

FY 2015
TOWN WARRANT
TOWN OF PETERBOROUGH
STATE OF NEW HAMPSHIRE

To the inhabitants of the Town of Peterborough, in the County of Hillsborough, in said State, qualified to vote in Town affairs:

Pursuant to the Peterborough Charter, you are hereby notified to meet at the Town House in said Town on *Tuesday, the 8th day of April 2014, at 7:00 p.m.* for the first session of the Annual Town Meeting (to deliberate on Articles 3-10).

You are hereby further notified to meet at the Town House in said Town on *Tuesday, the 13th day of May 2014, at 7:00 a.m.* (Polls close at 7:00 p.m.) for the second session of the Annual Town Meeting (to act on Articles 1- 10).

You are hereby further notified that consideration of all other articles contained in the warrant will commence at the third session of the Annual Town Meeting at the Town House in said Town on *Wednesday, the 14th day of May 2014, at 7:00 p.m.*

OFFICIAL BALLOT ARTICLES
May 13th, 2014
Election of Officers

Article 1. Election of Officers

SELECTMAN for Three Years;
vote for not more than one

Tyler Ward 570
Jack Burnett 357

TRUSTEE OF THE TRUST FUNDS for Three Years;
vote for not more than one

Russell H. Picard 705

BUDGET COMMITTEE for Three Years;
vote for not more than three

Edmund L. Henault 535
Steven Jones 508
Ronnie McIntire 554
Herb Turner 252

ZONING BOARD OF ADJUSTMENT for Three Years;
vote for not more than two

David A. Sobe 624
Charles "Peter" LaRoche 639

CEMETERY TRUSTEE for Three Years;
vote for not more than one

Richard Dunning 761

FENCE VIEWER for One Year;
vote for not more than three

Robert Wilder 307
John H. Franklin 250
Jim Grant 551
Robert "Bob" Lambert 470
Roland A. Patten 540

LIBRARY TRUSTEE for Three Years;
vote for not more than two

Marcia Patten 719
Ronald C. Bowman 645

LIBRARY TRUSTEE for Two Years;
vote for not more than one

Frank Karlicek 652

PLANNING BOARD for Three Years;
vote for not more than two
Audrey Cass 553
Loretta R. Laurenitis 430
Ivy Vann 473

RECREATION COMMITTEE for Three Years;
vote for not more than two
Howard H. Russell 598
Andrew Dunbar 624

PLANNING BOARD for Two Years;
vote for not more than one
Gerald J. Galus 620

SUPERVISOR OF THE CHECKLIST for Six Years;
vote for not more than one
Mary Lee Leedham 717

958 voted of 4752 registered voters
20.16% voter turnout

Other Official Ballot Articles

Article 2. Zoning Amendments A through N

A. Are you in favor of the adoption of **Amendment A** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To delete **§245-26 Open Space Residential Development** and replace it with **§245-26 Innovative Subdivision Design**, the purpose of which is to allow flexible subdivision design, to promote the preservation of natural and cultural resources, and to facilitate the use of sustainable development practices.

Specifics of the proposed amendment include:

- 1) requiring all subdivisions of lots over 10 acres in size in the rural district to apply the Innovative Subdivision Design approach, except for those that are exempt as set forth in the ordinance; and as an option in all other residential districts for subdivisions on five (5) acres or more;
- 2) enabling building of residential dwellings on lots smaller than would be permitted under conventional subdivision and allowing land remaining as a result of smaller lot sizes to be held as common land and/or protected open space, and in the rural district requiring a minimum of 50% of the original parcel to be designated as open space;
- 3) calculating the number of dwelling units allowed based on the same minimum lot size formula as with a conventional subdivision, and allowing applicants to earn bonus points toward additional dwelling units up to a maximum of a 25% increase when sustainable design practices are incorporated into the project;
- 4) providing an exemption from the use of this ordinance in the rural district when the proposed subdivision consists of 3 lots or less and where no new road is proposed; when each lot in a proposed subdivision is 10 acres or larger and access to each lot is provided from a private road within the subdivision; or when the Board finds that a proposed conventional subdivision will carry out the spirit and intent of the regulations.
- 5) establishing a conditional use permit process that allows applicants and the Planning Board greater flexibility in siting development and allows for a waiver of requirements within the ordinance when doing so is consistent with the spirit and intent of the ordinance;

