

**TOWN OF SUTTON, STATE OF NEW HAMPSHIRE
TOWN WARRANT**

To the inhabitants of the Town of Sutton in the County of Merrimack in said State, qualified to vote in Town Affairs.

You are hereby notified to meet at Pillsbury Memorial Town Hall in said Sutton on Tuesday, the 12th day of March, 2013 next at eight of the clock in the forenoon (Polls to be open from 8:00 a.m. to 7:00 p.m.) to act on Articles 1 through 15. You are further notified to meet at the Kearsarge Regional High School, North Road in said Sutton on Wednesday, the 13th day of March, 2013 at seven of the clock in the evening to act upon the remaining Articles.

Article 1: To choose all necessary Town Officers for the year ensuing.

Article 2: Are you in favor of Amendment 1 of the Zoning Ordinance as proposed by the Planning Board? This amendment adds a new article to the ordinance which will make the numbering of articles and sections automatic after any zoning ordinance amendment is approved by voters which would require a change in numbering in order to maintain the correct sequence.

This amendment is recommended by the Planning Board.

Article 3: Are you in favor of Amendment 2 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes the spelling and grammatical usage of words contained in various articles and sections in order to have consistent usage throughout the Ordinance, including using similar conventions as those found in state statutes.

This amendment is recommended by the Planning Board.

Article 4: Are you in favor of Amendment 3 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes the wording of Article III.I.1.a as follows:

“Any property owner or lessee may *reside in or occupy* one travel trailer of his/her own or one of a non-paying guest for a single period of not more than ~~ninety(90)~~ 90 days in any one period of ~~twelve (12)~~ 12 consecutive months”;

and, adds Article III.2 as follows:

“Such a use is permitted for the duration of one year from when construction commences, and may be renewed for a period not to exceed an additional year upon written application to the Board of Adjustment.”

This amendment is recommended by the Planning Board.

Article 5: Are you in favor of Amendment 4 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes the wording in both Article IV.A.3 and Article V.A.1 to add “*farm stand*” as a permitted use in both the Residential and Rural/Agricultural Districts.

This amendment is recommended by the Planning Board.

Article 6: Are you in favor of Amendment 5 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes the wording regarding minimum lot size and frontage requirements where it occurs in the ordinances in both Article IV.C.2.a and Article V.C.2.a, as follows:

“2. Minimum lot area per family

- a. No single family dwelling shall be erected, or building altered to accommodate one family as a residence on less than two acres of lot area, unless such lot was a conforming lot of record at the time of its creation ~~and the owner does not own contiguous land, in which case such land shall be combined with said lot to create a conforming or less nonconforming lot.”~~

This amendment is recommended by the Planning Board.

Article 7: Are you in favor of Amendment 6 of the Zoning Ordinance as proposed by the Planning Board? This amendment adds language to Article V.D. to make Shoreland requirements for Article V, Rural Agricultural, consistent with those of Article IV, Residential, by requiring lakefront lots to have not less than 150 feet of frontage on the lake and 75 foot setbacks from poorly or very poorly drained soils. Language was also added to include agriculture as a permitted use.

This amendment is recommended by the Planning Board.

Article 8: Are you in favor of Amendment 7 of the Zoning Ordinance as proposed by the Planning Board? This Amendment changes, Article VI, Special Exceptions and Variances, by removing language regarding commencement and completion of improvements authorized by special exception and adding language regarding driveways, access ways and other traffic features. Language is added to VI, A.5 to authorize the ZBA to extend the time period within which the applicant must commence and complete improvements permitted by variance or special exception. And, to be consistent with recent changes to RSA 674:33, the requirements for Variance are revised as follows:

- ~~a. No decrease in value of surrounding properties would occur.~~
a. The variance will not be contrary to the public interest;
~~b. Granting the variance would benefit the public interest.~~
b. The spirit of the ordinance is observed;
~~e. Denial of the variance would result in unnecessary hardship to the owner seeking~~
c. Substantial justice is done;
~~d. By granting the variance substantial justice will be done.~~
d. The values of surrounding properties are not diminished; and
e. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
(ii) The proposed use is a reasonable one.

This amendment is recommended by the Planning Board.

