

**WARRANT FOR THE ANNUAL TOWN MEETING
STATE OF NEW HAMPSHIRE**

GRAFTON, SS

TOWN OF LYME

To the inhabitants of the Town of Lyme, New Hampshire, who are qualified to vote in Town affairs:

You are hereby notified that the annual Town Meeting of the Town of Lyme, New Hampshire, will be held at the Lyme Community Gymnasium in the Lyme School on Tuesday, March 8th, 2016, at 7:00 AM, to act upon the following subjects:

Polls will open for voting by ballot on Articles 1, 2, 3, & 4 on Tuesday, March 8th, 2016, at 7:00 AM and will close at 7:00 PM, unless the Town votes to keep the polls open to a later hour. The business portion of the meeting will convene at 9:00 AM that same day, when all of the other Articles will be considered.

ELECTION OF OFFICERS

ARTICLE 1. To vote by non-partisan ballot for the following Town Officers:

Select Board	One member for 3 years
Budget Committee	Three members for 3 years
Cemetery Trustee	One member for 3 years
Moderator	One member for 2 years
Library Trustees	Three members for 3 years
Library Trustees	One member for 2 years
Overseer of Public Welfare	One member for 1 year
Planning Board	Two members for 3 years
Road Agent	One member for 1 year
Supervisor of the Check List	One member for 6 years
Treasurer	One member for 3 years
Tax Collector	One member for 3 years
Trustee of the Trust Funds	One member for 3 years

ARTICLE 2. Are you in favor of the adoption of Amendment #1 as proposed by the Lyme Planning Board for the Lyme Zoning Ordinance as follows:

Include Small Wind Energy Systems Ordinance and add the text “and Regulations” in section 1.35.

1.35 Status of Other Land Use Ordinances, Regulations, and By-Laws. The Town of Lyme Subdivision Regulations, Regulations for Site Plan Review, Curb Cut Regulations, Excavation Regulations, Telecommunications Facilities Ordinance, Floodplain Development Ordinance **and Small Wind Energy Systems Ordinance** remain in effect. In the event of any conflict between the provisions of these ordinances **and Regulations** and the Lyme Zoning Ordinance, the provisions which impose the greater restriction or the higher standard shall govern. Modifications of subdivision conditions, including but not limited to building envelopes, may be made by the Planning Board only.

Note: This amendment is intended as a clarification to the Ordinance.

ARTICLE 3. Are you in favor of the adoption of Amendment #2 as proposed by the Lyme Planning Board for the Lyme Zoning Ordinance as follows:

Add an objective to the Wetlands Conservation District.

3.27.1 Wetlands Conservation District. The Wetlands Conservation District is hereby defined as any area that is inundated or saturated by surface or ground water at a frequency and duration to

support, and that under normal conditions does support, a predominance of vegetation typically adapted for life in saturated soil conditions, together with a 100 foot buffer zone around such areas.

Wetlands include but are not limited to swamps, marshes, bogs, and similar areas. Wetlands shall be delineated on the basis of hydrophilic vegetation, hydric soils, and wetlands hydrology in accordance with the current New Hampshire Department of Environmental Services Wetlands Bureau Code of Administrative Rules. One hundred percent (100%) of such wetland areas and 80% of the 100 foot buffer zone shall be excluded in the calculation of lot size. Wetlands less than 2,500 square feet in size are excluded from the provisions of the Wetlands Conservation District, although State regulations may apply. The map available in the Town offices at the time of application will provide the Natural Resources Conservation Service (NRCS) hydric soils and National Wetlands Inventory which may be used as preliminary guidance for wetlands delineation. **The primary objective of the Wetlands Conservation District is to protect the Town's wetlands from despoliation or unregulated alteration and thereby to preserve the integrity of these areas, optimizing the following: 1) proper drainage, 2) flood control, 3) water quality, 4) wildlife, flora and fauna, 5) recreation, 6) and aesthetics, all for the purpose of the public good.**

Note: This amendment was requested by the Lyme Zoning Board of Adjustment as the Wetlands Conservation District was the only Conservation District that did not have a stated objective.