- 6) replacing existing references to “Open Space Residential Development” appearing throughout the zoning ordinance with new references to “Innovative Subdivision Design” and adding or modifying definitions in the zoning ordinance, all as necessary to ensure consistency.

Yes 394
No 485

- B.** Are you in favor of the adoption of **Amendment B** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To create a new section in the Zoning Ordinance, **§245-15.3 Traditional Neighborhood Overlay Zone**, the purpose of which is to create additional housing opportunities in portions of the Family and General Residence Districts located in close proximity to the Downtown, as designated on the Traditional Neighborhood Overlay Zone map. This proposal is intended to relieve some pressure to subdivide in the Rural District and is considered by the Planning Board to be consistent with several major goals of the Master Plan.

Yes 482
No 392

- C.** Are you in favor of the adoption of **Amendment C** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To delete **§ 245-24. Home Business, Professional Uses and Customary Home Occupations, and Home Industries** and replace with a new **§ 245-24 Home-Based Business** ordinance, add/amend related definitions, and modify references to this ordinance in other sections of the zoning ordinance, as appropriate. The purpose of this amendment is to reorganize and update the existing ordinance to: (1) better reflect how people work today from and out of their homes; (2) ensure that there is reasonable opportunity in Peterborough for residents to engage in home-based employment; (3) better clarify what activities are allowed by right; (4) amend the process for those uses that need a permit; and (5) eliminate redundancies in the existing ordinance.

Yes 680
No 188

- D.** Are you in favor of the adoption of **Amendment D** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To amend **§ 245-30.1.A Enlargement, Change, or Replacement of Nonconforming Buildings** to allow a reasonable increase in building height for that portion of the building that is conforming. The text of this amendment follows:

§ 245-30.1 Enlargement, Change, or Replacement of Nonconforming Buildings

- ~~A.~~ Existing legally nonconforming buildings or structures that have nonconforming setbacks may be enlarged or changed as long as they do not further encroach into a setback. [~~and it does not exceed the height of the existing building or structure.~~] *The height of any non-conforming section of the building or structure may not increase.*

Yes 588
No 260

E. Are you in favor of the adoption of **Amendment E** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To amend § **245-10.2 Business/Industrial District** to add GENERAL OFFICE, RESEARCH AND DEVELOPMENT FACILITIES, PROFESSIONAL, PERSONAL SERVICES, and HEALTH CARE FACILITIES as permitted uses, to delete ASSISTED LIVING from the permitted uses, and to add or amend definitions for these and other related uses to § **245-4 Definitions**, as necessary. The purpose of this amendment is to refine the uses permitted in the district, including adding uses previously permitted in the Industrial District, but were removed when the Industrial District was consolidated into the Business/Industrial District in 2007. This will enable several previously existing, non-conforming uses to be conforming and will allow greater flexibility in the uses of land in the district. The proposal also seeks to improve clarity and consistency of use names and definitions appearing in the ordinance.

Yes 641
No 213

F. Are you in favor of the adoption of **Amendment F** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To add new zoning ordinance § **245-24.6 - Workforce Housing**. The purpose of this amendment is to bring the Zoning Ordinance into compliance with state law by permitting workforce housing in all residential districts subject to the Planning Board’s Subdivision and Site Plan Regulations and applicable sections of the zoning ordinance. Further, the ordinance authorizes the Planning Board to issue a Conditional Use Permit for an innovative design that would allow no more than one multi-family unit per lot in the rural district provided that development design is compatible with surrounding neighborhoods/areas and requiring a guarantee of long-term affordability in a form approved by the Planning Board.

