

# **MINUTES OF THE 2014 TOWN OF NEW BOSTON DELIBERATIVE SESSION**

Moderator Lee Nyquist called the meeting to order at 7:00 pm on February 3, 2014 to take up the work of the New Boston budget and warrant articles. Moderator Nyquist indicated that he has been happy to serve as New Boston's Moderator for the past 22 years. The last 15 years have been under the SB2 rule. Moderator Nyquist informed the voters that they have the power to determine the language that will be on the official ballot through the process of amendments to any article as long as they are germane and make sense to the article being discussed. Amendments must be in writing and there must be a second to the amendment to open the discussion.

Moderator Nyquist requested that Reverend Robert "Woody" Woodland deliver the invocation. Moderator Nyquist recognized the following people: Cathy Strausbaugh, Deputy Clerk, Peter Flynn, Town Administrator, Christine Quirk, Selectperson, Chair of the Board, Dwight Lovejoy, Selectman, Rodney Towne, Selectman. He also noted that there were other department heads present; Gerry Cornett of the Transfer Station, Mike Sindoni of the Department of Recreation, Nicola Strong of the Planning Department, Richard Perusse of the Highway Department, Chief James Brace of the Police Department, Dan MacDonald of the Fire Department, Bill Gould a newly sworn in Treasurer, Don Chapman who does all of the overseeing of public events, David Woodbury, New Boston's State Representative to the General Court, and Jed Callen, Moderator for the New Boston School District.

Moderator Nyquist informed the voters he would apply Robert's Rules of Order. Any person who wishes to speak must wait for recognition from the Moderator. They must identify themselves with a name and an address. No one may interrupt. A motion can be made seconded and discussion will follow on the motion. If anyone wishes to vote by secret ballot they must have the signatures of five (5) voters. If there is a secret ballot the meeting will be suspended until the voters have voted on the article.

Any voter may call to restrict reconsideration of any article at any time. If someone wishes to move to an Article that is out of numerical order he or she may do so with a motion, a second and a vote.

All articles presented on the warrant will appear on the official ballot. The format of those articles is determined by the work of the voters at this meeting.

Moderator Nyquist indicated that we will take up the work of Articles 18-30. Articles 2-17 are Planning and Zoning articles and are not presented at this meeting.

**Moderator Nyquist: Article 18 is now before you:**

**Article 18.** 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 amount 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, four hundred forty thousand, seven hundred seventy five dollars (\$4,440,775). Should this article be defeated, the default budget shall be four million, three hundred eight thousand, eight hundred sixteen dollars (\$4,303,816) 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.

Selectman Towne moved to accept the article as written. Selectperson Quirk seconded the motion.

Moderator Nyquist recognized Selectman Rodney Towne to speak to the article. Selectman Towne thanked the department heads and the employees of the town, the CIP and Finance Committees for their hard work in making sure that the budget was as low as it could possibly be. He explained that the budget was considered in three parts. The operating budget, the Capital Reserve Fund (long term) and other warrant articles. He indicated that the budget was up \$217,486 which is a \$.40 cent increase over last year. One of the new items that people will see is that each department budget will appear to increase. The increase is due to the moving of benefit line items that are now

reflected in each department rather than one lump in the Selectmen's budget. It gives a true picture of the cost of running each department.

Moderator Nyquist asked if there was any discussion on Article 18. Seeing and hearing none he called for a vote to accept Article as written.

The Vote: Ayes have it and Article 18 will appear on the official ballot as presented.

Jed Callen motioned to restrict reconsideration of Article 18. Willard Dodge seconded the motion and the Ayes have it.

**Moderator Nyquist: Article 19 is now before you:**

**Article 19** To see if the Town will vote to raise and appropriate one hundred thousand dollars (\$100,000), to be placed in the existing Fire Department Vehicle Capital Reserve Fund.

Selectperson Quirk moved to present the article as written. Selectman Lovejoy seconded the motion. Moderator Nyquist asked that Selectperson Quirk speak to the article. Based on the replacement cost of each vehicle and the year of replacement or refurbishment, \$100,000 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.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The Ayes have it and Article 19 will appear as written on the official ballot.

**Moderator Nyquist: Article 20 is now before you.**

**Article 20** 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.

Selectman Lovejoy moved to accept the article as presented. Selectman Towne seconded the motion.

