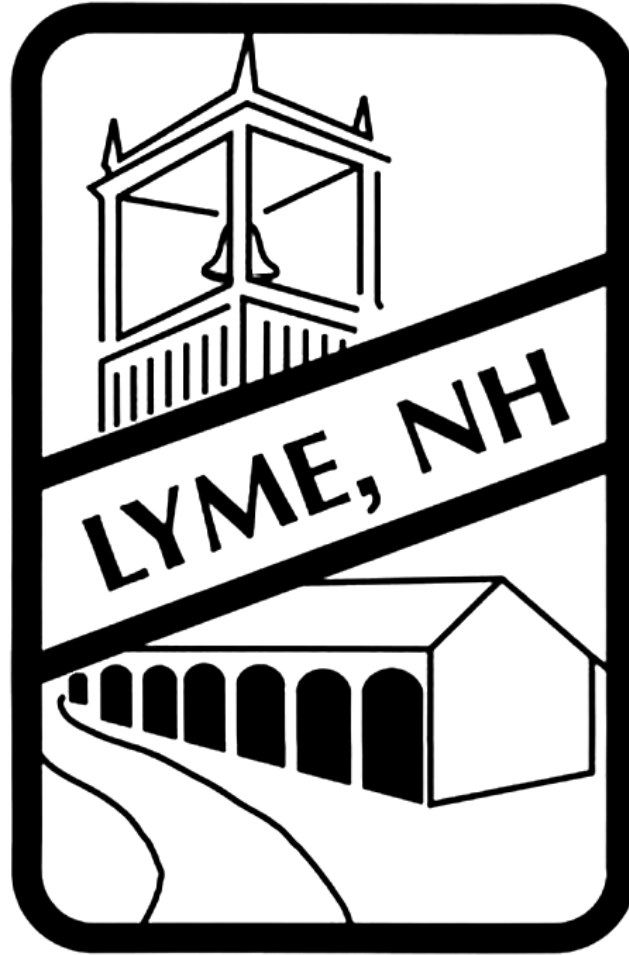


TOWN OF LYME



WARRANT FOR MARCH 13, 2012 TOWN MEETING

**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 13, 2012, at 7:00 AM, to act upon the following subjects:

Polls will open for voting by ballot on Articles 1 & 2 on Tuesday, March 13, 2012, 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:

Budget Committee	Three members for 3 years
Cemetery Commissioner	One member for 3 years and one member for 2 years
Library Trustees	Three members for 3 years
Town Moderator	One member for 2 years
Overseer of Public Welfare	One member for 1 year
Planning Board members	One member for 3 years
Road Agent	One member for 1 year
Selectman	One member for 3 years
Sexton	One member for 1 year
Supervisor of the Checklist	One member for 6 years
Town Clerk	One member for 3 years
Trustee of the Trust Funds	One member for 3 years

ZONING AMENDMENTS

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:

Amend Section 5.13. E.2 so that the distance between sewage disposal systems and wells that serve public water supplies shall be as required by the State rather than 400', and the map in Appendix E. shall be amended to show the locations of all the public water supply wells as registered from time to time with the New Hampshire Department of Environmental Services.

The current state requirements are as follows:

Protective Radius(Ft)	Design Flow (GPD)
75	0 - 750
100	751 - 1,440
125	1,441 - 4,320
150	4,321 - 14,400
175	14,401 - 28,800
200	28,801 - 57,600
250	57,601 - 86,400
300	86,401 - 115,200
350	115,201 - 144,000
400	Greater than 144,001

(Majority non-partisan official ballot required) Recommended by the Planning Board)

TOWN OPERATING BUDGET

ARTICLE 3. To see if the Town will vote to raise and appropriate the sum of one million nine hundred forty seven thousand three hundred and fifty dollars **(\$1,947,350)** 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 \$1,947,350 by a vote of 3-0.) (The Budget Committee recommended an operating budget of \$1,947,350 by a vote of 7-1.)

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of eighty six thousand one hundred thirty dollars **(\$86,130.00)** for the purpose of maintenance, construction and reconstruction of class IV & V highways; said sum to be offset from the State of New Hampshire Block Grant Aid estimated payments for the 2012 calendar year.

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

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

(Recommended by the Budget Committee by a vote of 9-0.)

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 5. To see if the Town will vote to raise and appropriate three hundred seventy six thousand three hundred eighty eight dollars **(\$376,388)** 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	\$102,174
Heavy Equipment Capital Reserve Fund	\$48,214
Emergency Highway Repair Capital Reserve Fund	\$50,000
Town Buildings Major Maintenance and Repair Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$11,000</u>
Capital Reserve Funds Subtotal:	\$321,388

Expendable Trust Funds:

Emergency Major Equipment Rebuilding Trust Fund	\$20,000
Town Poor Expendable Trust Fund	<u>\$35,000</u>
Expendable Trust Funds Subtotal:	\$55,000

Capital Reserve Funds and Expendable Trust Funds Total: \$376,388

(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 Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 9-0.)