Yes 574
No 275

G. Are you in favor of the adoption of **Amendment G** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To Amend §**245-4 Definitions** by adding new definitions and modify existing definitions with purpose of bringing greater clarity to the zoning ordinance. Specifics of the proposed amendment include: Adding definitions for “Church”, “Cultural Facilities”, “Day Care Facility”, “Educational Facility”, “Religious Institution or Facility”, “Transient Use”; and modifying existing definitions for “Lodging Establishment”, “Parking Facility”

Yes 673
No 174

H. Are you in favor of the adoption of **Amendment H** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To amend § **245-12 Shoreland Conservation Zone, Paragraph C(3)** to clarify permitted forestry uses and add a citation for forestry Best Management Practices; and amend **Paragraph D** to add stormwater management systems directly related to permitted street, road, access-way

or driveway crossings and crossings for utilities rights of way or easements as uses that are allowed the subject a special exception. The amendment also clarifies an applicant’s obligation to avoid impacts related to permitted crossings of the zone “to the maximum extent possible” and adds **Paragraph D (1)** requiring referral of the application for a special exception under this section to the Conservation Commission for comment. The amendment also adds **Paragraph G** requiring applicants to meet all minimum protection standards set forth in RSA 483-B and apply for applicable State shoreland permits. The purpose of this amendments is to improve clarify and consistency within the zoning.

Yes 597
No 234

- I.** Are you in favor of the adoption of **Amendment I** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To amend § **245-15 Wetland Protection Overlay Zone, Paragraph J(2)(a)**: to update the citation for forestry Best Management Practices and **Paragraph K(1)(a)** to include stormwater management systems directly related to permitted street, road, access-way or driveway crossings that are the subject of the request for a conditional use permit. Further, to clarifies that in the granting of a conditional use permit for such crossings the applicant shall avoid impacts to the maximum extent possible. The amendment also updates paragraph numbering in this section of the ordinance. The purpose of this amendment is to improve clarity and consistency within the zoning ordinance.

Yes 605
No 233

- J.** Are you in favor of the adoption of **Amendment J** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

To amend § **245-32 Off Street Parking, Table 1 Schedule of Minimum Parking Requirements** to add offsite parking requirements for Accessory Apartment and Home Occupation as follows:

<u>Land Use</u>	<u># of Parking Spaces</u>
2.A Accessory Apartments	1 per unit
2.B Home Occupation	1 space regardless of floor area

Yes 573
No 255

- K.** Are you in favor of the adoption of **Amendment K** as proposed by the Planning Board for the Peterborough Zoning Ordinance as follows:

Amend the § **245-30 Enlargement. Change, or Replacement of Nonconforming Uses** to provide the Code Enforcement Officer with guidance for making an administrative determination under this paragraph in the ordinance, as follows:

D. Natural but limited expansions of nonconforming uses are permitted, provided that *the Code Enforcement Officer determines that such expansion is consistent with criteria set forth in § 245-41.D.* ~~they do not render the property proportionally less adequate and will not have a substantially different effect on the neighborhood.~~

Yes 562
No 248

Petition Amendments

L. Are you in favor of the adoption of **Amendment L** as submitted by citizen petition for the Town of Peterborough Zoning Ordinance, as follows:

To rezone the land consisting of one (1) parcel that is numbered **U007-007-000** at 453 Old Street Road **from Family/Rural/Conservation District** to **Monadnock Community Health Care District**.

The Planning Board supports this petition amendment.

