the building, structure or land, or any illegal act or use in or about such premises. This shall include the commencement of work requiring a permit and/or approval prior to obtaining that permit and/or approval.

Recommended by the Planning Board (6-0)

Article 2014-11 Building Code Standards

To see if the Town of Danville will vote to approve a change to the Danville Zoning Ordinance regarding building code standards. Specifically, this will modify Article VII.F as follows:

Article VII.F The minimum standards for all construction within the Town of Danville shall be in accordance with the State of NH building, energy, mechanical, plumbing, residential, electrical, fire and amendments of these codes as set by the New Hampshire State Building Code Review Board and documented in the State Building Code Manuals Rules, Bcr 300 through Bcr 308. Minimum construction standards for Manufactured Housing shall conform to the United States Department of Housing and Urban Development Regulation Part 3280-Manufactured Home Construction and Safety Standards latest edition.

Recommended by the Planning Board (6-0)

Article 2014-12 Impact Fees

To see if the Town of Danville will vote to approve a change to Article XIV of the Danville Zoning Ordinance which would expand the list of public facilities for which impact fees associated with new development can be assessed to include: municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; public road systems and rights-of-way; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; public recreation facilities, not including public open space; water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; and storm water, drainage and flood control facilities. Specifically, this would replace Article XIV, *Impact Fee Ordinance*, with the following:

ARTICLE XIV

Impact Fee Ordinance

A. APPLICABILITY AND PURPOSE

The following regulations shall govern the assessment of impact fees to new development for their proportionate demand on public capital facilities. These regulations are authorized by RSA 674:21, V, and other pertinent state law, as an innovative land use control.

The public facilities for which impact fees may be assessed in Danville include municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; public road systems and rights-of-way; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; public recreation facilities, not including public open space; water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; and storm water, drainage and flood control facilities.

The purpose of this Article is to:

1. Assist in the implementation of the Master Plan and Capital Improvements Program;
2. Enable the Town of Danville to assess an equitable share of the cost of public capital facilities to new development in proportion to its demand on capital facilities; and
3. Provide authority to the Planning Board to adopt appropriate methods to support proportionate impact fee assessments, and to provide for the administration thereof.

B. DEFINITIONS

1. Assessed property means any land or buildings comprising new development that are subject to an impact fee assessment under this article.
2. Assessment with respect to an impact fee means a notification issued by the Town of Danville, its Board of Selectmen, its Planning Board, or its Building Inspector, stating the amount of the impact fees due for an assessed property, and the schedule for its collection. Such notification may come as part of planning board approval in accordance with Section XIV.C.4 of this ordinance and does not require separate, written notification.
3. Collection with respect to an impact fee means the actual delivery of payment of the fee to the Town of Danville on behalf of an assessed property.
4. School District means the Timberlane Regional School District, of which Danville is a member municipality.
5. Fee payer means the applicant for the issuance of a building permit which could create new development.
6. New development, for the purpose of impact fee assessment, includes the following land use changes:
 - a. The construction of any new dwelling unit; or
 - b. Changes to an existing structure that would result in a net increase in the number of dwelling units; or
 - c. Construction of a new commercial/industrial building or any net increase in the gross floor area of an existing commercial/industrial building; or
 - d. The conversion of an existing use to another use that is determined by the Planning Board to result in a measurable net increase in the demand on the public capital facilities that are the subject of impact fee assessment; however,
 - e. New development shall not include the replacement of an existing manufactured housing unit or the reconstruction of a structure that has been destroyed by fire or natural disaster where there is no change in size, density, or type of use that would increase the demand on capital

facilities for which impact fees are assessed.

7. Off-site improvements means highway, drainage, sewer and water upgrades or improvements that are necessitated by a development but which are located outside the boundaries of the property, as determined by the Planning Board during the course of subdivision plat or site plan approval.

C. IMPOSITION OF IMPACT FEES

1. The Planning Board is hereby authorized to assess impact fees in accordance with the standards set forth in this Article. The Planning Board shall have the authority to adopt regulations to implement the provisions of this Article and to delegate the administrative functions of impact fee assessment, collection and disbursement as necessary.
2. Impact fees may be assessed to new development to compensate the Town of Danville or the School District for the proportional share of capital facility costs associated with new development in Danville.
3. Any person or commercial entity who seeks a building permit for new development is hereby required to pay impact fees in accordance with the specific impact fee schedules adopted by the Planning Board, subject to the procedures and conditions established in this article.
4. Impact Fees are assessed at the time of Planning Board approval of a subdivision plat or site plan. Unless specifically stated otherwise at time of approval, the assessed amount shall be in accordance with the impact fee schedule in force at the time of approval.

D. COMPUTATION OF IMPACT FEE

1. The amount of each impact fee shall be assessed in accordance with written procedures or methodologies adopted and amended by the Planning Board for the purpose of capital facility impact fee assessment in Danville. These methodologies shall set forth the assumptions and formulas comprising the basis for impact fee assessment, and shall include documentation of the procedures and calculations used to establish impact fee schedules. Such documentation shall be available for public inspection in the municipal office of the Town of Danville.
2. Impact fees will not exceed the costs of:
 - a. A share of the cost of planned public capital facilities, based on the proportionate demand on such facilities from new development; and/or
 - b. Compensating the Town of Danville and/or the School District for a proportionate share of facility capacity that was provided in anticipation of new development.
3. The Planning Board may prepare, adopt, or amend studies, reports, or cost allocation procedures that are consistent with the above standards, and which define a basis for impact fee assessment for public capital facilities, and the impact fee assessment schedules thereof.
4. No methodology, cost allocation procedure, or other basis of assessment, nor related impact fee schedules, or changes in the basis of assessment or the fee schedules, shall become effective until it shall have been the subject of a public hearing before the Planning Board.
5. In the case of new development created by conversion or modification of an existing use, the impact fee shall be based upon the net increase in the impact fee assessed for the new use as compared to the highest impact fee that was or would have been assessed for the previous use in existence on or after the effective date of this Ordinance.

E. WAIVER OF IMPACT FEES

1. A person or commercial entity may request a full or partial waiver of school facility impact fees for residential uses in which all or a portion of the units will be lawfully restricted to persons age 55 and over, and where such restriction will be maintained for a period of at least 20 years. School impact fees may, in the discretion of the Planning Board, be waived for those units within a development that are so restricted in a lawful manner that is satisfactory to the Planning Board.
2. A person or commercial entity may request from the Planning Board a full or partial waiver of impact fees for development approved for construction prior to the effective date of an impact fee schedule adopted under this article if such development is entitled to the five year exemption provided by RSA 674:39. This waiver shall not be applicable to phases of a development in which active and substantial development, building and construction has not yet occurred in the phase in the development is to be constructed.
3. The Planning Board may agree to waive all or part of an impact fee assessment and accept in lieu of a cash payment, a proposed contribution of real property or facility improvements of equivalent value and utility to the public. Prior to acting on a request for a waiver of impact fees under this provision that involves a contribution of real property or the construction of capital facilities, the Planning Board shall submit a copy of the waiver request to the Board of Selectmen for its review and consent prior to its acceptance of the proposed contribution. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of impact fee assessment. Full or partial waivers of impact fees may not be based on the value of exactions for off-site improvements required by the Planning Board as a result of subdivision or site plan review, and which would be required of the developer regardless of the impact fee assessments authorized by this Article.
4. For development approved for construction (including conditional approval) prior to 1 April 2013 for which an agreement was reached in writing between the applicant and the Town of Danville regarding payment of fees associated with the impact of the development, said agreement shall remain in force and no additional impact fees shall be due unless permitted by the agreement.

F. APPEALS OF IMPACT FEE ASSESSMENT

1. If a fee payer elects to appeal the amount of the impact fee, the appeal shall be made to the Zoning Board of Adjustment. In support of such appeal, the fee payer shall prepare and submit to the Zoning Board of Adjustment an independent fee calculation or other relevant study for the new development activity which is proposed, if applicable. The independent study by the fee payer shall set forth the specific reasons for departing from the adopted schedules and methodologies of the Town. The Zoning Board of Adjustment shall review such study and render its decision. All costs incurred by the Town for the review of such study, including consultant and counsel fees, shall be paid by the fee payer unless the Zoning Board of Adjustment determines a different allocation of costs.
2. The decision of the Zoning Board of Adjustment may be appealed to the Superior Court as provided by RSA 677:2-14.