***WITHDRAWAL FROM CAPITAL RESERVE FUNDS AND
EXPENDABLE TRUST FUNDS***

ARTICLE 6. To see if the Town will vote to raise and appropriate four thousand dollars (**\$4,000**) and to fund this appropriation 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:

Firefighting Safety Equipment Capital Reserve Fund (Firefighter Protective Clothing)	\$4,000
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Withdrawals from Capital Reserve Fund Total: \$4,000

(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 Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 9-0.)

***APPROPRIATE FUNDS FROM THE UNRESERVED FUND BALANCE
TO REPAIR RIVER ROAD WASH OUT***

ARTICLE 7. To see if the Town will vote to raise and appropriate up to five hundred ninety thousand seven hundred dollars (**\$590,700**) for the purpose of repairing the river bank and relocating and reconstructing the portion of River Road between Marselis Parsons' property (Map 404 Lot 18) and Carola Lea's property (Map 404 Lot 16) that was damaged by the flooding and to acquire the necessary easements for the relocation and to fund this appropriation by authorizing the withdrawal of said sum from the unreserved fund balance as of December 31, 2011. Such repairs to follow the design of and be supervised by a licensed engineer.

The sums being made up of:

Payments to landowners and Conservation easement holder:	\$ 14,000
River bank repair:	\$427,100
New road construction:	<u>\$149,600</u>

Total \$590,700

(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 7-2.)

Note: taking these funds from the unreserved fund balance, this year the Town will be obliged to borrow against taxes earlier in the year than it does now. The anticipated impact will be that 4723 Interest on the Tax Anticipatory Note will be increased by a maximum of \$8,000 this year.

BACK UP ARTICLE:
APPROPRIATE FUNDS FROM THE UNRESERVED FUND BALANCE
TO REPAIR RIVER ROADWASH OUT
If this warrant article is approved, it shall only be effective if
Warrant Article 7 is NOT approved.

ARTICLE 8. To see if the Town will vote to raise and appropriate up to ninety thousand dollars **(\$90,000)** for the purpose of conducting an engineering study by a NH licensed engineer for the repair of the river bank and River Road between Marselis Parsons' property (Map 404 Lot 18) and Carola Lea's property (Map 404 Lot 16) and to fund this appropriation by authorizing the withdrawal of said sum from the unreserved fund balance as of December 31, 2011.

(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 6-2 with 1 abstention.)

Note: taking these funds from the unreserved fund balance, this year the Town will be obliged to borrow against taxes earlier in the year than it does now. The anticipated impact will be that 4723 Interest on the Tax Anticipatory Note will be increased by a maximum of \$800 this year.

WITHDRAWAL FROM THE CEMETERY MAINTENANCE GIFTS
AND DONATIONS FUND

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of fifteen thousand six hundred sixty three dollars **(\$15,663)** for the completion of the cemetery cremation garden 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 Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 9-0.)

Note: In 2006 Margaret Burdette Wise left \$30,000 to the Town of Lyme for cemetery use, the above amount is the balance left to spend.

TRANSFER FUNDS FROM THE CEMETERY SPECIAL REVENUE FUND INTO THE
NEW CEMETERY CAPITAL RESERVE FUND
(special warrant article)

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of one thousand six hundred dollars **(\$1,600)** 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.

(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 9-0.)

**INDEPENDENCE DAY CELEBRATION
SPECIAL REVENUE FUND**

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of eight thousand four hundred dollars (**\$8,400**) to sponsor an Independence Day celebration, including but not limited to a parade, a picnic and fireworks 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 9-0.)

**APPROPRIATING MONIES TO PUT INTO BLISTERS FOR BOOKS
EXPENDABLE TRUST FUND**

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of six thousand and three dollars (**\$6,003**) to put into the “Blisters for Books Expendable Trust Fund” established in 2007 for the purpose of purchasing children’s books, audiotapes and other resources and to fund this appropriation by authorizing the withdrawal of said sum from the 12/31/2011 unreserved fund balance. The amount represents monies taken into the general fund in 2011 from last year’s Blisters for Books.

(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 9-0.)

Note: This amount of money has already been raised from last year’s Blisters for Books. The Library Trustees are appointed to expend from this fund.

TOWN FOREST MANAGEMENT PLAN

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of up to ten thousand dollars (**\$10,000**) for the purchase of service to update the Town Forest Management Plan, and to fund this appropriation by authorizing the withdrawal of said sum from the Town Forest Maintenance Fund.