Moderator Nyquist asked Selectman Lovejoy to speak to the article. 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.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The vote: The Ayes have it and Article 20 will appear as written on the official ballot.

**Moderator Nyquist: Article 21 is now before you:**

**Article 21** To see if the town will vote to raise and appropriate the sum of **forty two thousand, five hundred dollars (\$42,500)** for the purchase of one pre-owned six wheel dump truck for the New Boston Highway Department, and further to authorize the withdrawal of **seventeen thousand (\$17,000)** from the Highway Truck Capital Reserve Fund. The balance of **twenty five thousand, five hundred dollars (\$25,500)**, to come from encumbered funds remaining from Warrant Article 12 of the 2013 Town Meeting. Because the cost is completely covered by encumbered funds and funds from the Capital Reserve Fund, there is no 2014 tax rate impact.

Selectman Towne moved the article as written. Selectman Lovejoy seconded the article. Moderator Nyquist asked Selectman Towne to speak to the article.

At the 2013 Town Meeting, Article 12 authorized the purchase of two pre-owned dump trucks a total cost of up to \$68,000. It turned out that only one of the trucks actually became available. The selectmen encumbered that unspent balance to apply to a purchase in 2014. In keeping with the thought that this was still a great window of opportunity, the Selectmen and Finance Committee favor taking advantage of this same opportunity for 2014. Therefore, the remainder of the encumbered 2013 funding for said purchase will be applied and a withdrawal from the Highway Truck Capital Reserve fund will provide funding for this truck.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The Ayes have it and Article 21 will be placed on the official ballot as written.

**Moderator Nyquist: Article 22 is now before you**

**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.**

Selectman Lovejoy moved to accept the Article as written. Selectman Towne seconded the motion.

Moderator Nyquist asked Selectman Lovejoy to speak to the article.

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

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The ayes have it and Article 22 will appear on the official ballot as written.

**Moderator Nyquist Article 23 is now before you.**

**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 continuing **improvements on Old Coach Road.** This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2019, whichever comes first.

Selectman Towne moved the article as written. Selectman Lovejoy seconded the motion.

Moderator Nyquist asked that Selectman Towne speak to the article.

This year's request is an ongoing effort to continue the repairs on Old Coach Road from Greenfield Road towards the ball park, to make it safer and also meet the standards as prescribed by the Road Agent.

Moderator asked if there was any further discussion. Seeing and hearing none he called for a vote.

The vote: The Ayes have it and Article 23 will be placed on the official ballot as written.

**Moderator Nyquist, Article 24 is now before you**

**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.**

Selectman Lovejoy moved the article to be placed on the ballot as written. Selectperson Quirk seconded the motion.

Moderator Nyquist asked Selectman Lovejoy to speak to the article. 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.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The Ayes have it and Article 24 will be placed on the official ballot as written.

**Moderator Nyquist, Article 25 is now before you**

**Article 25.** 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.

Selectperson Quirk moved Article 25 as written. Selectman Lovejoy seconded.

Moderator Nyquist asked Selectperson Quirk to speak to the article.

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.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Ayes have it and Article 25 will appear on the official ballot as written.

**Moderator Nyquist, Article 26 is now before you.**

**Article 26** To see if the Town will vote to raise and appropriate the sum of **forty-five thousand dollars (\$45,000)**, to be added to the Town Hall Renovation Capital Reserve Fund.

Selectman Towne moved that the article be placed on the official ballot as written. Selectperson Quirk seconded the motion. Moderator Nyquist asked Selectman Towne to speak to the Article.

This is the next phase of the Town Hall renovation project and includes completing improvements of the basement area of the Town Hall. The project will include a newer and more efficient heating unit along with improved insulation and plumbing.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for vote.  
The vote: The Ayes have it and article 26 will be placed on the official ballot as written.

**Moderator Nyquist, Article 27 is now before you.**

**Article 27.** To see if the Town will vote to raise and appropriate the sum of up to **eighty four thousand dollars (\$84,000)**, to complete the preparation of, and paving of the Transfer Station.

Selectperson Quirk moved the article to be placed on the official ballot as written. Selectman Lovejoy seconded.

Moderator Nyquist asked Selectperson Quirk to speak to the article.