Article 9: Are you in favor of Amendment 8 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes Article VII, Nonconforming Uses, by adding language to Section A.1 to provide that automatic discontinuance shall take place after a use is discontinued for one year “with evidence of intent to abandon the non-conforming use,” and by adding a new Section D “Conforming to Nonconforming Lot Changes with Annexation”.

This amendment is recommended by the Planning Board.

Article 10: Are you in favor of Amendment 9 of the Zoning Ordinance as proposed by the Planning Board? This Amendment changes Article III.O, “Personal Wireless Service Facilities (PWSFs), by relocating it as Article XI. The term and definition for “average tree canopy” has been deleted and wherever used replaced by “*tree canopy*” or “*main canopy of trees,*” for which definitions have been added. The language of Section 6.1 B, Height, New Ground-Mounted Facilities has been deleted and replaced with new wording regarding limitations on the height of such facilities to include limiting the area within which the tree canopy is to be determined to within a 150’ radius of the facility. **This amendment is recommended by the Planning Board.**

Article 11: Are you in favor of Amendment 10 of the Zoning Ordinance as proposed by the Planning Board? This amendment replaces Table D.1 with a new Table D.1 which contains the buffer area setbacks by structure types within the Wetlands Overlay District.

This amendment is recommended by the Planning Board.

Article 12: Are you in favor of Amendment 11 of the Zoning Ordinance as proposed by the Planning Board? This amendment adds a new Article XII to the ordinance regulating small wind energy installations.

This amendment is recommended by the Planning Board.

Article 13: Are you in favor of Amendment 12 of the Zoning Ordinance as proposed by the Planning Board? This amendment deletes Article IX, Penalty, and adds a new paragraph B to Article VII, Enforcement, which provides for enforcement of the zoning ordinance and imposition of penalties pursuant to state law.

This amendment is recommended by the Planning Board.

Article 14: Are you in favor of Amendment 13 of the Zoning Ordinance as proposed by the Planning Board? This amendment changes the names of the entities that must approve sewage disposal systems and erosion control for Cluster Developments, Article IX, to Department of Environmental Services (DES) Subsurface Systems Bureau and Natural Resource Conservation Service (NRCS), respectively.

This amendment is recommended by the Planning Board.

Article 15: Shall the Town of Sutton permit the public library to retain all money it receives from its income-generating equipment to be used for general repairs and upgrading and for the purchase of books, supplies and income-generating equipment?

Article 16: To see if the Town will vote to raise and appropriate the sum of \$2,011,239 which represents the operating budget recommended by the Budget Committee shown in detail below. Said sum does not include amounts appropriated in other warrant articles.

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|------|------------------------------------|-----------|
| 4130 | Executive | \$115,624 |
| 4140 | Election & Registration | 3,020 |
| 4150 | Financial Administration | 77,654 |
| 4150 | Executive Financial Administration | 18,560 |
| 4152 | Revaluation of Property | 12,500 |
| 4153 | Legal Expense | 22,500 |
| 4155 | Personnel Administration | 121,458 |
| 4191 | Planning Board and Zoning | 42,849 |
| 4194 | General Government Buildings | 26,000 |
| 4195 | Cemeteries | 14,000 |
| 4196 | Insurance | 67,500 |
| 4197 | Regional Planning Commission | 1,933 |
| 4210 | Police Department | 393,594 |
| 4215 | Ambulance | 41,655 |
| 4220 | Fire Department | 55,325 |
| 4240 | Building Inspection | 11,000 |
| 4290 | Emergency Management | 1,300 |
| 4299 | Dispatching Services | 18,034 |
| 4312 | Highway Department | 685,284 |
| 4313 | Bridges | 3,000 |
| 4316 | Street Lighting | 9,228 |
| 4324 | Solid Waste Disposal | 145,600 |
| 4411 | Health Administration | 2,000 |
| 4415 | Health Agencies | 5,081 |
| 4443 | Welfare Admin. & Direct Assistance | 19,025 |
| 4520 | Culture & Recreation | 10,713 |
| 4550 | Library | 35,319 |
| 4583 | Patriotic Purposes | 1,000 |
| 4611 | Conservation Commission | 3,110 |
| 4711 | Principal Long Term Bonds & Notes | 20,202 |
| 4721 | Interest Long Term Bonds and Notes | 21,171 |
| 4723 | Interest on Tax Anticipation Notes | 5,000 |
| 4790 | Other Debt Service | 1,000 |

Recommended by the Budget Committee and the Board of Selectmen.