ARTICLE 4. Are you in favor of the adoption of Amendment #3 as proposed by the Lyme Planning Board for the Lyme Zoning Ordinance as follows:

3) Change section 10:50, variance criteria, to reflect the state requirements in RSA 674:33 10.50 VARIANCE

The ZBA may, on an appeal, grant a variance from the provisions of this ordinance, but only if all the following facts are found by the ZBA and such findings are specified in its decision:

- (1) The variance will not be contrary to the public interest;
- (2) The spirit of the ordinance is observed;
- (3) Substantial justice is done;
- (4) The values of surrounding properties are not diminished; and
- (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(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.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Note: RSA 674:33 defines the criteria that must be met for the Zoning Board of Adjustment to grant a variance. The intent of this amendment is to update the Zoning Ordinance variance criteria to match the State criteria.

TOWN OPERATING BUDGET

ARTICLE 5. To see if the Town will vote to raise and appropriate the sum of two million one hundred and fifty-nine thousand six hundred and one dollars (**\$2,159,601.00**) which represents the operating budget as recommended by the Budget Committee.

Said sum does **not** include appropriations contained in any other warrant articles.

(Majority vote required.) (The Select Board recommended an operating budget of \$2,160,501.00 by a vote of 3-0.)

(The Budget Committee recommended an operating budget of \$2,159,601.00 by a vote of 10-0.)

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 6. To see if the Town will vote to raise and appropriate the sum of eighty-nine thousand two hundred sixty-five dollars (**\$89,265**) for the purpose of maintenance, construction and reconstruction of class IV & V highways; said sum to match the amount determined by State of New Hampshire Block Grant allocation and to be offset from the State of New Hampshire Block Grant Aid estimated payments for the 2016-2017 calendar year.

Said sum does **not** include appropriations contained in any other warrant articles.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 6-2.)

Note: This appropriation will show up on the MS-2(expenditures) and the MS-4(revenues) Department of Revenue annual forms. This is an in/out and does not affect the operating budget.

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 7. To see if the Town will vote to raise and appropriate four hundred seventy-eight thousand seven hundred dollars (**\$478,700**) to be added to the following Capital Reserve and Expendable Trust Funds previously established for the purposes for which they were created.

Capital Reserve Funds:

Bridge Capital Reserve Fund	\$100,000
Vehicle Capital Reserve Fund	\$145,000
Heavy Equipment Capital Reserve Fund	\$37,000
Class V Roads Rehab Capital Reserve Fund	\$50,000
Public Works Facility Capital Reserve Fund	\$50,000
Emergency Highway Repair Capital Reserve Fund	\$30,000
Computer System Upgrade Capital Reserve Fund	\$7,500
Town Buildings Major Maintenance and Repair Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$5,000</u>
Capital Reserve Funds Subtotal:	\$434,500

Expendable Trust Funds:

Annual Leave Trust Fund (\$4,184.32 Expended)	\$4,200
Town Poor Expendable Trust Fund	<u>\$40,000</u>
Expendable Trust Funds Subtotal:	\$44,200

Capital Reserve Funds and Expendable Trust Funds Total: \$478,700

(These appropriations are **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 8-0.)

WITHDRAWAL FROM CAPITAL RESERVE FUNDS AND EXPENDABLE TRUST FUNDS

ARTICLE 8. To see if the Town will vote to raise and appropriate one hundred ninety-five thousand eight hundred and thirteen dollars (**\$195,813**) and to fund these appropriations by authorizing the withdrawal of such funds from the Capital Reserve and Trust Funds for the purposes for which they were created as submitted by the Budget Committee as follows:

Machinery, Vehicles & Equipment:

Vehicle Capital Reserve Fund (1 ton pickup truck & police vehicle)	\$174,813
Computer System Upgrade Capital Reserve Fund (equipment)	\$5,000
Property Reappraisal Capital Reserve Fund	\$16,000

Withdrawals from Capital Reserve Fund **Total: \$195,813**

(These appropriations are **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 8-0.)