Yes 624
No 223

M. Are you in favor of the adoption of **Amendment M** as submitted by citizen petition for the Town of Peterborough Zoning Ordinance, as follows:

To see if the Town will vote to add an allowed Conditional Use approval to the Agricultural Business Enterprise Zone:

E. Conditional Uses.

1. Subject to the provisions of RSA 674:21.II, the Planning Board is hereby authorized to issue Conditional Use Permits for the following, subject to the process and criteria in Article IX of the Peterborough Site Plan Review Regulations. In the granting of any Permit, the Board may attach reasonable conditions, or waive or modify any of the requirements of this section if specific circumstances relative to the proposal indicate that the waiver will properly carry out the spirit and intent of the regulations.
 - a. Diversified Agricultural Business Enterprise:
 - i. Allowed on Rural District and Agricultural Zoned parcels, or contiguous parcels under the same ownership or management, of 50 acres, or more.
 - ii. An allowed use of a retail area not to exceed the size of any other existing building on the property.
 - iii. An allowed use of a Farm to Table cafe and reception area with seating.
 - iv. An allowed use for events such as, but not limited to, farm dinners, hayrides, foliage tours, wedding receptions, open houses, seasonal festivities, and other farm events, including, but not limited to those, referred to in RSA 21:34

- v. An allowed use of a bed and breakfast, farm-stay, or other nightly, weekly, seasonal, or other short term lodging.
- vi. All buildings and infrastructure used for retail and restaurant use, including parking areas, require a 100 foot setback from abutting properties or must be sufficiently screened by fencing, vegetative, or natural buffer.

*The Planning Board **does not support** this petition amendment.*

Yes 470
No 376

N. Are you in favor of the adoption of **Amendment N** as submitted by citizen petition for the Town of Peterborough Zoning Ordinance, as follows:

To delete **§245-26 Open Space Residential Development** and replace it with **§245-26 Voluntary Innovative Subdivision Design**, the purpose of which is to allow flexible subdivision design, to promote the preservation of natural and cultural resources, and to facilitate the use of sustainable development practices. Specifics of the proposed petition article include:

- 1) All subdivisions of lots over 10 acres in size in the rural district have the option to apply the Voluntary Innovative Subdivision Design approach, and is optional in all other residential districts for subdivisions on five (5) acres or more;
- 2) calculating the number of dwelling units allowed based on the same minimum lot size formula as with a conventional subdivision, and allowing applicants to incorporate sustainable development practices to earn bonus points toward additional dwelling units up to a maximum of a 25% increase;
- 3) establishing a conditional use permit process that allows applicants and the Planning Board greater flexibility in siting development. The flexibility is built into the process by establishing smaller lot sizes and flexible setbacks so houses can be located to minimize impacts to the natural and cultural resources and by allowing the planning board the ability to waive lot standards when doing so is consistent with the spirit and intent of the ordinance;
- 4) allowing land remaining as a result of smaller lot sizes to be held as common land and/or protected open space, and in the rural district with a minimum of 50% of the original parcel to be designated as open space;
- 5) authorizing the Planning Board to consider whether to allow two-family or multi-family dwellings as separate detached units in any district except in the Rural District.
- 6) replacing existing references to “Open Space Residential Development” appearing throughout the zoning ordinance with new references to “Voluntary Innovative Subdivision Design” and adding or modifying definitions in the zoning ordinance, all as necessary to ensure consistency.

*The Planning Board **does not support** this petition amendment.*

Yes 345
No 535

Article 3. Budget for Fiscal Year 2015 - \$12,385,899

To see if the Town will vote to raise and appropriate the sum of **Twelve million Three Hundred Eighty Five Thousand Eight Hundred Ninety Nine Dollars (\$12,385,899)** for the operation of General Government, Water, and Wastewater. This represents the fiscal year 2015 budget period, July 1, 2014 to June 30, 2015.

This article does not include special or individual articles.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation.

Yes	738
No	158

Article 4. Fire Department Fleet Management Capital Reserve Fund - \$100,000

To see if the town will authorize the establishment of a Fire Department Fleet Management Capital Reserve Fund (pursuant to RSA Chapter 35) to be known as the “Fire Department Fleet Management Capital Reserve Fund” for the purpose of the orderly replacement of vehicles and equipment within the motorized fleet of the Fire Department and further to raise and appropriate the sum of **One Hundred Thousand Dollars (\$100,000)** toward the purpose and to designate the Select Board as agents to expend.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation.

