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2017 TOWN WARRANT

To the inhabitants of the Town of Enfield, in the County of Grafton, qualified to vote in Town affairs:

Take notice and be warned that the Annual Town Meeting of the Town of Enfield, New Hampshire, will be held on two days as follows:

**On Tuesday, March 14, 2017**, in the Whitney Hall Auditorium, 23 Main Street, Enfield, NH, there will be voting only by Official Ballot for the election of Town Officers and amendments to the Zoning Ordinance. Note: By law, the meeting must open before the voting starts. Therefore, the meeting and polls will open at 8:00 a.m. for the consideration of all ballot articles. At 12:00 Noon the meeting will recess, but the polls will remain open.

Polls will be open at 8:00 a.m. and close at 7:00 p.m. There will be no opportunity to vote by ballot on Articles 1 through 6 at the second session of the Town Meeting. After the polls close at 7:00 p.m., the ballots will be counted.

The meeting will reconvene **Saturday, March 18, 2017**; Articles 1 through 6 will be presented and Articles 7 through 12 will be presented, discussed and acted upon beginning at 9:00 a.m. at the Enfield Elementary Village School, 271 US Route 4, Enfield, NH.

**Article 1.** To choose by ballot all necessary Town Officers for the ensuing year.

For Two Years: One Moderator

For Three Years: One Selectman  
One Town Clerk  
One Treasurer  
One Trustee of Trust Funds  
One Cemetery Trustee  
One Fire Ward  
One Library Trustee  
One Zoning Board of Adjustment Member  
Three Budget Committee Members

**Article 2:** Are you in favor of the adoption of Amendment No. 1 for the Town of Enfield Zoning Ordinance as follows?

Revise the current wording of the Variance Criteria in Section 505 to match RSA 674:33, Powers of the Zoning Board of Adjustment. (New language in **BOLD**)

505 VARIANCES

The Zoning Board may authorize a Variance from the terms of this Ordinance only when it finds that all conditions listed in **RSA 673:33** apply:

- 1) **The variance will not be contrary to the public interest**  
~~Granting the permit would be of benefit to the public interest.~~
- 2) **The spirit of the ordinance is observed.**  
~~The use must not be contrary to the spirit of the Ordinance.~~
- 3) **Substantial justice is done.**  
~~Granting the permit would do substantial justice.~~
- 4) **The values of surrounding properties are not diminished.**  
~~No diminution of value of surrounding properties would be suffered.~~
- 5) **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**  
~~Denial of the permit would result in unnecessary hardship to the owner seeking it.~~
  - (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 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.

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

**Approved by a 7-0 vote by the Planning Board**

**Article 3:** Are you in favor of the adoption of Amendment No. 2 for the Town of Enfield Zoning Ordinance as follows?

*Remove all references to limitations on clear cutting.*

RSA 674; 1 Para VI notes that the Planning Board has no authority over Timber Harvesting except when a site plan or subdivision application is involved.

1. Remove all references to restrictions to clear cutting
2. Remove the following Language from section 406.3 of the Zoning Ordinance in accordance with RSA 7674:33 last sentence

*406.3 FORESTED AREAS*

The purpose of this section is to prevent excessive clearcutting of forests. It is \_\_\_\_\_ designed to:

- ~~A. Prevent clearcuts that do not recognize silvicultural guidelines and do not give appropriate consideration to forest regeneration, soil productivity, water quality, and plant and animal habitat.~~
- ~~B. Prevent clearcuts greater than 10 acres in size;~~
- ~~C. Prevent clearcuts on slopes greater than 35%;~~
- ~~D. Prevent clearcuts on thin organic soils on top of bedrocks as classified by the Natural Resources Conservation Services soil surveys;~~
- ~~E. Prevent clearcuts on soils classified in Natural Resources Conservation Services soil surveys as having severe erosion hazard;~~
- ~~F. Prevent clearcuts in riparian zones;~~
- ~~G. Prevent clearcuts in or around seeps or vernal pools;~~
- ~~H. Prevent clearcuts in highly visible or aesthetically sensitive areas.~~
- ~~I. Clearcuts shall be separated by a manageable stand of at least the width of the area being harvested. This stand shall be maintained with at least 70% crown closure or full stocking as recommended in silvicultural guides. This manageable stand shall be located~~

*The following language remains in the Ordinance:*

Permitted Uses

In a Forested Area, permitted clearcuts shall be only those that are planned and conducted with the assistance of a forester licensed in the State of New Hampshire. Clearcutting for land conversion purposes is permitted if all permits have been obtained. Said permits include, but are not limited to, building, subdivision, excavation and site plan approval where necessary.

**Approved by a vote of 7-0 of the Planning Board**

**Article 4:** Are you in favor of the adoption of Amendment No. 3 for the Town of Enfield Zoning Ordinance as follows?

*Provide a Definition for Kennel.*

The current Zoning Ordinance has no definition for Kennel.

