

**TOWN WARRANT – 2010**  
**TOWN OF SPRINGFIELD, NEW HAMPSHIRE**  
*TOWN MEETING*  
*TUESDAY, MARCH 9, 2010 11 A.M. TO 7 P.M.*  
*SATURDAY MARCH 13, 2010 9:30 A.M.*

**Article 1**

To choose all necessary Town Officials for the year ensuing. **NOTE:** By law, the meeting must open before voting starts. Therefore, the meeting and polls will open at 11 o'clock on Tuesday, March 9, 2010 for the consideration of Article 1 through 9. At 12 noon the meeting will recess, but the polls will remain open until 7:00 p.m. The meeting will reconvene at the Town Hall on Saturday, March 13, 2010, at 9:30 a.m. to act on Articles 10 through 18.

**Article 2**

To see if the Town will vote to amend Section 3.13 of the Zoning Ordinance to update the natural factors multiplier table to match NH Department of Environmental Services information, simplify the lot size calculation, and provide examples of the calculations.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

**Article 3**

To see if the Town will vote to amend Section 6.10 of the Zoning Ordinance to specify lighting requirements as provided by the NH Office of Energy of Planning.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

**Article 4**

To see if the Town will vote to amend Section 6.10 of the Zoning Ordinance to specify noise limits as provided by the World Health Organization.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

**Article 5**

To see if the Town will vote to amend the Zoning Ordinance by providing a section for driveway requirements to match the existing Subdivision Regulations for grade of driveway entrance, limit slope of driveway to 10%, and provide pull-off areas for emergency vehicles every 1,000'.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

### **Article 6**

To see if the Town will vote to amend Section 7.10 of the Zoning Ordinance by adding “permanent streams” to the building setback requirements and changing the specific set back of septic systems to a reference to current New Hampshire laws.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

### **Article 7**

To see if the Town will vote to amend Article VIII of the Zoning Ordinance to define nonconforming structures and uses as those that existed legally prior to the adoption of the provision in the Zoning Ordinance which now prohibits it rather than when the ordinance was originally adopted.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

### **Article 8**

To see if the Town will vote to amend Article XI of the Zoning Ordinance to make reference to State laws providing equitable waivers, waiver to accommodate disability, waiver for existing agricultural use, development of regional impact and to update the requirements for a variance based upon recent changes in State law.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

### **Article 9**

To see if the Town will vote to amend Article XIII of the Zoning Ordinance to add definitions for “Abandoned,” “Driveway,” “Interest Holder,” “Lot Size Averaging,” “Luminaire,” and “Stream, Permanent.” The term “interest holder” will be used for hearing notification purposes throughout the ordinance.

**The Planning Board recommends this amendment to the Zoning Ordinance.**

**Yes or No – Paper Ballot – Majority Vote**

### **Article 10**

To see if the municipality will vote to raise and appropriate the sum of \$195,000 for site work and drainage improvements at the Highway & Fire building, and to authorize the issuance of not more than \$195,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to raise and appropriate the sum of \$13,900 for the first year’s interest and payment on the bond or note. This will be a non-lapsing appropriation per RSA 32:7, VI, and will not lapse until the work is completed or by December 31, 2015.

**The Selectmen and Budget Committee recommend this appropriation.**

**Yes or No - Paper Ballot 2/3 vote required**

**Article 11**

To see if the Town will vote to establish an Old Home Day Expendable Trust Fund in accordance with RSA 31:19-a and to raise and appropriate \$1,900 to be placed in said fund, with said funds to come from unreserved fund balance (this represents Old Home Day proceeds collected in 2009), and further to name the Selectmen as agents to expend from said fund.

**The Selectmen and Budget Committee recommend this Warrant Article**

**Yes or No – Majority Vote**

**Article 12**

Are you in favor of discontinuing all of the following Class VI roads and approximately 50 feet of a Class V road under RSA 231:43 upon the conditions set out in this warrant?

ROADS TO BE DISCONTINUED

Portions of the following roads shall be discontinued by the Town of Springfield, New Hampshire on the conditions that follow in this warrant:

1. That portion of Stryker Road designated as a Class VI road, which begins at its intersection with the southwest corner of the Asa Chase Farm Cemetery and ends at the intersection of Stryker Road with Star Lake Road, which is also known as “Robie Corner”; and
2. That portion of Star Lake Road beginning at the intersection with Georges Mill Road, then continuing north and ending at the intersection with Nichols Hill Road. Approximately 50 feet of this area is classified as a Class V road and contains a bridge over Star Lake Brook; and
3. That portion of Nichols Hill Road beginning at the intersection with Star Lake Road, then continuing north and ending at the intersection with Deer Hill Road; and
4. That portion of Jones Road (also known as “McAlvin Road”) beginning at its intersection with Nichols Hill Road (also known as “McAlvin Corner”), then continuing easterly to a point approximately 2850 feet to the westerly side of the brook crossing under Jones Road, which portion is intended to exclude the bridge over such brook; and
5. That portion of No. 3 School House Road (also known as School House Road and Schmidt Road) beginning at the intersection of Star Lake Road at Robie Corner, so-called, then continuing westerly and ending at the intersection with Deer Hill Road.

