

# 2009 TOWN MEETING WARRANT

## STATE OF NEW HAMPSHIRE TOWN OF PITTSFIELD

To the inhabitants of the Town of Pittsfield, Merrimack County and State of New Hampshire, qualified to vote in Town affairs:

You are hereby notified to meet at the Town Hall Meeting Room at 85 Main Street in said Town on the second **Tuesday** in March next, **March 10, 2009**, to act upon the subjects herein mentioned. You are hereby warned that on said date and at said place the polls will be opened at **7:00 AM** and will remain open until **7:00 PM** for the reception of your ballots under the Non-Partisan Ballot System. You are hereby warned that on **Saturday, March 14, 2009, at 10:00 AM** at the Pittsfield Elementary School Gymnasium, the matter of appropriations and such other business properly coming before said meeting will be taken up for your consideration and action.

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### TO BE TAKEN UP TUESDAY, MARCH 10, 2009

**Article 1:** To choose by ballot the following officers: two Selectmen for a three (3) year term; one Selectmen for a one (1) year term; two Planning Board Members for a three (3) year term; one Planning Board Member for a one (1) year term; a Town Clerk/Tax Collector for a three (3) year term; a Trustee of the Trust Funds for a three (3) year term; a Library Trustee for a three (3) year term; two Ethics Committee Members for a three (3) year term; one Ethics Committee Member for a one (1) year term;

**Article 2:** Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the town zoning ordinance as follows: amend Table 1 (Zoning Districts and Uses) as it relates to commercial agriculture, bakeries, cluster developments, greenhouses, restaurants, truck/heavy equipment and trailer repairs, two family dwellings and manufactured housing parks?  
(Recommended by the Planning Board 4-3)

**Article 3:** Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the town zoning ordinance as follows: amend Table 2 (Dimensional Regulations) to add density and minimum lot size requirements for the suburban and rural zoning districts?  
(Recommended by the Planning Board 4-3)

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**Article 4:** Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board for the town zoning ordinance as follows: amend Table 2 (Dimensional Regulations) to exempt fences, driveways, roads, flag poles, light poles, wells, septic systems, electric and phone boxes, signs, sidewalks, curbing, drainage and/or sediment ponds from setback requirements?  
(Recommended by the Planning Board 4-3)

**Article 5:** Are you in favor of the adoption of Amendment No. 4 as proposed by the planning board for the town zoning ordinance as follows: add a definition of frontage?  
(Recommended by the Planning Board 4-3)

**Article 6:** Are you in favor of the following petitioned zoning amendment as proposed below:

1. Replace existing Article 1, Purpose and Authority, with new Article 1, General Provisions, to correct and combine the existing Article 1 with existing Articles 22, Penalty Clause: Clause 23, Administration and Enforcement; and 24, Miscellaneous.
2. Replace existing Article 2, Zoning Districts, to add new zoning district descriptions and use and dimensional regulations and to move existing parking regulations to the new Article 16, Parking Regulations.
3. Replace existing Article 3, Definitions, to revise existing definitions, including for cluster subdivision, and to add some new definitions, including for frontage on Class V highways.
4. Replace existing Article 4, Non-Conforming Structures, Lots and Uses, with new Article 4, Nonconforming Structures, Uses, and Lots, to clarify the language generally.
5. Replace existing Article 5, Board of Adjustment, to clarify Board of Adjustment administrative procedures and to provide for popular election of Board of Adjustment members.
6. Replace existing Article 6, Special Exceptions, to clarify special exception permitting conditions and procedures.
7. Replace existing Article 7, Variances, to clarify variance permitting requirements according to *Boccia v. Portsmouth*.
8. Replace existing Article 8, Cluster Development, to revise permitting conditions for cluster development.