Article 17: To see if the Town will vote to raise and appropriate the sum of \$162,250 to be added to various Capital Reserve Funds previously established as follows:

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|------------------------------|----|--------|
| Conservation Land | \$ | 10,000 |
| Forest Fire Equipment | | 250 |
| Fire Equipment Replacement | | 50,000 |
| Rescue Vehicle | | 10,000 |
| Property Revaluation | | 25,000 |
| Cemetery | | 5,000 |
| Library Building Maintenance | | 1,000 |

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|--------------------------|--------|
| Highway Facility Shed | 10,000 |
| Highway Pickup Truck | 4,000 |
| Fire Department Addition | 25,000 |
| Highway Backhoe | 10,000 |
| Highway Loader | 10,000 |
| Records Preservation | 2,000 |

Recommended by the Budget Committee and the Board of Selectmen.

Article 18: To see if the Town will vote to raise and appropriate the sum of \$50,000 to upgrade blacktop town roads.

Article 19: To see if the Town will vote to raise and appropriate the sum of \$33,000 for the purpose of upgrading gravel town roads.

Article 20: To see if the Town will vote to raise and appropriate the sum of \$145,000 for the purpose of purchasing a new equipped six-wheel dump truck and to authorize the withdrawal of \$125,000 from the Highway Equipment Capital Reserve established in 1993 for that purpose. The balance of \$20,000 is to be raised by general taxation.

Recommended by the Budget Committee and the Board of Selectmen.

Article 21: To see if the Town will raise and appropriate up to \$82,000.00 for the purchase and associated costs of a purchase for conservation purposes of a parcel of land owned by Thomas and Janet Paul, located on Kings Hill Road and identified in the Town's tax records as Map 8 Lot 527,461 and further, to authorize the withdrawal of up to \$82,000 from the Conservation Commission Land Capital Reserve Fund, established in 2005 for the purpose of acquiring land for conservation purposes, for that purpose. No amount is to be raised by general taxation. **Recommended by the Budget Committee and the Board of Selectmen.**

Article 22: To see if the Town will vote to raise and appropriate the sum of \$11,000 to replace an oil burner in the Pillsbury Memorial Hall and to authorize the withdrawal of \$5,000 from the Pillsbury Memorial Hall Capital Reserve established in 2011 for that purpose. The balance of \$6,000 is to be raised by general taxation. **Recommended by the Budget Committee and the Board of Selectmen.**

Article 23: To see if the Town will vote to raise and appropriate the sum of \$10,000 for the purpose of performing structural repairs and replace the roof on the Old Store Museum.

Article 24: To see if the Town will vote to raise and appropriate the sum of \$50,040 to fund the position of a full-time School Resource Officer for up to a six month period, and further to authorize the acceptance of \$25,000 from the Kearsarge Regional School District for the funding of this position, to be voted on by the Kearsarge Regional School District. The total amount to be raised by taxation is \$25,040. If the Kearsarge Regional School District does not approve the ballot vote which includes the Resource Officer funding, this article will be passed over.

Article 25: To see if the Town will vote to raise and appropriate \$5,000 to line North Road and Gile Pond Roads. The total distance to be lined is 2 miles.

Article 26: Shall the town of Sutton accept the provisions of RSA 202-A:4-d allowing the Sutton Free Library Trustees to accept gifts of personal property, other than money, which are donated to the library, said authority to remain in effect until rescinded by vote at town meeting?

Article 27: Shall the Town of Sutton change the composition of the Board of Trustees for the Sutton Free Library from six members to five, so that the Board may comply with the provisions of RSA 202-A:6 requiring an odd number of trustees?

Article 28: To transact any other business that may legally come before the meeting.

Given under our hands and seal, this Eleventh day of February in the year of our Lord Two Thousand and Thirteen.

SUTTON BOARD OF SELECTMEN

Robert Wright Jr., Chair

Walter Baker Jr., Selectman

Patricia McMahan, Selectwoman

A true copy of Warrant - Attest: