

TOWN OF GREENLAND

NEW HAMPSHIRE

MINUTES OF DELIBERATIVE SESSION 2016

On Saturday, January 30, 2016, at 9:03 A. M., the First Session (Deliberative Session) was convened at the Greenland Central School. Moderator, Dean Bouffard, called the meeting to order and reminded registered voters to sign in with the Supervisors of the Checklist, if they had not done so. Mr. Bouffard explained that the purpose and procedure for this Deliberative Session was to hear the explanation, participate in the discussion and debate each of the following Warrant Articles, per RSA 40:13. Warrant articles adopted at this Deliberative Session will be placed on the Official Ballot for a vote at the Second Session, on March 8, 2016, at 8:00 o'clock in forenoon until 7:00 in the evening at the Greenland Central School.

Mr. Bouffard led those in attendance in the Pledge of Allegiance. He introduced Town officials seated up front: Select Board - Vaughan Morgan, John Penacho, Kevin Forrest and Jim Rolston; Karen Anderson, Town Administrator; Marge Morgan, Town Clerk; Mary McDonough, Chair of the Budget Committee; Chip Hussey, Planning Board member, who will answer any questions regarding the Zoning Articles.

Mr. Bouffard explained that this is a Deliberative Session, per RSA 40:13 – SB-2 that was adopted at last year's election. The second session will be on March 8, 2016, when the Town will vote on the Warrant Articles that can be found in the Voters' Guide. He explained further that there is no strict set of rules to be followed at this meeting, only the laws of the State of New Hampshire and general rules of parliamentary practice. He further explained the rules of order and conduct during this meeting. The Articles will appear on the ballot as they appear in the Voters' Guide or as amended and voted on at this meeting. Mr. Bouffard explained the process for voting on amended articles. With regard to the Warrant Articles appropriating money, and in particular Article 11-the Town Budget, cannot be increased by more than 10% of the Budget Committee's recommendation pursuant to state law. The dollar amount representing the 10% is \$384,017. By state law, no new articles can be brought forth at this time.

Article 1: Election of Officers

To choose the following officers for the coming year:

Moderator for Two Years; Selectman (2) for Three Years; Town Clerk/Tax Collector for Three Years; Treasurer for One Year; Budget Committee (3) for Three Years; Cemetery Trustee for Three Years; Trustee of the Trust Funds for Three Years; Library Trustee (2) for Three Years; Planning Board (2) for Three Years; Supervisor of the Checklist for Six Years; Zoning Board of Adjustment (2) for Three Years.

There being no discussion or questions,

Article 1 will be placed on the ballot as written.

Article 2: Zoning – Trailers, RV’s, House Trailers Prohibited

To see if the Town will vote to amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection – 3.7.3 Auto Trailer, Tourist Camp, Park Sites and Recreational Vehicle (RV); AMEND Item 3.7.3.2: No trailer, house trailer or recreational vehicle (RV) may be installed, placed or stored on any lot in any district by the owner of said lot, for his own occupancy or the occupancy of others, not for any other use including storage in, or of, such unit on any such lot, save the Board of Selectmen for good cause shown may grant a permit for temporary occupancy by the owner for not more than three months at one time, and not more than one year together.

Recommended by the Planning Board

Mr. Hussey explained that this Article is to clean up the present Zoning Article in order to be in compliance with state law . There being no further discussion,

Article 2 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 3: Zoning – Storage Within Truck Bodies

To see if the Town will vote to amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.5 – Storage within Truck Bodies, Trailer Vans or Cargo Vehicles: amend by deleting the last sentence in the paragraph: “A permit fee of five dollars (\$5) is payable upon application and at each renewal.”

Recommended by the Planning Board

A resident asked for an explanation of the last sentence. Mr. Hussey explained that a fee had been set by the Selectmen. This Article deletes that fee. There being no further discussion,

Article 3 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 4: Zoning – Accessory Dwelling Units

To see if the Town will vote to amend Article III – Establishment of Districts and Uses, Section 3.7 Supplemental Use Provisions, Subsection 3.7.11 – Accessory Dwelling Unit: amend the existing definition as follows: A self-contained residential unit complete with its own kitchen and bathroom facilities, incorporated within an existing or expanded single family residential dwelling unit. In addition, amend the second paragraph of the ‘Purpose’ section to read as follows: An Accessory Dwelling Unit will be allowed on any approved building lot provided that:

Recommended by the Planning Board

Mr. Hussey explained that this Article will bring the ordinance in line with the recent changes in the state statute. An accessory dwelling unit cannot be a unit with just 2 x 4's and must have more substance to it. There being no further discussion,

Article 4 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 5: Zoning – Dimensional Requirements

To see if the Town will vote to amend Article IV – Dimensional Requirements, Section 4.1 – General Requirements, Subsection 4.1.2: amend by deleting paragraphs B & C.

A lot having frontage or an area less than required by Section 4.2 may be considered to be in compliance therewith provided that the lot had received final subdivision approval prior to the enactment of this Ordinance or was shown on a recorded plan or deed filed before the Planning Board that was granted jurisdiction to control the subdivision of land.

Recommended by the Planning Board

Dennis Malloy, 10 Van Etten Drive, questioned the Article numbers. Mr. Bouffard explained that the reference was to the Zoning Article number, not the Warrant Article number.

Article 5 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 6: Zoning – Handicap Ramps

To see if the Town will vote to amend Article IV – Dimensional Requirements, Section 4.2 - Table of Dimensional Requirements: amend to allow for an exception to the Front (30 feet), Rear and Side yard (20 feet) requirements required in Sections 'd', 'e' and 'f' for the R Residential Zoning District for the construction of handicapped access ramps.

Recommended by the Planning Board

There being no discussion,

Article 6 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 7: Zoning – Notes for Handicap Ramps

To see if the Town will vote to amend Article IV – Dimensional Requirements, Section 4.3 – Explanatory Notes, add the following:

7) Handicapped access ramps may be exempt from Yard (structural) requirements when, shown to the satisfaction of the Building Inspector, said ramp is medically necessary for the occupant. In addition, the ramp shall be removed from the premises when it is no longer necessary.

Recommended by the Planning Board

There being no discussion,

Article 7 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 8: Zoning – Sign Ordinance

To see if the Town will vote to amend Article VI – Signs, Section 6.5 – Exceptions and Signs Not Requiring A Permit, add:

6.5.21 Help Wanted: Businesses seeking to hire employees; maximum sign area shall not exceed 3 sq. ft.

Recommended by the Planning Board

There being no discussion,

Article 8 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 9: Zoning – Growth Management

To see if the Town will vote to amend Article XII – Growth Management: delete in its entirety; replace with the following:

ARTICLE XII – RESIDENTIAL DEVELOPMENT PHASING

12.1 Authority

Pursuant to the provisions of the New Hampshire RSA 674.21, the Town of Greenland adopts the following phasing standards for residential development, to be administered by the Planning Board in conjunction with the Greenland Subdivision Regulations.

12.2 Purposes

The purposes of this Section in the Zoning Ordinance are as follows:

- 1) To guide efforts by the Town to monitor, evaluate, plan for and guide residential growth in Greenland that is consistent with the Town’s capacity for planned, orderly, and sensible expansion of its services to accommodate such development without establishing absolute limits on the overall growth rate of the community;
- 2) To provide for the current and future housing needs of existing residents and their families;
- 3) To phase in or control the implementation and development of tracts of land and future subdivisions thereon, at a rate which will be compatible with the orderly and gradual expansion of community services, including but not limited to education, fire protection, road maintenance, waste disposal, police protection and recreation; and
- 4) To provide a mechanism to allow for phased development of residential projects to manage the impact on municipal services.

12.3 Phasing Developments

A phasing plan, if deemed necessary by the Planning Board, shall be submitted for Planning Board approval for all residential developments. The exact phasing schedule shall be determined by the Planning Board based upon the specific impacts associated with the proposed residential development. Specific phasing schedule guidelines shall be outlined in Subdivision Regulations.

12.4 Exemptions from Phasing

Planning Board shall grant an exemption to the phasing requirements under the following condition: The proposed project is for Age Restricted (Senior) Housing as defined in Article XIX. The owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100% elderly occupants (age 55 and older).

Recommended by the Planning Board

A resident questioned the reasoning for this phasing of developments. Mr. Hussey explained this Article was unenforceable as it stands and is being put in place to get in line with the State statutes . This prevents overbuilding and controls the growth so that it will not put a burden on the services that the town provides.

There being no further discussion,

Article 9 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 10: Rescind SB2

Shall we rescind the provisions of RSA 40:13 (known as SB2), as adopted by the Town of Greenland on March 10, 2015, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? (Submitted by Resident Petition) (3/5 majority ballot vote required)

There being no discussion,

Article 10 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 11: Operating Budget

Shall the Town of Greenland 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 \$3,842,482? Should this article be defeated, the default budget shall be \$3,667,813, which is the same as last year with certain adjustments required by previous action of the Town of Greenland 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.

There being no discussion,

Article 11 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 12: Maloney Recreation Complex

We the undersigned voters petition the Selectmen of the Town of Greenland to place the following warrant on the ballot for the 2016 Town Election: For the purpose of allocating \$75,000 to establishing the Michael Maloney Rec Complex Construction Reserve Fund for the purpose of future improvements

to the Michael Maloney Rec Complex, and to appoint the Board of Selectmen as agents to expend. (by petition) (Majority vote required)

**Recommended by the Board of Selectmen.
Not Recommended by the Budget Committee**

Mr. Kevin Forrest made a motion to amend the verbiage to read "To raise and appropriate the sum of \$75,000 to establish the Michael Maloney Rec Complex Construction Reserve Fund for the purpose of future improvements to the Michael Rec Complex and to appoint the Board of Selectmen as agents to expend".

Seconded by Mr. Vaughan Morgan.

Mr. Forrest explained the marginal success in raising funds for the Maloney Recreation Complex. The money is needed to establish a fund to raise seed money to get the ball rolling on the fund raising on this Complex. Several residents questioned total costs to develop the project and what matching funds would be needed to get donors. Mr. Forrest stated the costs were in excess of \$500,000. Other residents made suggestions on the methods to raise funds, suggested phasing in of the project and questioned the purpose of this fund. Mr. Brian Pafford, Recreation Comm. addressed the plans, how this money would be used and explained that there was no money to get this private fund raising started. He further explained the scope of this project, cost being \$850,000. He reiterated that this money will be used for fund raising. He further explained the phasing in of the projects.

A question was posed by one of the residents as to why the Board of Selectmen recommended and the Budget Committee did not. Mary McDonough stated that the Budget Committee did not have adequate information to recommend it, as it was on short notice that the information was received by them. They did not have enough information at the time. Some of the Committee was undecided or opposed, therefore, they did not recommend it. There was a long discussion as to the expenditure of this money. Mr. Penacho stated he was not in favor of this Article. He further expounded on the need to have clarification as to how the money would be spent and was not happy with the presentation to the Board.

Mr. Bouffard asked for a vote on the amended Article 12 as follows:

"We the undersigned voters petition the Selectmen of the Town of Greenland to place the following warrant on the ballot for the 2016 Town Election: **To raise and appropriate the sum** of \$75,000 to establish a Capital Reserve Fund to be named the Michael Maloney Rec Complex Fund, for the purpose of future improvements to the Michael Maloney Rec Complex and to appoint the Board of Selectmen as agents to expend".

The amendment to Article 12 was adopted.

Mr. Joseph Fredericks made a motion to add language to amend the amended Article 12 to read as follows:

"provided that funds shall be made available only as a dollar for dollar match from private funds and further provided that funds may only be used for capital construction projects and not for design or maintenance purposes."

Seconded by Mrs. Wendy Jones.

There followed a long discussion by many residents, both pro and con as to its use, the planning, etc. lighting, traffic, and the well that is located on the property. Mr. Brian Pafford answered the questions asked. Mrs. McDonough asked if plans were available and could they be posted the day of the Election so that the voters would be able to see the proposed plan. Mr. Pafford said that they would be made available. The discussion continued with suggestions from residents.

Mr. Bouffard read Article 12 as proposed to be further amended:

We the undersigned voters petition the Selectmen of the Town of Greenland to place the following warrant on the ballot for the 2016 Town Election: **To raise and appropriate the sum of \$75,000 to establish a Capital Reserve Fund to be named the Michael Maloney Rec Complex Fund, for the purpose of future improvements to the Michael Maloney Rec Complex and to appoint the Board of Selectmen as agents to expend; "provided that funds shall be made available only as a dollar for dollar match from private funds and further provided that funds may only be used for capital construction projects and not for design or maintenance purposes."**

The amendment to Article 12 was adopted.

There being no further discussion,

Article 12 as further amended will appear in that form on the Ballot for the Town Election.

Article 13: Grounds Maintenance Equipment

To see if the town will vote to raise and appropriate the sum of \$30,000 for the purpose of purchasing a dump trailer and riding mower for grounds maintenance. (Majority vote required)

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

Mr. Jim Rolston spoke to the need for this new riding mower and dump trailer. The present mower will be sold with the monies going into the General Fund. The mower is used all over town for all of the parks and cemeteries. The present mower was purchased used over five years ago. The dump trailer will save time and money, being used to deliver and pick up materials needed by the town.

Article 13 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 14: Transfer Station Equipment

To see if the town will vote to raise and appropriate the sum of \$20,000 to be deposited into the Transfer Station Equipment Capital Reserve Fund established in 2015, under the provisions of RSA 35:1 for repairing or replacing major equipment at the Transfer Station. (Majority vote required)

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

Mr. Vaughan Morgan spoke in favor of establishing this fund. He explained that the two compactors have a useful life of four or five additional years according to the manufacturers. This fund is being established to plan for anticipated replacement. Mr. Morgan further stated that we do not need to have one of these compactors break down at a critical time, such as Christmas.

Article 14 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 15: Storm Water Improvements – Riverside Drive

To see if the town will vote to raise and appropriate the sum of \$25,000 for the purpose of engineering and installing storm water protection devices on Riverside Drive.

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

Article 15 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 16: Conservation Purposes

To see if the town will vote to raise and appropriate the sum of \$15,000 to use for the maintenance of town conservation lands, maintenance of town controlled trails, conducting natural and water resource research and education, or matching potential funding opportunities. The Conservation Commission and the Board of Selectmen would have to approve expenditures. This article is to be non-lapsing for a period of three years.

**Recommended by the Board of Selectmen
Not Recommended by the Budget Committee**

Article 16 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 17: Pedestrian Bridge

We, the undersigned voters in the Town of Greenland, NH petition to see if the Town will vote to establish a capital reserve fund under RSA 35:1 to be named The Winnicut River Pedestrian Bridge Fund for the purpose of constructing a pedestrian bridge crossing the Winnicut River with a sidewalk along Rt. 33 connecting the present sidewalks. The intent of this fund is to create the Town's portion of a State of New Hampshire Transportation Alternatives Program Grant as outlined in the Capital Improvement Plan. Further to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000) to be deposited into this fund. (Majority vote required)

**Not Recommended By the Board of Selectmen
Not Recommended by the Budget Committee**

There was a long discussion involving several residents, both for and against this pedestrian bridge. Questions were raised as to the location of the bridge; if this is a state road, why are we requesting these funds; there has been no permission given to the Town by New Hampshire Fish and Game; the

location of the bridge was questioned; both Budget Committee and Select Board felt that due to the lack of usage and cost, it was not frugally responsible and would not be recommended by either Board.

Mr. Paul Sanderson spoke in support of the intent, but was opposed to the funding. He further explained that there is a fund already in place, Transportation Improvement Fund, that the Town has funding through the registration of motor vehicles, etc. (Per Statute). This road is a Class 2 highway; therefore, this obligation should be taken over by the State. The road is the State's responsibility and, in the future, there will be a reworking of the road and bridge. This particular bridge is a choke point for the entire corridor. He further stated that the new Board of Selectmen, Planning Board and Conservation Commission should be working on a way to get this on the ten (10) year plan with the New Hampshire Department of Transportation. Mr. Sanderson made an amendment to reduce the Capital Reserve Fund from Twenty-five Thousand Dollars (\$25,000) to Zero Dollars (\$0).

Motion was made to amend Article 17 to reduce Twenty-five Thousand Dollars (\$25,000) to Zero Dollars (\$0). It was seconded.

There followed more discussion on the funding and planning along Rte. 33. Mr. Hussey spoke with Mr. Doug Deporter, Department of Transportation. He stated that when the State widens the road, there is no plan to construct the pedestrian bridge. The increase in traffic and the danger factor are concerns and were discussed.

Mr. Bouffard read Article 17 as proposed to be amended:

We the undersigned voters in the Town of Greenland, NH, petition to see if the Town will vote to establish a capital reserve fund under RSA 35:1 to be named the Winnicut River Pedestrian Bridge Fund for the purpose of Construction a pedestrian bridge crossing the Winnicut River with a sidewalk along Route 33 Connecting the present sidewalks. The intent of this fund is to create the Town's portions of a State of New Hampshire Transportation Alternatives Program Grant as outlined in the Capital Improvement Plan. Further to raise and appropriate the sum of Zero Dollars (\$0) to be deposited in this fund.

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

The amendment to Article 17 was adopted.

There being no further discussion,

Article 17 as amended will appear on the Ballot in that form for the Town Election.

Article 18: Police Equipment

To see if the town will vote to raise and appropriate the sum of \$2,000 to be added to the Police Equipment Capital Reserve Fund established in 2013. (Majority vote required)

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

Mr. Jim Rolston explained that this fund is to be used to replace the Police Department's bullet proof vests that were purchased in 2012 and need to be replaced.

There being no discussion,

Article 18 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 19: Ambulance Billing Fees

To see if the town will vote to raise and appropriate the sum of \$3,000 for ambulance billing expenses and authorize the withdrawal of \$3,000 from the Fire and Ambulance Special Revenue Fund created for that purpose. (Majority vote required)

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

Mr. Forrest explained that this article funds the costs associated with the ambulance billing from the revenue received from ambulance calls. It is required each year and has no impact on the tax rate.

Article 19 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 20: Support Greenland Grapevine

To see if the town will vote to raise and appropriate the sum of \$500 to support the continuation of the Greenland Grapevine. (Majority vote required)

**Not Recommended by the Board of Selectmen.
Recommended by the Budget Committee**

Mr. Morgan explained the reason that the Board did not recommend this Article. They do, however, support the Grapevine. It is a worthwhile paper and the Board supports it. They felt that by recommending this Article, the town would be subsidizing a private entity through taxation. Mr. Morgan stated that there would be no amendment to this article by the Board and will leave it up to the taxpayers to decide.

There was a brief discussion on the funding by a few residents in support of this article.

Article 20 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 21: Discontinue E-911 Standardization of Addresses

We, the undersigned, as registered voters in the Town of Greenland, NH petition to see if the Town will vote to have the E-911 process apply only to the following, effective January 1, 2016; new developments, any existing streets and/or roads with similar names; private drives with three or more residences. (By Petition) (Majority vote required)

Article 21 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 22: Discontinue Medical Expendable Trust Account

To see if the town will vote to discontinue the Medical Expendable Trust Fund created in 2011. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. (Majority vote required)

Mr. Forrest explained that the intent of this Article is to discontinue the fund. Said funds, plus interest, will be transferred to the General Fund of the Municipality. This Article is necessary as the Town no longer needs it, due to the changes in the employees' health insurance plans. The previous health plan is no longer available.

Article 22 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Article 23: Discontinue Police Second Floor CRF

To see if the town will vote to discontinue the Police Station Second Floor Capital Reserve Fund created in 2014. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. (Majority vote required)

Mr. Penacho explained that the second floor of the Police Station is complete; therefore, this fund is no longer needed.

Article 23 will appear on the Ballot for the Town Election in the form it appears in the Warrant.

Mr. Bouffard asked the Selectmen and the Budget Committee to please remain for a brief meeting to go over the Warrant Articles.

There being no further business to come before the meeting, meeting was adjourned at 10:35 A. M.

Respectfully submitted,

Marguerite F. Morgan
Town Clerk/Tax Collector