G. ASSESSMENT AND COLLECTION OF IMPACT FEES

Assessment and collection of impact fees shall be governed by the following procedures:

1. Where subdivision or site plan approval is required for new development, impact fees shall be assessed at the time of Planning Board approval of a subdivision plat or site plan based on the impact fee schedules then in effect. The amount of such assessment shall be applicable to subsequent building construction within the approved subdivision or site plan for a period of five years from the date of Planning Board approval. Once this five-year period has expired, remaining construction for which no certificate of occupancy has been obtained shall be subject to the adopted fee schedule in force at the time of the certificate of occupancy application.
2. With the exception of those plats and site plans meeting the conditions in (1) above, and when no other Planning Board approval is required, or has been made prior to the adoption or amendment of the impact fee ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit. The impact fee schedule in force at the time of the building permit application shall apply.
3. Unless an impact fee is inapplicable to a particular development, or where the fee has been waived by the Planning Board, no certificate of occupancy shall be issued for new development until the applicable impact fees have been assessed.
4. The Planning Board and fee payer may agree to another mutually acceptable schedule for payment. If an alternate schedule of payment is established, the Planning Board shall require the deposit of an irrevocable letter of credit or other acceptable performance and payment guarantee with the Town of Danville.

5. Impact Fees shall be collected at the time a certificate of occupancy is issued. If no certificate of occupancy is required, impact fees shall be collected when the development is ready for its intended use.

H. ADMINISTRATION OF FUNDS COLLECTED

1. All funds collected shall be properly identified and promptly transferred for deposit into a separate impact fee accounts for each category of impact fee assessment. This impact fee accounts shall be non-lapsing special revenue fund accounts and under no circumstances shall such revenues accrue to the General Fund.
2. The Town Treasurer shall record all fees paid, by date of payment and the name of the person making payment, and shall maintain an updated record of the current ownership, tax map and lot reference number of properties for which fees have been paid under this Article for each building permit so affected for a period of at least nine (9) years from the date of receipt of the impact fee payment associated with the issuance of each permit.
3. Impact fees collected may be spent from time to time by order of the Board of Selectmen and shall be used solely for the reimbursement of the Town of Danville or the School District for the cost of the capital improvements for which they were collected, or to recoup the cost of capital improvements made in anticipation of the needs for which the impact fee was collected.
4. In the event that bonds or similar debt instruments have been or will be issued by the Town of Danville or the School District for capital improvements which are the subject of assessment, impact fees may be transferred for the payment of debt service on such bonds or similar debt instruments.
5. No later than sixty (60) days following the end of each fiscal year, the Town Treasurer shall make a report to the selectmen in accordance with RSA 674:21 paragraph V.I accounting for all impact fee transactions.

I. REFUND OF FEES PAID

1. The current owner of record of property for which an impact fee has been paid shall be entitled to a refund of that fee, plus accrued interest where:
 - a. The impact fee has not been encumbered or legally bound to be spent for the purpose for which it was collected within a period of six (6) years from the date of the full and final payment of the fee; or
 - b. The Town of Danville, or the School District, has failed, within the period of six (6) years from the date of the full and final payment of such fee, to appropriate any of the non-impact fee share of related capital improvement costs thereby permitting the capital improvement of capital improvement plan for which the impact fee was collected to be commenced. If any capital improvement or capital improvement program for which an impact fee is collected has been commenced either prior to, or within six years from the date of the final collection of an impact fee, that impact fee payment shall be deemed to be encumbered and legally bound to be spent for said capital improvement or capital improvement program and shall not be refunded, even if it is not fully expended within the six year period.
2. The Board of Selectmen shall provide all owners of record who are due a refund written notice of the amount due, including accrued interest, if any, and shall promptly cause said refund to be made.
3. Impact fees will be refunded to a party other than the current owner if, ninety (90) days prior to the date that an impact fee is due to be refunded, the Town of Danville is provided with documentation to prove that a party other than the current owner is the appropriate party to receive said refund and that the impact fee was specifically excluded from the sale and/or transfer to the current owner.