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9. Replace existing Article 9, Signs, to remove the existing requirement for Zoning Board approval of signs that do not emit light or noise, and to set standards for home occupation signs.
10. Revise existing Article 10, Manufactured Housing & Manufactured Housing Parks, to change capitalization and references to renamed regulations in Article 2.
11. Add Article 13, Site Plan Review Exemption Thresholds.
12. Revise existing Article 14, Storage Containers, to change capitalization and punctuation.
13. Replace existing Article 16, Parking Requirements, to include parking regulations removed from Article 2, and to provide for special exceptions.
14. Delete existing Articles 22, 23, and 24, which have been combined in the new Article 1.
15. Add a Table of Contents.

(Submitted by Petition)

(Not Recommended by the Planning Board 3-2)

**Article 7:** Pursuant to RSA 673:2 II (c), are you in favor of returning to the methodology for choosing the members of the Pittsfield Planning Board to that of appointment by the Selectboard, as was utilized by the Town of Pittsfield until March 2008, instead of the present one year old method of electing members to the office. (Submitted by Petition)

## TO BE TAKEN UP SATURDAY, MARCH 14, 2009:

**Article 8:** Are you in favor of amending the Town of Pittsfield Housing Standards Ordinance as proposed by the Housing Standards Agency to make editorial changes; to correct code references; to limit the duration of a permit to two years, renewable; and to change the enforcement procedures to comply with RSA 48-A?

**Article 9:** To see if the Town will vote to authorize the Selectmen to negotiate and consider entering into a long-term land lease with Septic Disposal Solutions, LLC (SDS) for the purpose of allowing Septic Disposal Solutions, LLC to continue to dewater and compost septage.

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- Article 10:** To see if the Town will vote to discontinue the Public Works Salt Storage Building Capital Reserve created in 2005. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. It is estimated that approximately One Thousand One Hundred Twenty Five Dollars (\$1,125.) remains in the capital reserve. (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 11:** To see if the Town will vote to discontinue the Town Hall Building Capital Reserve created in 1983. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. It is estimated that approximately Five Thousand One Hundred Fifty Eight Dollars (\$5,158.) remains in the capital reserve. (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 12:** To see if the Town will vote to create an expendable trust under the provisions of RSA 31:19-a, to be known as the Health Insurance Premium Expendable Trust, for the purpose of limiting the impact of health insurance premium increases in any given year, and to raise and appropriate the sum of One Thousand Dollars (\$1,000.) for this fund; and further to appoint the Selectmen as trustees of the fund and agents to expend. (Estimated gross tax impact less than \$0.01) (Recommended by the Board of Selectmen 5-0) (Not Recommended by the Budget Committee 8-4)
- Article 13:** To see if the Town will vote to create an expendable trust under the provisions of RSA 31:19-a, to be known as the Emergency Appropriation Expendable Trust, for the purpose of purchasing supplies and maintaining equipment for Town Departments as a result of unanticipated emergencies, and to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.) for this fund; and further to appoint the Selectmen as agents to expend. (Estimated gross tax impact \$0.05). (Recommended by the Board of Selectmen 5-0) (Not Recommended by the Budget Committee 7-5)
- Article 14:** To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.) to be added to the Fire and Rescue Apparatus Capital Reserve Fund previously established. (Reserve Fund balance is \$232,805.83 on 12-31-08) (Estimated gross tax impact \$0.10) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 10-2-2)

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- Article 15:** To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.) to be added to the Police Cruiser Capital Reserve Fund previously established. (Reserve Fund balance is \$1,047.24 on 12-31-08) (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 16:** To see if the Town will vote to raise and appropriate the sum of Six Thousand Eight Hundred Forty Five Dollars (\$6,845.) to be added to the Computer System Renewal and Replacement Fund previously established. (Reserve Fund balance is 12,515.89 on 12-31-08) (Estimated gross tax impact \$0.02) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 17:** To see if the Town will vote to raise and appropriate the sum of Seventy Thousand Dollars (\$70,000.) to be added to the Department of Public Works Dump Truck Capital Reserve Fund previously established. (Reserve Fund balance is \$48,235.76 on 12-31-08) (Estimated gross tax impact \$0.23) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 8-4)
- Article 18:** To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.) to be added to the Department of Public Works Grader Capital Reserve Fund previously established. (Reserve Fund balance is \$6,812.37 on 12-31-08) (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 19:** To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.) to be added to the Department of Public Works Loader Capital Reserve Fund previously established. (Fund balance is \$113,855.32 on 12-31-08) (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 11-1)
- Article 20:** To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000.) to be added to the Department of Public Works Backhoe Capital Reserve Fund previously established. (Reserve Fund balance is \$54,500.94 on 12-31-08) (Estimated gross tax impact \$0.03) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 11-1)