(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 Conservation Commission.) (Recommended by the Selectmen by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 9-0.)

**WITHDRAWAL FROM CONVERSE FREE LIBRARY UNEXPENDED
NON-CURRENT OPERATING FUNDS**

ARTICLE 14. To see if the Town will vote to raise and appropriate up to eight thousand dollars (**\$8,000**) for renovations to the library's building and to authorize funding this appropriation by the withdrawal of such sum from unexpended non-current funds held in the Converse Free Library's operating accounts.

(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 vote of 9-0.)

Note: The library seeks permission to spend up to \$8,000 of unexpended non-current funds on renovating the portico over the front door and on painting interior woodwork in the front portion of the library

MILFOIL TREATMENT FOR POST POND

ARTICLE 15. To see if the town will vote to raise and appropriate the sum of six thousand two hundred fifty dollars **(\$6,250)** for milfoil treatment of Post Pond, to be funded 50% (\$3,125) through a grant from the New Hampshire Department of Environmental Services, with the remaining 50% (\$3,125) 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 Conservation Commission.) (Recommended by the Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by vote of 9-0.)

PETITIONED WARRANT ARTICLE

ARTICLE 16. To preserve and encourage the town's agricultural heritage and to insure the availability of local food sources for the residents of Lyme we the following petition the town to exempt certain agricultural buildings from local property taxes including:

1. Buildings that house animals to produce food or fiber for sale to the public.
2. Buildings used to store feed, bedding or machinery involved in agricultural food production for sale to the local public where such use of said buildings is no less than 75%, and annual receipts are no greater than \$500,000/year subject to annual review and approval by the Select Board.

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

PETITIONED WARRANT ARTICLE

APPROPRIATE FUNDS FOR RE-OPENING RIVER ROAD TO ONE LANE ON TEMPORARY BASIS FROM UNRESERVED FUND BALANCE

ARTICLE 17. To see if the Town will vote to raise and appropriate fifteen thousand three hundred dollars **(\$15,300)** for the purpose of re-opening River Road on a temporary basis between Marselis Parsons' property (Map 404 Lot 18) and Carola Lea's property (Map 404 Lot 16) which is the portion currently closed to vehicular traffic, to one lane of vehicular traffic, with suitable use of jersey barriers, signs, and other reasonable means of redirecting and warning said traffic, until such time as a more permanent plan is developed and adopted for reopening that section of road to two-way traffic, and to fund this appropriation by authorizing the withdrawal of said sum from the unreserved fund balance as of December 31, 2011. Such temporary re-opening to follow the design of the NH DOT and to be supervised by the Road Agent.

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

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

(Not recommended by the Budget Committee by vote of 5-4.)

PETITIONED WARRANT ARTICLE

BACK UP ARTICLE

**APPROPRIATE FUNDS TO TAKE LAND BY EMINENT DOMAIN ABUTTING RIVER ROAD
AND TO MOVE RIVER ROAD SO AS TO RE-OPEN TO TWO-WAY TRAFFIC**

If the warrant article is approved, it shall only be effective if warrant article 7 is NOT approved.

ARTICLE 18. To see if the Town will vote to raise and appropriate one hundred sixty-three thousand six hundred dollars (**\$163,600**) to take, by eminent domain land immediately abutting River Road on its East side between Marselis Parsons' property (Map 404 Lot 18) and Carola Lea's property (Map 404 Lot 16), which is the portion currently closed to vehicular traffic and to relocate said section of River Road east of its current location and thereby reopen to two-way traffic, and to fund this appropriation by authorizing the withdrawal of said sum from the unreserved fund balance as of December 31, 2011. The sums being made up of:

Payments to landowners and conservation easement holder:	\$14,000
Road Construction	<u>\$149,600</u>
	\$163,600

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

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

(Not recommended by the Budget Committee by vote of 4-0 with 5 abstentions.)

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 19. 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

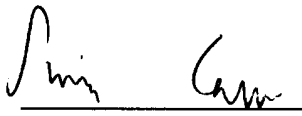
ARTICLE 20. To transact any other business that may be legally brought before this Town Meeting.

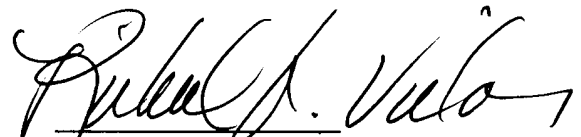
Given under our hands and seal of the Town of Lyme this 16th day of February, 2012.