CONDITIONS

The above-described roads, or portions of such roads, shall be discontinued under RSA 231:43 by the Town upon the satisfaction of the following conditions:

- a. Road Access by Public. Star Lake Properties, Inc., Daniel K. Thorne, Scott S. Seekamp, Nancy Jane Seekamp and Cynthia W. Hayes, Trustee of the Cynthia W. Hayes Trust shall encumber their respective properties with covenants and restrictions which, among other things, permit the public to use the above-described discontinued roads for:

- (1) Transitory, low-impact, non-motorized, non-commercial, outdoor recreational purposes, including without limitation, hiking, wildlife observation, snowshoeing, cross country skiing, mountain biking, horseback riding and other similar outdoor recreational purposes; and
  - (2) Snowmobile trail riding and trail maintenance during the months of the year when weather and ground conditions reasonably permit such activity, in the instance of McAlvin Road, No. 3 School House Road and Nichols Hill Road.
  - (3) The parties granting such covenants shall have the right to post and prevent entry of all other types of motorized vehicles on to the discontinued roads. The parties granting such covenants may employ motorized vehicles on the discontinued roads to conduct activities consistent with ownership of their respective properties, including without limitation, access to residences existing or permitted by the Town of Springfield adjacent to the discontinued roads, as well as for agriculture, forestry, water management and recreation.
  - (4) The Town authorizes the Selectboard to sign and acknowledge the covenants described above, on such terms and conditions consistent with the terms of this Warrant Article.
- b. Conservation Easement. Star Lake Properties, Inc. shall place approximately 1558 acres of its land located on, near and about the roads to be discontinued under a conservation easement approved and managed by the Ausbon Sargent Land Preservation Trust, provided that this warrant article passes.

Copies of both the covenants governing the use of the discontinued roads and the conservation easement are on file with the office of the Selectboard.

#### EFFECTIVE DATE

The effective date of the road discontinuance shall be the latter of the dates on which the covenants for the maintenance and use of the discontinued roads and a certain conservation easement, described above, are recorded in the Sullivan County Registry of Deeds.

#### **Yes or No – Majority Vote**

#### **Article 13**

To see if the town will vote to establish, pursuant to RSA 72, exemptions from property taxation for solar (72:62) and wind (72:66) energy generation systems. The exemption will be 100% of the value of accessory use generation systems up to a maximum of \$50,000 in taxable value. Criteria for granting the exemption shall be that the installed system must generate energy for the owner's primary residence or place of business located on the site. The system, however, may transfer surplus energy to the established electrical grid. Commercial solar and wind generating facilities that represent the primary use of a property shall not be eligible for this exemption.

**The Selectmen and Budget Committee recommend this Warrant Article**

#### **Yes or No – Majority Vote**

**Article 14**

To see if the Town will vote to amend the revolving fund created in 2006 and amended in 2009, pursuant to 31:95-h, for the purpose of police special details. All revenues received for police special details will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.

**The Selectmen and Budget Committee Recommend this Warrant Article**

**Yes or No – Majority Vote**

**Article 15**

To see if the Town will vote to raise and appropriate \$1.00 (One Dollar) to be placed in the Town Building Repairs Capital Reserve Fund established in 1995.

**The Selectmen Recommend this Warrant Article. The Budget Committee does not Recommend this Warrant Article**

**Yes or No – Majority Vote**

**Article 16**

To see if the Town will vote to raise and appropriate \$1.00 (One Dollar) to be placed in the Revaluation Capital Reserve Fund established in 1995.

**The Selectmen Recommend this Warrant Article. The Budget Committee does not Recommend this Warrant Article.**

**Yes or No – Majority Vote**

**Article 17**

To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of \$1,214,214.00 or as amended, for general municipal operations of the Town. The Selectmen recommend 1,220,714.00. This article does not include special or individual articles addressed.

**Yes or No – Majority Vote**

**Article 18**

To hear the reports of the agents, auditors, and committees heretofore chosen, to pass any vote relating thereto, and to transact any other business that may legally come before said meeting.

**Yes or No – Majority Vote**

Given under our hands and seal this Ninth day of March, in the Year of Our Lord, Two Thousand and Ten.

John J. Chiarella, Chairman

Donald W. Hill II, Vice-Chairman

David E. Tucker  
Springfield Board of Selectmen

A True Copy of Warrant – Attest:

John J. Chiarella, Chairman

Donald W Hill II, Vice-Chairman

David E. Tucker