The Transfer Station is in need of pavement repairs and prep work for repaving. The current pavement is only a base coating and the second coating is now included in the warrant article. Because the cost is completely covered by monies to come from fund balance, there is no 2014 tax rate impact.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.  
The Vote: The Ayes have it and Article 27 will be placed on the official ballot as written.

**Moderator Nyquist, Article 28 is now before you.**

**Article 28.** To see if the Town will vote to create an Expendable Trust Fund 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, and furthermore, to raise and appropriate the sum of **twenty five hundred dollars (\$2,500.00)** to be placed in this account with the Selectmen to be named as agents to expend.

Selectperson Quirk moved that Article 28 be placed on the ballot as written. Selectman Lovejoy seconded.

Moderator Nyquist asked Selectperson Quirk to speak to the Article.

Several years ago this article came before the voters and passed but the amount was for only one year and therefore did not carry over from year to year. 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.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The Ayes have it and Article 28 will be placed on the official ballot as written.

**Moderator Nyquist. Article 29 by petition is now before you.**

**Article 29 by Petition.** That the New Hampshire State Legislature join nearly 500 other municipalities and 16 other states, including all other New England States, in calling upon Congress to move forward a constitutional amendment that guarantees the right of our elected representatives and the American people to safeguard fair elections through authority to regulate political spending, and 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 the New Boston’s congressional delegation, and to New Boston’s state legislators, and to the President of the United States informing them of the instructions from their constituents by the selectmen within 30 days of the vote.



Moderator Nyquist recognized Terry Harkins of Jessica Lane to move the article as written. Marie Stanger of Town Farm Road seconded the motion.

Moderator Nyquist asked Terry Harkins to speak to the article.

Ms Harkins stated that it would be good if NH joined nearly 500 other municipalities in calling upon Congress to move forward a constitutional amendment that guarantees the right of our elected representatives and the American people to safeguard fair election through the regulation of political spending. That the monies spent should be for free speech and every voice should be heard not just the large corporations.

Discussion: David Woodbury – McCurdy Road  
Years ago petitioned articles were not viewed as dignified as regular articles. But it is important that ideas and expressions of opinions are heard. Our legislators rely on some of these expressions of opinions to aid in making decisions.

Moderator Nyquist asked if there was any further discussion. Seeing and hearing none he called for a vote.

The Vote: The Ayes have it and Article 29 will be placed on the official ballot as written.

**Moderator Nyquist, Article 30 is now before you.**

**Article 30** To act on any other business that may legally come before this meeting.

Jed Callen moved to adjourn the meeting and Carol Hulick seconded the motion. Moderator Nyquist declared the meeting adjourned at 8:10 p.m.

Respectfully submitted

Cathleen Strausbaugh  
February 6, 2014

## 2014 Town Election Results

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

Selectman for 3 years: (Vote for One)

Christine Quirk **454**

Gil Martinez 287

Cemetery Trustee for 3 years: (Vote for One)

Gregg “Clete” Peirce **675**

Fire Ward for 3 years: (Vote for Two)

Wayne Blassberg **520**

Scott Hunter **588**

George St John 253

Library Trustee for 3 years: (Vote for Two)

Marie C Danielson **643**

Winfield “Bin” Clark **612**

Library Trustee for 2 years: (Vote for One)

Aimee “May” Lutz **644**

Library Trustee for 1 year: (Vote for One)

Richard Backus **652**

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

Thomas P Manson **632**

Town Moderator for 2 years: (Vote for One)

Lee C Nyquist **683**

Treasurer for 3 years: (Vote for One)

Bill Gould **647**

Supervisor of the Checklist for 6 years: (Vote for One)

Dorothy “Dot” Marden **678**

**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 III GENERAL PROVISIONS**

Section 308 Projections in Yards

Amend existing Section 308, to include reference to an exemption for code-required egress construction, as follows: Every part of a required yard shall be open from finished ground level to the sky, unobstructed, except for the ordinary projections of sills, cornices, pilasters, chimneys, and eaves, provided that no such projections may extend more than two feet into any required yard. Any free-standing handicapped access is exempt from this section. ***Any code-required egress component, including up to a four foot by four foot landing and stairs, is exempt from this section.***

YES 403

NO 233

**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 III GENERAL PROVISIONS**

Section 315 Removal of Earth Products

Amend existing Section 315, to refer to the correct Earth Removal Regulations, as follows:

The removal of earth products shall be governed by the provisions of the ~~Ordinance to Regulate Removal of Earth Products~~ ***Town of New Boston, New Hampshire, Earth Removal Regulations*** which is ***are*** administered by the ***Planning*** Board of ~~Selectmen~~.