LEASE-TO-OWN AGREEMENT FOR A 2015 BOMAG ROLLER

ARTICLE 9. To see if the Town will vote to authorize the Select Board to make the 3rd payment on a 5 year lease-to-own agreement for the purpose of leasing a roller for the Highway Department for a total cost of \$90,921 and to raise and appropriate the sum of eighteen thousand eighty-one dollars (**\$18,081.00**) for the third year's payment for that purpose. This lease agreement contains an escape clause.

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 8-0.)

**APPROPRIATE FUNDS FROM THE UNRESERVED FUND BALANCE
TO RELOCATE AND REOPEN RIVER ROAD**

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of five hundred thousand dollars (**\$500,000**) for the purpose of relocating & reopening the portion of River Road 2/10th of a mile south of the East Thetford Road intersection, and to acquire the necessary land for the relocation and to fund this appropriation by authorizing the withdrawal of four hundred thousand dollars (**\$400,000**) from the unreserved fund balance and one hundred thousand dollars (**\$100,000**) to be raised by taxes. The funds will be used for all expenses necessary to reopen the road, including but not limited to testing, engineering, construction and materials for this project. This is a nonlapsing appropriation per RSA 32:7, and will not lapse until the road is reopened or December 31, 2017, whichever is sooner.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of .)

PAVED ROAD REPAIR AND MAINTENANCE

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of seventy-five thousand dollars (**\$75,000.00**) for the purpose of repair and maintenance of the Town's paved roads. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2020.

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 8-0.)

TO PURCHASE A TANK & SPRAYER UNIT

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of fourteen thousand three hundred twenty-five dollars (**\$14,325.00**) to be used towards the purchase of 1-VTA-500 5,000 gallon vertical storage tank & 1-Liqui Maxx 750 gallon deluxe sprayer system to be used by the Highway Department.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)
(Recommended by the Budget Committee by a vote of 6-2.)

***WITHDRAWAL FROM THE CEMETERY MAINTENANCE GIFTS
AND DONATIONS FUND***

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of sixteen thousand four hundred eighty-six dollars (**\$16,486.00**) to be used towards funding maintenance of the Town cemeteries and to authorize funding this appropriation by the withdrawal of such sum from the Cemetery Maintenance Gifts and Donations Fund (established by the Select Board on January 5, 2000).

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)
(Recommended by the Budget Committee by a vote of 8-0.)

***TRANSFER FUNDS FROM THE CEMETERY SPECIAL REVENUE FUND INTO THE NEW
CEMETERY CAPITAL RESERVE FUND***

(special warrant article)

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of one thousand six hundred dollars (**\$1,600.00**) to be placed into the New Cemetery Capital Reserve Fund re-established in 2005 under the provisions of RSA 35:1, and to authorize funding this appropriation by the withdrawal of said sum from the Cemetery Special Revenue Fund established in 2005 under the provisions of RSA 31:95-c for that purpose.

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)
(Recommended by the Budget Committee by a vote of 8-0.)

***INDEPENDENCE DAY CELEBRATION
SPECIAL REVENUE FUND***

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of five thousand three hundred seventy-eight dollars (**\$5,378.00**) to sponsor an Independence Day celebration, including but not limited to a parade, picnic, music and family fun and to fund this appropriation by authorizing withdrawal of that sum from the Independence Day Celebration Special Revenue Fund established for this purpose at the 2003 Town Meeting.

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Selectmen by a vote of 3-0.)
(Recommended by the Budget Committee by a vote of 8-0.)