J. ADDITIONAL ASSESSMENTS

Payment of the impact fee under this article does not restrict the Town of Danville or the Planning Board to require the payment of exactions for off-site improvements for highway, drainage, sewer and water upgrades necessitated by the development, in accordance with the provisions of RSA 674:21, V (j), or other infrastructure and public capital facilities specifically benefiting the development as required by the subdivision or site plan review regulations, or as otherwise authorized by law.

K. PREMATURE AND SCATTERED DEVELOPMENT

Nothing in this article shall be construed so as to limit the existing authority of the Danville Planning Board to deny new proposed development which is scattered or premature, requires an excessive expenditure of public funds, or otherwise violates the Town of Danville Zoning Ordinance, or the Danville Planning Board Site Plan Review Regulations or Subdivision Regulations, or which may otherwise be lawfully denied.

L. REVIEW OF FEE SCHEDULE AND BASIS OF ASSESSMENT

The Impact Fee Assessment Schedules and the underlying methodologies establishing those schedules shall be reviewed annually by the Planning Board. Such review may result in recommended adjustments in one or more of the fees based on the most recent data as may be available for the variables comprising the calculation of the fee. No change in the methodology or in the impact fee schedule shall become effective until it shall have been the subject of a public hearing before the Planning Board noticed in accordance with RSA 675:7, and approved by the Board of Selectmen. The methodology and the impact fee schedule shall not be modified more frequently than annually.

Recommended by the Planning Board (5-0)

Article 2014-13 **Smoke & Carbon Monoxide Detectors**

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to specify the requirements for smoke and carbon monoxide detectors. Specifically this will change Article VII.L to read:

ARTICLE VII.L Fire and Smoke Detectors

All new residential construction and mobile homes shall have smoke and carbon monoxide detectors that conform to State of NH Fire code Standards.

Recommended by the Planning Board (6-0)

Article 2014-14 **Sprinkler Requirements for Commercial Buildings**

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to specify sprinkler system requirements for commercial buildings. Specifically this will change Article VII.S.4.a.9 to read:

ARTICLE VII.S.4.a.9

Sprinkler Systems for Commercial Buildings

- i. All commercial development with square footage over 2000 sq ft, even if subdivided to smaller units, must be protected throughout by an approved automatic sprinkler system in compliance with the requirements of NFPA-13 and maintained according to NFPA-25.
- ii. All commercial development with square footage over 2000 sq ft, even if subdivided to smaller units, will be protected with a monitored Fire Alarm system in compliance with the requirements of NFPA-72.
- iii. All commercial occupancies shall have a Knox High Security Master Key Retention System approved by the Fire Chief or his designee.

Recommended by the Planning Board (6-0)

Article 2014-15 **Site Plan Review Requirements**

To see if the Town of Danville will vote to amend Article IV and Article VII of the Danville Zoning Ordinance to exempt duplex residences from requiring site plan review. Specifically, this would modify the Zoning Ordinance as follows:

1. To modify Article IV.A.1.d.4 to read "Site Plan Review and approval shall be required for all multi-unit (also referred to as multi-family) development, excluding duplex units, as stated in Article VII, T."
2. To modify Article IV.B.2.f. to read "Multiple-unit dwellings excluding duplex units, subject to the provisions of Article IV – Section A.1.d"
3. To modify Article VII.T.1. to read "All applicants for multi-unit/multi-family residential development (excluding duplex units) and all applicants for commercial/retail/industrial development (including expansion of existing commercial/retail/industrial development or multi-unit/multi-family, excluding duplex units) shall apply to the Planning Board for Site Plan Review in accordance with the requirements as provided for in the Town of Danville Site Plan Review Regulations, as amended.

Recommended by the Planning Board (6-0)

Article 2014-16 Location of Building on Lot

To see if the Town of Danville will vote to amend Article VI.B of the Town of Danville Zoning Ordinance to specify that front lot line setbacks should be either 30' or the average depth of existing properties for 500' in either direction on the same side of the street, whichever is lesser. Specifically this will change Article VI.B to read:

B. LOCATION OF BUILDING ON LOT

Except as provided elsewhere in this ordinance, no building, mobile home or permanent structure shall be located nearer than fifteen feet (15') to an abutter's property line and thirty feet (30') from the edge of the right of way, or a distance no nearer the front property line than the average distance of existing properties for five hundred feet (500') in either direction along, and on the same side of said street, whichever is lesser. The setback from the roadway shall be measured from the edge of the right-of-way.