Town of Lyme

Select Board

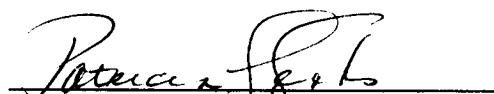

Charles R. Ragan, Chair


Simon L. Carr


Richard A. Vidal

Recording of Warrant:

This Warrant and return of Warrant has been duly recorded in the Office of the Town Clerk of Lyme, New Hampshire, this 17th day of February 2012.


Patricia G. Jenks, Town Clerk

Amendment #1

Amend section 5.13 Setbacks section 5.13(e)(2)

5.13 Setbacks.

E. Sewage Disposal System Setbacks

1. The minimum distance between sewage disposal systems and water bodies, watercourses, drainage ways, and wetlands shall be:
 - a) 200 feet from the Connecticut River (including backwaters impounded by the Wilder Dam), Reservoir Pond, Post Pond, Trout Pond, Lily Pond, Pout Pond, or any true bog and 100 feet for other water bodies.
 - b) the minimum setbacks to water bodies shall not be reduced except in accordance with the provisions of Section 8.20.
2. ~~The minimum distance between sewage disposal systems and the wells which serve the Lyme Common community water system shall be 400 feet. See Appendix E. The State standards for separation distance between a private well and sewage disposal system shall apply.~~

The minimum distance between sewage disposal systems and wells that serve public water supply systems shall be as established by The New Hampshire Department of Environmental Services. The State standards for separation distance between a private well and sewage disposal system shall apply.

The map in Appendix E. shall be amended to show the locations of all the public water supply wells as registered from time to time with The New Hampshire Department of Environmental Services.

3. Special exceptions may be given for property line setbacks (see 5.10 Summary Table) for replacement systems only.

River Road Warrant Article Proposal

River Road washed out just south of North Thetford Road on April 30/May 1 2011. The Selectboard determined, on advice from their engineers and supported by NH Department of Environmental Services and the US Army Corps of Engineers, that the road was not safe to re-open, even as a single lane road. The Board has subsequently worked with Holden engineers to prepare a satisfactory resolution. In so doing, they took note of the fact that this is an historic road and that closing it would threaten the historic fabric of the town. They were also concerned that other historic roads in town were threatened and that some citizens would use the closure of River Road to press for the closure of other roads. Accordingly, the Board determined that any solution needed to preserve the road and riverbank; it also needed to be a permanent fix, not a short-term solution which punted the problem for a future Selectboard to fix in five or ten years time.

The solution that the engineers have developed and that the Board is proposing is to relocate the road approximately 30ft. farther inland and to develop a 3:1 sloped bank with rip-rap on the lower section, easing up to 8" "envirogrid" mesh filled with soil from about 4 ft above river level for another 4 ft and then planting for the 8ft above that up to the roadway level. This is a well-proven solution developed by the US Army Corps of Engineers. Ultimately the bank, although well armored, should grow back in to a well-vegetated, natural environment. The expectation with this design is that the bank should withstand a 100-year storm and that there should be no significant damage in more minor storms.

To undertake relocating the road we need to take property from the two abutters: Carola Lea and Marselis Parsons. Both abutters have been exceedingly helpful in facilitating the process. However, Carola Lea's land is in a conservation easement held by Upper Valley Land Trust. This means, that even with every party being keen on making this work, the town needs to take possession of her land by Eminent Domain. That determination by the NH Attorney General, last October, is what stopped the town from starting work in the fall. However, the process is moving forward and the Board is confident that, if Warrant Article 7 passes, they would be able to sign the necessary agreements immediately after Town Meeting.

As shown in the Article, the maximum appropriation for this project is \$590,700. This money would not come as a major tax burden, but would be covered from the Unassigned Fund Balance, which is what is left over at the end of the year after all specific expenses have been allowed for. There would be a slight effect, because we would have to borrow money earlier in the year. (The general fund varies from having \$6,000,000 in early/mid December, dropping down to zero around July and from then until November, we are borrowing against our anticipated taxes.) It is projected that the impact would be in the region of \$8,000 this year – approximately \$10 on a \$400,000 assessed house. There is a policy in place for the maximum and minimum recommended levels for the Unassigned Fund Balance – between 7% and 15% of our gross annual budget. Appropriating this sum from the Fund Balance would bring its level down close to our minimum level; we would expect to see the level restored to nearer the mid-level over the next few years.

The costs shown are those developed by the Road Agent, in conjunction with in-town contractors. Effectively every contractor with a six-wheel truck or excavator, together with the Highway Department, would be involved in the construction. The contractors and the Road Agent are confident that they would be able to further reduce some of these costs. The Highway Department would be responsible for the road construction with assistance from the contractors, while there would be a lead contractor on the riverbank work with assistance from other contractors and the Highway Department.