YES 575

NO 155

**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 III GENERAL PROVISIONS**

Section 318 Signs

Amend existing Section 318.3, General Requirements for Signs, sub-section 318.3, H, Real Estate Development Signs, to increase the size allowed from 12 square feet per face to 32 square feet per face and to remove reference to real estate units, as follows:

Real Estate Development Signs may be placed on a lot to advertise building lots ~~or real estate units~~ for sale or lease. The sign may be no larger than ~~12~~ 32 square feet per face, shall be constructed of durable materials and shall be maintained in good condition and repair at all times. Signs are to meet the property line setbacks and height restrictions for the zoning district within which the development is located. The sign shall be removed within 30 days of meeting its purpose.

YES 333

NO 406

**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 III GENERAL PROVISIONS**

Section 318 Signs

Amend Section 318.4, Signs in Residential Districts, sub-section 318.4, B, to specify that the section applies to both freestanding signs and signs attached to a building or structure, as follows:

B. *Freestanding* Signs shall not be greater than 8 feet high measured from the base of the sign at normal grade to the top of the highest attached component of the sign. *Signs attached to a building or structure shall not be greater than 8 feet high measured from the base of the building or structure at normal grade to the top of the highest attached component of the sign.*

YES 505

NO 232

**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 318.5, Signs in the Commercial and Industrial Districts, sub-section B, to specify that the section applies to both freestanding signs and signs attached to a building or structure, as follows:

- B. *Freestanding* Signs shall not be greater than 15 feet high measured from the base of the sign at normal grade to the top of the highest attached component of the sign. *Signs attached to a building or structure shall not be greater than 15 feet high measured from the base of the building or structure at normal grade to the top of the highest attached component of the sign.*

YES 490

NO 239

**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**

Section 318 Signs

Amend Section 318.5, Signs in the Commercial and Industrial Districts, by adding a new sub-section H, to address a different signage size allowance along N.H. Route 114, from the Goffstown town line to the Weare town line, as follows:

- H. *Given the distance of buildings from the road and the speed of traffic in this location, lots along N.H. Route 114 (North Mast Road) from the Goffstown town line to the Weare town line shall be allowed a maximum 70 square foot freestanding sign, including both faces, and a maximum of 70 additional square feet of signage for each legally established business on the lot. This additional 70 square feet may be used for wall signs and/or portable "A" frame signs.*

***All other requirements in Section 318 in general and 318.5 specifically apply to the lots along N.H. Route 114 in this location.***

YES 442

NO 280

**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 III GENERAL PROVISIONS**

Section 320 Landscaping Requirements

Amend Section 320.1 to include reference to requirements to be found in the Non Residential Site Plan Review Regulations, delete Sections 320.2 and 320.3, and renumber Section 320.4, as follows:

Section 320.1

Landscaping where required under these regulations to be installed and maintained in front, side, and rear yards shall take the form of shade trees, deciduous shrubs, evergreens, well-kept grassed areas, and ground cover. ***Landscaping shall be provided in accordance with the standards of the Non-Residential Site Plan Review Regulations of the Town of New Boston and as described below.***

~~Section 320.2~~

~~One shade tree at least ten feet in height and at least three inches in caliber, measured at a point six inches above finished grade level, shall be planted no nearer than five feet to any lot line for each three hundred square feet of required landscaped area; and one deciduous shrub or evergreen shall be planted for each two hundred square feet of required landscaped area.~~

~~Section 320.3~~

~~All such landscaping shall be maintained in a healthy, growing condition.~~

Section 320.42

Following are the minimum landscaping requirements:

- A. Where any land use in a non-residential district abuts land in any residential district, a strip of land at least 25 feet in width shall be maintained as a landscape area in the front yard, side yards and rear yard which adjoin these other districts.
- B. Where any non-residential land use in a residential district abuts any land use in a residential district, a strip of land at least 15 feet in width shall be maintained as a landscape and utility area in the front yard, side yards and rear yard which adjoin these uses.
- C. In a commercial or industrial district, a strip of land at least 15 feet in width shall be maintained as a landscape and utility area in the front, side and rear yards.

YES **459**

NO 238

**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 402

Recreational Camping Park Standards

Amend Section 402.5 to change the buffer area from 200 feet to 50 feet around a recreational camping park, and amend Section 402.6 to delete the provision that a certain amount of buffer area can be used for underground utilities, as follows:

Section 402.5

A buffer area of natural vegetation at least ~~200~~ **50** feet in width shall be maintained adjacent to all camping park property lines. This buffer area shall be maintained in compliance with a plan prepared to include generally accepted forest management and utilization practices. Said maintenance plan shall have prior approval by the Planning Board, and may be submitted to the County Forester for review.

Section 402.6

No trailer space, tent site, service building, interior campground road or recreational facility shall be located within the specified buffer area. ~~However, the first 100 feet of interior buffer area may be used for underground utilities, providing a plan showing the type and size of the utilities is reviewed and approved by the Planning Board prior to installation.~~

YES 245

NO **506**

**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 402

Recreational Camping Park Standards

Amend Section 402.10, Service Building Requirements, subsection 402.10, D, Toilet Requirements, to delete the requirement that separate toilet areas be provided for males and females, as follows:

Section 402.10 Service Building Requirements

- C. Toilet Requirements. ~~Separate~~ Toilet areas shall be provided for males and females in accordance with all applicable state and local laws.

YES **445**

NO 297



**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 IV SPECIAL PROVISIONS**

Section 402 Recreational Camping Park Standards

Delete Section 402.10, Service Building Requirements, subsection 402.10, F, Heating Requirements, in its entirety and renumber the following sub-sections, as follows:

~~F. Heating Requirements. Each service building shall have heating facilities to maintain a minimum temperature of 70 degrees Fahrenheit.~~

**GF. Shower Requirements.** Each service building shall have shower facilities with hot and cold running water.

**HG. Campfire Requirements.** Wood fires shall not be kindled except in fireplaces provided by the Recreational Camping Parks.

**HH. Fire Permit Requirements.** All Recreational Camping Park Owners/Operators or their Agent(s) shall obtain a Fire Permit in accordance with N.H. RSA 224.

YES 545

NO 195

**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 IV SPECIAL PROVISIONS**

Section 403 Personal Wireless Service Facilities

Amend Section 403.4, Definitions, to update and include definitions as listed in NH RSA 12-K, and to re-number the section, as follows:

Section 403.4 Definitions

- A. ***Accessory Equipment - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.***
- B. ***Alternative tower structure - Innovative siting techniques that shall mean man-made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.***
- C. ***Antenna - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. The surface from which wireless radio signals are sent and/or received by a personal wireless service facility.***
- D. ***Antenna Array - A collection of antennas attached to a mount to send and receive radio signals.***
- E. ***Average Tree Canopy Height - An average height found by inventorying the height, above ground level (AGL), of all trees over twenty (20) feet in height within the area that extends for a distance of fifty (50) feet from the base of the mount, security barrier, or designated clear area for access to equipment, whichever is greatest. Trees that will be removed for construction shall NOT be used in this calculation.***
- F. ***Base Station - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.***
- G. ***Camouflaged - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. A personal wireless service facility that is disguised, hidden, part of an existing or proposed structure, or placed within an existing or proposed structure.***
- H. ***Carrier - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. A company that provides personal wireless services. Also sometimes referred to as a provider.***
- I. ***Co-location - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. The use of a single mount on the ground by more than one carrier (vertical co-location), or the use of more than one mount on the same site by more than one carrier (horizontal co-location), or the use of***

~~several mounts on an existing building or structure by more than one carrier.~~

- J.** *Disguised - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*
- K.** *Electrical Transmission Tower - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*
- L.** *Environmental Assessment (EA) - An EA is a document required by the Federal Communications Commission (FCC) and the National Environmental Policy Act (NEPA) when a personal wireless service facility is placed in certain designated areas.*
- M.** *Equipment Compound - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*
- N.** *Equipment Shelter - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. ~~An enclosed structure, cabinet, shed, vault, or box near the base of the mount within which are housed equipment for personal wireless service facilities such as batteries and electrical equipment. Equipment shelters are sometimes referred to as base transceiver stations.~~*
- O.** *FAA - An acronym that shall mean the Federal Aviation Administration.*
- P.** *FCC - An acronym that shall mean the Federal Communications Commission.*
- Q.** *Facility - See Personal Wireless Service Facility.*
- R.** *Fall Zone - The area on the ground from the base of a ground mounted personal wireless service facility that forms a circle with a diameter equal to twice the height of the facility, including any antennas or other appurtenances. The fall zone is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material.*
- S.** *Guyed Tower - A monopole or lattice tower that is secured to the ground or other surface by diagonal cables for lateral support.*
- T.** *Height - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended. ~~The height above ground level (AGL) from~~*

~~the natural grade of a site to the highest point of a tower or other structure, even if said highest point is an antenna.~~

- U. *Lattice Tower* - A type of mount with multiple legs and structural cross-bracing between the legs that is self-supporting and freestanding.
- V. *Mast* - A thin pole that resembles a street light standard or a telephone pole. A dual-polarized antenna is typically deployed on a mast.
- W. ***Modification - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.***
- X. *Monopole* - A thicker type of mount than a mast that is self-supporting with a single shaft of wood, steel or concrete, or other material, that is designed for the placement of antennas and arrays along the shaft.
- Y. ***Mount - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*** ~~The structure or surface upon which antennas are mounted, including the following four types of mounts:  
Roof mounted. Mounted on the roof of a building.  
Side mounted. Mounted on the side of a building.  
Ground mounted. Mounted on the ground.  
Structure mounted. Mounted on a structure other than a building.~~
- Z. ***Personal Wireless Service Facility (PWSF) - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*** ~~Facility for the provision of personal wireless services, as defined by the Telecommunications Act of 1996, as amended. Personal wireless service facilities include a mount, antenna, equipment shelter, and other related equipment.~~
- AA. *Planning Board or Board* - Shall mean the Town of New Boston Planning Board.
- AB. ***Radio Frequency Radiation (RFR) Emissions - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.*** ~~The emissions from personal wireless service facilities.~~

- AC. *Radio Frequency (RF) Engineer* - An engineer specializing in electrical or microwave engineering, especially the study of radio frequencies.
- AD. *Security Barrier* - A wall, fence, or berm that restricts an area from unauthorized entry or trespass.
- AE. *Separation* - The distance between one carrier's array of antennas and another carrier's array.
- AF. ***Substantial Modification* - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.**
- AG. ***Tower* - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.** ~~Shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.~~
- AH. ***Utility Pole* - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.**
- AI. ***Water Tower* - shall have the meaning provided for in RSA 12-K:2, as said section may, from time to time be amended.**

YES 521

NO 171

**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 IV SPECIAL PROVISIONS**

Section 403 Personal Wireless Service Facilities

Amend Section 403.5, District Regulations, to include reference to co-locations and modifications of personal wireless service facilities, to indicate the Town's preference for use of existing structures, to delete Section 403.5,C, Existing Structures - Burden of Proof, and to renumber Section 403.5,D, as follows:

- A. *Location*

The siting of new or co-located personal wireless service facilities *or modifications* shall be permitted in all Zoning Districts. Applicants seeking approval for personal wireless service facilities, *other than co-locations or modifications*, shall first evaluate existing structures for the siting of personal wireless service facilities. Only after finding that there are no suitable existing structures pursuant to Section 403.5,C herein, shall a provider propose a new ground mounted facility.

B. *Existing Structures – Policy*

***It is the policy and preference of the Town of New Boston that*** Personal wireless service facilities shall be located on ***or in the following*** existing structures ***whenever possible***, including, but not limited to, buildings, water towers, existing telecommunications facilities, utility poles or towers, and related facilities, provided that such installation preserves the character and integrity of those structures by being camouflaged to the greatest extent possible.