Recommended by the Planning Board (5-0)

Article 2014-17 Citizens Petition

To see if the town will vote to eliminate Zoning Ordinance article VII S, subsection 4a, Sprinkler Systems and abide by State Regulation regarding sprinklers

(Paragraph V effective September 8, 2013; see also paragraph V set out above.)

V. No municipality or local land use board as defined in RSA 672:7 shall adopt any ordinance, regulation, code, or administrative practice requiring the installation of automatic fire suppression sprinklers in any new or existing detached one- or 2 family dwelling unit in a structure used only for residential purposes. Notwithstanding any provision of law to the contrary, no municipality or local land use board shall enforce any existing ordinance, regulation, code, or administrative practice requiring the installation or use of automatic fire suppression sprinklers in any manufactured housing unit as defined in RSA 674:31 situated in a manufactured housing park as defined in RSA 205-A:1,II.

Not Recommended by the Planning Board (5-0-1)

Article 2014-18 Operating Budget

Shall the town of Danville 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 for the first session, for the purpose set forth therein, totaling Two Million Nine Hundred Thirteen Thousand Five Hundred Thirty One Dollars (\$2,913,531). Should this article be defeated, the default budget shall be Two Million Eight Hundred Ninety Four Thousand One Hundred Two Dollars (\$2,894,102) which is the same as last year, with certain adjustments required by previous action of the Town 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.

Discussion: The Operating Budget this year is 4.17% above last year's Operating budget. Increases are due to an increase in operational costs, an additional fulltime police officer, medical benefits premiums, NH Retirement contribution, and expansion to the Highway paving budget line item.

Article 2014-19 Protection of Personnel Equipment Capital Reserve Fund

To see if the Town will raise and appropriate the sum of Eight Thousand Dollars (\$8,000.00) to be added to the Protection of Personnel Equipment Capital Reserve Fund previously established for the future replacement of Self-Contained Breathing Apparatus (SCBA) to protect firefighters.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: This fund was established to provide required, periodic replacement of FD personnel safety equipment. The end-of-year 2013 balance: \$45,822.72. Estimated tax impact: \$0.024/thousand.

Article 2014-20 Fire Dept. Capital Reserve Fund for Future Fire Dept. Vehicle Purchases

To see if the Town will raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) to be added to the Fire Dept. Capital Reserve Fund for Future Fire Dept. Vehicle Purchases previously established.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: This fund was established to provide for future FD vehicle purchases. The 2013 end-of-year balance in this fund is \$31,015.49. As with all capital reserve funds, setting smaller amounts of funds aside now will help offset much higher costs when it becomes necessary to replace our existing vehicles. This article is part of the CIP (Capital Improvement Plan) of the Town of Danville Master Plan. Estimated tax impact: \$0.091/thousand.

Article 2014-21 Cemetery Capital Reserve Fund

To see if the Town will raise and appropriate the sum of One Thousand Dollars (\$1,000.00) to be placed in the Cemetery Capital Reserve Fund for future cemetery expansion.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: The town is running out of available space for future cemetery lots. In accordance with RSA 289:2 "Every municipality shall provide one or more suitable cemeteries for the internment of deceased persons within its boundaries". The Cemetery Trustees will utilize these funds in the future to develop Town owned land previously designated by the Board of Selectmen for future cemetery expansion. The end-of-year 2013 balance: \$34,694.45. Estimated tax impact: \$0.003/thousand.

Article 2014-22 Long Pond Road Culvert Capital Reserve Fund

To see if the Town will raise and appropriate the sum of Fifty-five Thousand Dollars (\$55,000.00) to replace the culvert on Long Pond Road at Pow Wow Brook and to authorize the withdrawal of Forty-Two Thousand One-Hundred Seventy Six Dollars and Sixty Cents (\$42,176.60) plus any additional interest earned from the Long Pond Road Culvert Capital Reserve Fund and to name the Board of Selectmen to be the agent to expend these funds. The remaining Twelve Thousand Eight Hundred Twenty Three Dollars and Forty Cents (\$12, 823.40) will be raised through taxation.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: This project will replace the rotted culvert on Long Pond Road at Pow Wow Brook. Several temporary repairs have already been done to the culvert area, but further repair options are not possible due to the deteriorated state of the culvert. The end-of-year 2013 balance: \$42,176.60. The majority of funds (\$42k+) will come from the withdrawal from the Capital Reserve fund with the remainder (\$12,823.40) coming from taxation via this warrant. Estimated tax impact: \$0.039/thousand.