EXPENDITURE OF TRUST FUNDS FOR PROFESSIONAL FINANCIAL MANAGEMENT

ARTICLE 16. To see if the Town will vote, pursuant to RSA 35:9-a II., to authorize the Trustees of Trust Funds to hire professional banking or brokerage assistance for capital reserve funds and to pay for capital reserve fund investment management services and any other associated expenses from capital reserve funds income. Such authority shall remain in effect until rescinded by a vote of Town

Meeting. No vote by the Town to rescind such authority shall occur within five years of the original adoption of this article.
(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

LYME EMERGENCY OPERATION PLAN

ARTICLE 17. To see if the Town will vote to raise and appropriate the sum of eight thousand dollars (\$8,000.00) for the purpose of updating the Lyme Emergency Operations Plan (LEOP) to be funded 50% (up to \$4,000.00) through a grant from the Federal Emergency Management Agency (FEMA), with the remaining 50% (up to \$4,000.00) to be raised by taxation.

(This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by vote of 8-0.)

TO MAKE ROAD AGENT APPOINTED FOR A TERM OF ONE YEAR

ARTICLE 18. To see if the Town will vote to authorize the Select Board to appoint a highway agent for a term of 1 year, who under the direction of the Select Board, shall have charge of the construction, maintenance, and repair of all town roads and bridges, maintenance and repair of all sidewalks within the town as provided for in RSA 231:62 rather than electing a Road Agent. If this article passes, the elected Road Agent will continue to serve until the March 2017 town election, at which time the elected office shall terminate.

(Majority vote required.) (Recommended by the Selectmen by a vote of 3-0)

ESTABLISH A CAPITAL RESERVE FUND FOR MUNICIPAL TRANSPORTATION IMPROVEMENTS

ARTICLE 19. To see if the Town will vote to adopt the provisions of NH RSA 261:153 (VI) to levy an additional motor vehicle registration fee in the amount of five dollars (\$5.00) to be used to support a municipal transportation improvement fund. And to further provide that with the adoption of this article the town shall create Capital Reserve Fund, pursuant to RSA Chapter 35 to be known as the Municipal Transportation Capital Reserve Fund, said fund to be used to fund, wholly or in part, improvements in the local or regional transportation system including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities and public transportation. The funds may be used for engineering, right-of-way acquisition, and construction costs of transportation facilities, and for operating and capital costs of public transportation only. The funds may be used as matching funds for state or federal funds allocated for local or regional transportation improvements. Such funds shall not be used to offset any other non-transportation appropriations made by the municipality. And to further name the Select Board as agents to expend this Capital Reserve Fund.

(Majority vote required.) (Recommended by the Selectmen by a vote of 3-0)

LITTLE COMMON

ARTICLE 20. To see if the Town will vote to authorize the Town to enter a lease of a 20' x 90' section of the town owned property located at 39 Union Street and known as "The Little Common" with the Lyme School District for the purpose of constructing and using a parking lot for school purposes. This lease will be from January 1st, 2016 to December 31st, 2026 and renewable every 10 years thereafter and will have annual rental payments of \$1.

(Majority vote required.) (Recommended by the Selectmen by a vote of 2-1)

TOWN COMMON

Petitioned article

ARTICLE 21. Shall the Select Board authorize Town of Lyme volunteers to level a section of the Town Common for the purpose of making a viable town skating area for future years, by adding topsoil to the area where the Skating on the Common has been placed for two years in a row, grading it, leveling it, and seeding it, so long as all monies expended are privately raised and the esthetic of the Common is not compromised.

(Majority vote required.) (Not recommended by the Select Board by a vote of 3-0)

LYME PARKING ORDINANCE AMENDMENT

Petitioned article

ARTICLE 22. "To see if the town will vote to direct the Board of Selectmen to amend the Lyme Parking Ordinance to permit, or not prohibit, overnight parking in the State's Park & Ride facility located on Main Street such that over night parking is allowed for up to 21 days, as provided by New Hampshire RSA 262:32?"

(Majority vote required.) (Not recommended by the Select Board by a vote of 3-0)

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 23. To hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.

(Majority vote required.)

OTHER BUSINESS

ARTICLE 24. To transact any other business that may be legally brought before this Town Meeting.