~~C. *Existing Structures – Burden of Proof*~~

~~The applicant shall have the burden of proving that there are no existing suitable structures on which to locate its personal wireless service facility and/or transmit or receive radio signals. To meet that burden, the applicant shall take all the following actions to the extent applicable:~~

- ~~1. The applicant shall submit to the Planning Board a list of all contacts made with owners of potential sites regarding the availability of potential space for a personal wireless service facility. If the Planning Board informs the applicant that additional existing structures may be satisfactory, the applicant shall contact the property owner(s) of those structures.~~
- ~~2. The applicant shall provide copies of all letters of inquiry made to owners of existing structures and letters of rejection. If letters of~~

~~rejection are not provided, at a minimum, unanswered "Return Receipt Requested" forms from the U.S. Post Office shall be provided for each owner of existing structures that was contacted.~~

- ~~3. If the applicant claims that a structure is not capable of physically supporting a personal wireless service facility, this claim must be certified by a licensed professional civil engineer. The certification shall, at a minimum, explain the structural issues and demonstrate that the structure cannot be modified to support the personal wireless service facility without unreasonable costs. The estimated cost shall be provided to the Planning Board.~~

**DC. *Ground Mounted Facilities –Policy***

If the applicant demonstrates that it is not feasible to locate on an existing structure, ground mounted personal wireless service facilities shall be designed so as to be camouflaged to the greatest extent possible, including, but not limited to:

- use of compatible building materials and colors;
- screening, landscaping, and placement within trees;
- use of lower antenna mounts that do not protrude as far above the surrounding tree canopies;
- disguised personal wireless service facilities such as flagpoles, artificial tree poles, light poles, and traffic lights, that blend in with their surroundings;
- custom designed personal wireless service facilities that minimize the visual impact of a personal wireless service facility on its surroundings;
- other available technology.

YES 509

NO 173

**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 IV SPECIAL PROVISIONS**

Section 403 Personal Wireless Service Facilities

Amend Section 403.6, Use Regulations, sub-section 403.6, A, General Provisions, to delete the section in its entirety and replace it with the following language:

A. *General Provisions*

~~A personal wireless service facility shall require a building permit in all cases and Site Plan Review application and approval. Co-location of facilities must meet all current Site Plan Review Regulations. This section shall apply equally to the installation of personal wireless service facilities on existing structures and the construction of new personal wireless service facilities.~~

***A new personal wireless service facility or a substantial modification to an existing facility shall require a building permit and site plan review in accordance with the Town of New Boston Site Plan Review Regulations. Co-location and modifications that are less than "substantial modifications" as defined in RSA 12-K do not require site plan review but are subject to applicable building permit requirements of the Town of New Boston and RSA 12-K:10.***

YES 534

NO 159

**Article 15.** 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 403 Personal Wireless Service Facilities

Amend Section 403.8, Performance and Design Standards, sub-sections 403.8, J. Antenna Types and K. Ground and Roof



Mounts to include the Town's preference for types, and subsection 403.8, M. Radio Frequency Radiation (RFR) Standards, to refer to Radio Frequency Emissions, as follows:

J. *Antenna Types*  
**The Town of New Boston's preference is that** Any antenna array placed upon an existing or proposed ground mount, utility pole, or transmission line mount ~~shall~~ have a diameter of no more than four feet (4'), exclusive of the diameter of the mount. A larger diameter antenna array may be permitted after a finding by the Planning Board that the visual impacts of a larger antenna array are negligible.

K. *Ground and Roof Mounts*  
**The Town of New Boston's preference is that** All ground mounts ~~shall~~ be of a mast or monopole type mount. Lattice towers, guyed towers, and roof mounted monopoles are expressly prohibited.

M. *Radio Frequency ~~Radiation~~ (RFR) Emissions Standards*  
All equipment proposed for a personal wireless service facility shall be fully compliant with the FCC Guidelines for Evaluating the Environmental Effects of Radio Frequency Radiation (FCC Guidelines), under Report and Order, FCC 96-326, published on August 1, 1996, and all subsequent amendments.

YES 533                      NO 171

**Article 16.** 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 403            Personal Wireless Service Facilities  
Amend Section 403.9, Monitoring and Maintenance, by deleting the words "Monitoring and" from the heading and deleting subsection 403.9, B. Monitoring, in its entirety, as follows:

Section 403.9            Monitoring and Maintenance

~~B. Monitoring~~

~~As part of the issuance of the site plan approval or building permit, the property owner and the owner of the personal wireless service facility shall agree that the Town of New Boston and/or its appointed representative(s) may enter the subject property to obtain RFR measurements and noise measurements, and to perform maintenance inspections at the expense of the carrier. In the case of taking RFR and/or noise measurements, the Town may enter without any advance notice to either the property owner or the personal wireless service facility owner. In all other cases, the Town shall provide reasonable written notice to the carrier and landowner and provide them with the opportunity to accompany the Town representatives when the inspections are conducted.~~