Article 2014-23 Highway Sand/Salt Storage Building Capital Reserve Fund

To see if the Town will raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be added to the Highway Sand/Salt Storage Building Capital Reserve Fund to fulfill a future EPA requirement for storm water management.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: The Environmental Protection Agency is expected in the near future to require municipalities to provide run-off protection for stored sand/salt reserves. This fund will provide a storage building for the entire year's supply of sand and salt. The end-of-year 2013 balance: \$150,797.48. Estimated tax impact: \$0.060/thousand.

Article 2014-24 Yellow Line Striping on Major Roadways

To see if the Town will raise and appropriate the sum of Five thousand Dollars (\$5,000.00) to place double yellow lines down the middle of Hunt Road, Hampstead Road, Kingston Road, Colby Road, Pine Street, Long Pond Road, Happy Hollow Road, Beach Plain Road, and Sandown Road, and a single yellow line on GH Carter, Back Road and Brentwood Road.

Discussion: This warrant article will put yellow lines on the roadways that have a majority of use by residents to ease in correct lane travel during weather events. Estimated tax impact: \$0.015/thousand.

**Recommended by the Board of Selectmen (4-1)
NOT Recommended by the Budget Committee (6-0)**

Article 2014-25 *New Police Station Capital Reserve Fund*

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be added to the New Police Station Capital Reserve Fund previously established.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (6-0)**

Discussion: This article is asking for monies to be added to the existing New Police Station Capital Reserve Fund for a future Police Station. This article is part of the CIP (Capital Improvement Plan) of the Town of Danville Master Plan. The end-of-year 2013 balance: \$14,434.47. Estimated tax impact: \$0.060/thousand.

Article 2014-26 *Colby Memorial Library Expend Interest*

To see if the Town will raise and appropriate the sum of Forty Seven Dollars and Thirty Six Cents (\$47.36) to purchase books and authorize the use of that amount from the interest income earned from the library's TD Banknorth checking account and to authorize the expenditure of those funds by the Library Trustees.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-0)**

Discussion: This article allows the library to expend the accumulated interest income from their checking account to purchase books. No tax impact

Article 2014-27 *Colby Memorial Library Trust Fund for a New Library Leach Field*

To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to be added to the existing Colby Memorial Library's Leach Field Trust Fund for the replacement and / or repair of the library's leach field.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: This article is asking for monies to be added to the existing Colby Memorial Library Trust Fund. This fund is to replace the leach field at the Library. The end-of-year 2013 balance: \$5,000.12. Estimated tax impact: \$0.008/thousand.

Article 2014-28 *Municipal Mosquito Control Expendable Trust Fund*

To see if the Town will vote to raise and appropriate the sum of Two Thousand Three Hundred and Fifty dollars (\$2,350.00) to be added to the Municipal Mosquito Control Expendable Trust Fund established for the purpose of management and spraying for mosquito control.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (6-0)**

Discussion: The town established this fund in 2006 to combat the influx of mosquito borne diseases prevalent in our area. We have placed the bulk of the contract costs (\$26,500) in the operating budget to cover the costs of surveillance and larviciding. This \$2,350.00 replaces the \$2,350.00 used this year for spraying various Town recreational facilities and the school. Spraying is done on an as needed basis. Estimated tax impact: \$.007/thousand.

Article 2014-29 *Town Clerk*

To see if the Town will vote to approve, in lieu of base salary and fees pursuant to the provisions of RSA 41:25, to change the compensation of the Town Clerk to a salary basis only. To be effective immediately following March 2014 elections. All fees collected will revert back to the town as revenue. And to authorize the SelectBoard to make subsequent adjustments to the Town Clerk's salary on an annual basis.