Yes	749
No	141

Article 5. Financial Management Software/Hardware Capital Reserve Fund - \$17,500

To see if the Town will vote to raise and appropriate the sum of **Seventeen Thousand Five Hundred Dollars (\$17,500)** to be placed in the previously established “Financial Management Software/Hardware Capital Reserve Fund” for the purpose of the orderly replacement/upgrades of the present outdated Financial Management Software/Hardware Systems. This amount is paid 100% by the utility funds.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation.

Yes	744
No	146

Article 6. Geographic Information System Capital Reserve Fund - \$15,000

To see if the Town will vote to raise and appropriate the sum of **Fifteen Thousand Dollars (\$15,000)** to be placed in the previously established “Geographic Information System Capital Reserve Fund” for the purpose of upgrading and maintaining the aerial maps and planimetric data.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation

Yes	658
No	222

Article 7. Equipment/Fleet Management Capital Reserve Funds - \$55,000

To see if the Town will vote to raise and appropriate the sum of Fifty Five Thousand Dollars (\$55,000) to be placed in the following already established capital reserve funds:

- **Ten Thousand Dollars** (\$10,000) to be placed in the Recreation Equipment Management Capital Reserve Fund for the purpose of the orderly replacement of equipment within the Recreation Department.
- **Forty Five Thousand Dollars** (\$45,000) to be placed in the Fleet Management Capital Reserve Fund for the purpose of the orderly replacement of vehicles and equipment within the motorized fleet for Public Works and Recreation.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation.

Yes	688
No	188

Article 8. - Cemetery Expendable Trust - \$6,000

To see if the Town will vote to raise and appropriate the sum of **Six Thousand Dollars** (\$6,000) to be added to the previously established Cemetery Expendable Trust Fund, and further, to transfer said amount from the Cemetery Trustee’s checking account to the Cemetery Expendable Trust Fund. This amount is funded 100% by the sale of deeds for burial lots.

The Select Board recommends this appropriation.

The Budget Committee recommends this appropriation.

Yes	775
No	98

Article 9. Discontinue Capital Reserve Funds

To see if the Town will vote to discontinue the following Capital Reserve Funds with said funds with accumulated interest to date of withdrawal, to be transferred to the municipality’s general fund:

- Assessing Revaluation Capital Reserve Fund, date of establishment unknown, approximate balance of Zero Dollars (\$0.00)
- Recreation Capital Improvement Capital Reserve Fund, date of establishment unknown, approximate balance of Zero Dollars (\$0.00)
- Fire Truck Pumper Capital Reserve Fund, established 8/2/08, approximate balance of Sixty One Dollard and Sixty Seven Cents (\$61.67)
- Town House Boiler Management Capital Reserve Fund, established 12/16/08, approximate balance of Zero Dollars (\$0.00)
- Fire Truck Capital Reserve, established Town Meeting 2002, with an approximate balance of Eight Hundred Fifty Four Dollars and Seventy Eight Cents (\$854.78)

The Select Board recommends this article.

Yes	762
No	92

Article 10. New Hampshire Resolution to Get Big Money out of Politics (By Petition)

By petition of 25 or more eligible voters of the town of Peterborough, New Hampshire to see if the town will urge:

That the New Hampshire State Legislature join nearly 500 local municipalities and 16 other states, including all other New England states, in calling upon Congress to move forward a constitutional amendment that 1) guarantees that the right of our elected representatives and of the American people to safeguard fair elections through authority to regulate political spending, and 2) 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 send it to the State for ratification.

The record of the vote approving this article shall be transmitted by written notice to Peterborough's congressional delegation, and to Peterborough'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.

Yes	733
No	158

Respectfully submitted,

Linda M. Guyette
Town Clerk