YES 524

NO 167

**Article 17.** 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 403

Personal Wireless Service Facilities

Amend Section 403.11, Abandonment or Discontinuation of Use, by deleting the introductory paragraph, as follows:

~~Section 403.11 Abandonment or Discontinuation of Use Beginning 12 months after Planning Board approval, and continuing on an annual basis thereafter, the owner of a personal wireless service facility shall provide the Planning Board with written, signed certification that the personal wireless service facility is being used to provide the citizens of the Town with personal wireless services as defined. Failure to comply with this requirement shall constitute an admission that the personal wireless service facility is not in use and has been abandoned.~~

YES 514

NO 181

**Article 18.** 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, four hundred forty thousand, seven hundred seventy five dollars (\$4,440,775)**. Should this article be defeated, the default budget shall be **four million, three hundred eight thousand, eight hundred sixteen dollars (\$4,308,816)** 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 412                      NO 341

**Article 19.** To see if the Town will vote to raise and appropriate **one hundred thousand dollars (\$100,000)**, to be placed in the existing **Fire Department Vehicle Capital Reserve Fund**. (Majority Vote Required) (Selectmen & Finance Committee Recommend 7-0)

YES 465                      NO 299

**Article 20.** 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 & Finance Committee Recommend 7-0)

YES 429                      NO 310

**Article 21.** To see if the town will vote to raise and appropriate the sum of **forty two thousand, five hundred dollars (\$42,500)** for the purchase of one pre-owned six wheel dump truck for the New Boston Highway Department, and further to authorize the withdrawal of **seventeen thousand (\$17,000)** from the Highway Truck Capital Reserve Fund. The balance of **twenty five thousand, five hundred dollars (\$25,500)**, to come from encumbered funds remaining from Warrant Article 12 of the 2013 Town Meeting. Because the cost is completely covered by encumbered funds and funds from the Capital Reserve Fund, there is no 2014 tax rate impact. (Majority Vote Required) (Selectmen & Finance Committee Recommend 7-0)

YES 503                      NO 264

**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 & Finance Committee Recommend 7-0)

YES 446                      NO 315

**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 continuing **improvements on Old Coach Road.** This is a non-lapsing appropriation and will not lapse until the project is complete or until December 31, 2019, whichever comes first. (Majority Vote Required)  
(Selectmen & Finance Committee Recommend 7-0)

YES 449                      NO 310

**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 & Finance Committee Recommend 7-0)

YES 509                      NO 249

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

YES 420                      NO 339

**Article 26.** To see if the Town will vote to raise and appropriate the sum of **forty-five thousand dollars (\$45,000)**, to be added to the Town Hall Renovation Capital Reserve Fund. (Majority Vote Required) (Selectmen & Finance Committee Recommend 7-0)

YES 425                      NO 335

**Article 27.** To see if the Town will vote to raise and appropriate the sum of up to **eighty four thousand dollars (\$84,000)**, to complete the

preparation of, and paving of the Transfer Station property, **the sum of eighty four thousand (\$84,000)**, to come from fund balance with no amount to be raised by taxation. (Majority Vote Required) (Selectmen & Finance Committee Recommend 7-0)

YES 388                      NO 357

**Article 28.** To see if the Town will vote to create an Expendable Trust Fund 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, and furthermore, to raise and appropriate the sum of **two thousand, five hundred dollars (\$2,500.00)** to be placed in this account with the Selectmen to be named as agents to expend. (Majority Vote Required) (Selectmen & Finance Committee Recommend 7-0)

YES 435                      NO 310

**Article 29** That the New Hampshire State Legislature join nearly 500 other municipalities and 16 other states, including all other New England States, in calling upon Congress to move forward a constitutional amendment that guarantees the right of our elected representatives and the American people to safeguard fair elections through authority to regulate political spending, and 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 New Boston’s congressional delegation, and to New Boston’s state legislators, and to the President of the United States informing them of the instructions from their constituents by the selectmen within 30 days of the vote. **(Submitted by Petition)**

YES 539                      NO 186