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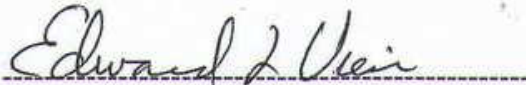
- Article 21:** To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000.) to be added to the Sidewalk Tractor Capital Reserve Fund previously established. (Reserve Fund balance is \$21,591.10 on 12-31-08) (Estimated gross tax impact \$0.03) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 22:** To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000.) to be added to the Small Highway Truck Capital Reserve Fund previously established. (Reserve Fund balance is \$54,631.55 on 12-31-08) (Estimated gross tax impact \$0.03) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 23:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.) to be added to the Parks and Recreation Capital Reserve Fund previously established. (Reserve Fund balance is \$11,749.34 on 12-31-08) (Estimated gross tax impact less than \$0.01) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 8-4)
- Article 24:** To see if the Town will vote to raise and appropriate the sum of Seventy Six Thousand Dollars (\$76,000.) for the purpose of ambulance repair, to fund eight hours of the forty-eight hour work week and any ambulance overtime or on-call personnel budgeted line items, paramedic intercepts, and for the replacement and repair of ambulance equipment, and to authorize the withdrawal of that sum from the Ambulance Replacement and Equipment Special Revenue Fund previously created, with no amount to be raised by taxation. This article is designated as a special warrant article and the appropriation shall not lapse until adjournment of the 2010 Annual Town Meeting. (Fund balance on 12-31-08 is \$536,422.87) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 8-2-2)
- Article 25:** To see if the Town will vote to raise and appropriate the sum of Two Thousand Dollars (\$2,000.) from the Fire Alarm System Capital Reserve for the purpose of maintaining the fire alarm system. (Fund balance on 12-31-08 is \$11,374.62) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 8-2-2)

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- Article 26:** To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.) to be added to the Police Department Drug Awareness and Education Expendable Trust Fund previously established. This sum is to come from the fund balance, which includes a recent gift received from the New Hampshire Charitable Foundation for such purpose, and no amount to be raised from taxation. (Reserve Fund balance is \$9,944.74 on 12-31-08) (Recommended by the Board of Selectmen) (Recommended by the Budget Committee 12-0)
- Article 27:** To see if the Town will vote to raise and appropriate the sum of Three Million Seven Hundred Twenty Eight Thousand Six Hundred Forty Dollars (\$3,728,640.) to fund the Town Budget and Capital Outlay as recommended by the Budget committee. Said sum does not include the sums contained in special or individual articles of this warrant. (Board of Selectmen by a Vote of 5-0 Recommend \$3,728,640.) (Recommended by the Budget Committee 11-1)
- Article 28:** To see if the town will vote to name the Selectmen as agents to expend to the existing Town Clock Maintenance Fund.
- Article 29:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.00) to be added to the Town Clock Maintenance Fund previously established. (Estimated gross tax impact less than \$0.01) (Submitted by Petition) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-0)
- Article 30:** To transact any other business that may be legally brought before said meeting.



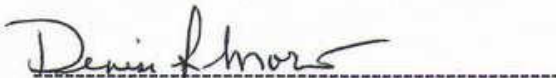
Lawrence J. Konopka, Chairman



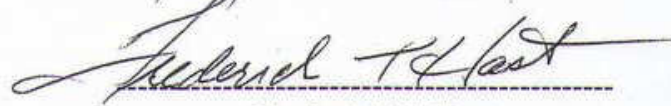
Edward L. Vien



Linda P. Small



Denise L. Morin



Frederick T. Hast

PITTSFIELD BOARD OF SELECTMEN