1. Add the following definition to Appendix A - Land Use Definitions

**Kennel: The boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises for commercial gain.**

**Approved by a 7-0 vote of the Planning Board**

**Article 5:** Are you in favor of the adoption of Amendment No. 4 for the Town of Enfield Zoning Ordinance as follows?

*Add New Accessory Apartment (ADU) rules into Zoning*

1. Change the definition "Accessory Apartments" to "Accessory Dwelling units"
  2. Add the right to have Accessory Dwelling Units allowed in all districts that allow single family homes.
- This right is required by new State Law.*

**Approved by a vote of 7-0 of the Planning Board**

**Article 6:** Are you in favor of the adoption of Amendment No. 5 for the Town of Enfield Zoning Ordinance as follows?

*Revise the definition of Abutter so that notification requirements match the requirements of the Subdivision, Zoning Board of Adjustment and Site Plan Review Regulations.*

Words in **BOLD** are additions to the definition

**Abutter:** Shall mean the owner, or owners, of record of a parcel of land which is contiguous at any point to the parcel being subdivided, or which lies directly across a public right-of-way or stream from the parcel being subdivided. In the case of all subdivisions, site plan reviews, **voluntary mergers, boundary line adjustments and noticed Zoning Board of Adjustment hearings** the term shall also include the owner or owners of record of a parcel of land which is two hundred (200) feet from any point on the boundaries of the parcel being subdivided.

**Approved by a vote of 7-0 of the Planning Board**

**Article 7:** To see if the Town will vote authorize the Selectmen to enter into a long term lease/purchase agreement in the amount of two hundred thousand and 00/100 dollars (\$200,000.00) payable over a term of ten (10) years for the purpose of leasing one police cruiser (\$35,000), one fire support vehicle (\$45,000), excavator (\$30,000), low bed trailer (\$30,000) and vibratory roller (\$60,000) and to raise and appropriate the sum of twenty nine thousand seven hundred and forty seven and 13/100 dollars (\$29,747.13) for the first year's payment for that purpose. Said appropriation to be offset by the withdrawal of \$29,747.13 from the Capital Improvement Program Capital Reserve Fund for which the Board of Selectmen are agents to expend. It is the intent of the Board of Selectmen to utilize the Capital Improvement Program Capital Reserve Fund for principal and interest payments for the life of the lease. (This article has no impact on the 2017 tax rate.)

*Special Warrant Article*

**2/3 Paper Ballot Vote Required**

**The Board of Selectmen recommends this article by a vote of 3-0.**

**The Budget Committee recommends this article by a vote of 8-0.**

**Article 8:** To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of six million, four hundred nine thousand, six hundred forty-nine dollars, (\$6,409,649) for general municipal operations. This article does not include appropriations contained in special or individual articles addressed separately. (Majority vote required) (Estimated tax impact \$6.30/\$1,000 valuation.)

**The Board of Selectmen recommends this article by a vote of 3-0.**

**The Budget Committee recommends this article by a vote of 8-0.**

**Article 9:** To see if the Town will vote to raise and appropriate the sum of three hundred sixty-seven thousand, nine hundred eighty-three dollars (\$367,983) to be placed in the Capital Improvement Plan Capital Reserve Fund. (Estimated tax impact \$0.80/\$1,000 valuation.)

*Special Warrant Article*

**The Board of Selectmen recommends this article by a vote of 3-0.**

**The Budget Committee recommends this article by a vote of 8-0.**

**Article 10:** To see if the Town will vote to discontinue the Library Equipment Capital Reserve Fund. This fund was created by Town Meeting vote in 1997, but never funded. The Library Trustees recommend discontinuing this fund.

**Article 11:** Shall the Town raise and appropriate the sum of two thousand dollars (\$2,000) for deposit into the Cemetery Maintenance Expendable Trust Fund with said funds to come from the unassigned fund balance. This money represents 2016 revenue from the sale of cemetery lots. (This article has no impact on the 2017 tax rate.)

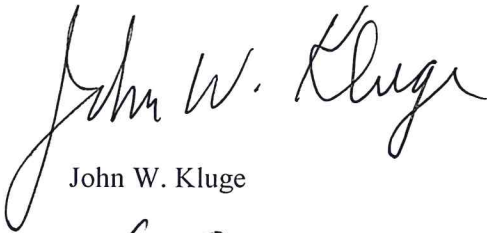
***Special Warrant Article***

**The Board of Selectmen recommends this article by a vote of 3-0.**

**The Budget Committee recommends this article by a vote of 8-0.**

**Article 12:** To hear the reports of agents, auditors, committees, or any other officers heretofore chosen and pass any vote relating thereto.

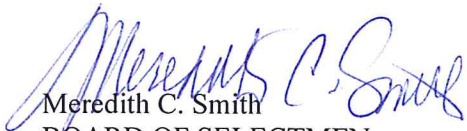
A true copy of warrant, attest:



John W. Kluge



B. Fred Cummings



Meredith C. Smith  
BOARD OF SELECTMEN  
ENFIELD NH