Discussion: The Town Clerk is currently paid via fee collected for Auto registrations, marriage license, certified documents, etc. The current amount allocated in the Operating Budget for these fees is equal to the amount that will be paid for as a Salary if this Article were to pass. This will allow the Town Clerk to paid bi-week at a fix wage vs. the cyclic nature due to auto registrations, etc.

Article 2014-30 *Hiring a Part-time Danville Recreation Director*

To see if the Town will vote to raise and appropriate the sum of Seven Thousand Eight Hundred Dollars (\$7,800) for the purpose of hiring a part-time Danville Recreation Director.

**Recommended by the Board of Selectmen (5-0)
Recommended by the Budget Committee (5-1)**

Discussion: This position will be responsible for organizing various activities for the Danville community. This would include Movie Night, Senior Luncheon, Tree lighting, Santa at the Community Center, and other new activities at the Community Center.

Article 2014-31 *Citizens Petition – New Hampshire Resolution to Get Big Money Out of Politics*

By petition of 25 or more eligible voters of the town of DANVILLE, NH to see if the town will urge: That the New Hampshire State Legislature join nearly 500 municipalities and 16 other states, including all other New England states, in calling upon Congress to move forward a constitutional amendment that clarifies that constitutional rights were established for people, not corporations.

That the New Hampshire Congressional delegation support such a constitutional amendment.

That the New Hampshire State Legislature support such an amendment once it is approved by Congress and sent to the State for ratification.

The record of the vote approving this article shall be transmitted by written notice to DANVILLE's congressional delegation, and to DANVILLE's state legislators, and to the President of the United States informing them of the instructions from their constituents by the Board of Selectmen within 30 days of the vote.

Article 2014-32 *Citizens Petition – Establish Capital Reserve for Town Hall Fire Protection System*

To see if the Town shall vote to raise and appropriate the sum of Zero Dollars (\$0.00) to establish a new capital reserve fund pursuant to RSA 35:1 for the purpose of bringing the Town Hall into compliance with current law as required by the new Hampshire Fire code in order to legally and safely use the first and second floor space for any current and future uses such as potential office space expansion and/or meeting rooms serving social needs of Danville residents.

**NOT Recommended by the Board of Selectmen (5-0)
NOT Recommended by the Budget Committee (6-0)**

Article 2014-33 *Citizens Petition – Public Hearing Setting Fees*

To see if the Town shall vote to instruct the selectmen to comply with the provisions of RSA 41:9-a, that requires the selectmen to establish or amend fees for regulatory programs, such as building permits and inspection fees providing that such fees or charges shall not exceed, in the case of licenses or permits, an amount reasonably calculated to cover the town's regulatory, administrative and enforcement codes. The Board of Selectmen shall post a legal notice including a proposed schedule of new or amended fees and hold a public hearing before imposing or changing such fees.

Article 2014-34 *Citizens Petition – New Additions to Staff*

To see if the Town will vote to require that all new additions to permanent full-time positions whether as an employee or a long term independent contract shall be approved by town meeting warrant article vote stating the gross compensation appropriation (salary plus benefits) for each new staff and the department requesting the compensation.

Article 2014-35 *Citizens Petition – Public Officials Barred from Certain Private Dealings*

To see if the Town shall vote to adopt RSA 95:1 requiring a person holding a public office in the Town by contract or otherwise be required by open competitive bidding, to buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the Town under which he or she hold their public office.

Article 2014-36 *Citizens Petition – Direct the Board of Selectmen and Chief of Police regarding Animal Control Officer Position*

To see if the Town will vote to direct the Board of Selectmen and the Chief of Police to employ the elected Animal Control Officer position as a paid employee of the Town of Danville and to not delegate or contract the Animal Control Officer position. Said Animal Control Officer's duties shall be those as detailed in the Danville 2011 Animal Control Officer job description. Said Animal Control Officer Position shall also be initially compensated at no greater than the 2014 budgeted amount. The Animal Control Officer position is an elected (not appointed) position. This vote shall take effect immediately following the March 2014 election.

Given under our hands and seal, this twenty-seventh day of January in the year 2014.

Shawn O'Neil, Chairman

Annemarie Inman

Joshua Horns

Chris Giordano, Vice-chairman

Michelle Cooper