

Selectmen

*Shawn O'Neil Steve Woitkun*

*Sheila Johannesen Dottie Billbrough Scott Borucki*

**Town of Danville**

2022 TOWN WARRANT ARTICLE SUMMARY

**TO BE VOTED ON March 8, 2022**



# Town Clerk

*Christine Tracy*

# Tax Collector

*Kimberly T. Burnham*

***Draft***

***2022 Warrant Articles***

Dear Resident:

This warrant article listing is being provided to help you better understand the ballot articles on which you will be voting. Articles 2022-03 through 2022-8 inclusive are Planning Board Articles, and 2022-8 through 2022-21 are Selectmen and Department Articles. Any additional Articles are Citizen Petitions. The tax impact noted on the various articles is the Selectmen's best estimate based on the town's 2020 valuation of $575,606,456.00 as defined by the MS-I line 21.

You will note that some articles have recommendations by the Planning Board, Board of Selectmen, and Budget Committee and some do not. This is a requirement by RSA 32:5, V- (a) which states that only special warrant articles shall contain the notation on whether or not the appropriation is recommended by these Boards. This doesn't mean the Boards do or do not recommend the other Articles. The Boards are not allowed to add this notation except for those warrants required by State law.

On \_\_\_\_\_\_\_\_\_\_ there will be a Candidate’s Night at 7:00 PM at the Community Center. We encourage the public to ask questions of the election candidates and on the ballot articles. The Selectmen’s Office has requested each department be present to explain their ballot articles and to participate in this public discussion.

##### Second Session of Annual Meeting (Voting)

You are hereby notified to meet on Tuesday, the 8th day of March 2022, at 8:00 am at the Danville Community Center, Danville, New Hampshire to vote by official ballot on the election of town officials, and on all warrant articles.

Please vote on March 8th; polls will be open 8 AM to 8 PM. You may register to vote on March 8, 2022, at the polls (Danville Community Center) if you are not already registered.

***Article 2022-01 Choose all necessary Town Officers for the year ensuing.***

***Article 2022-02 Choose all School District Officers for the year ensuing.***

***Article 2022-03 Connections to Community Water Systems***

To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to help protect and preserve the Town’s groundwater aquifers by requiring Planning Board review and approval for any interconnection to external water systems. Specifically, this will add a new subsection, subsection V, to Article VII as follows:

“V. COMMUNITY WATER SYSTEMS

Community Water Systems (i.e., those that serve more than one dwelling unit, structure or lot), if any, shall not be interconnected with water systems external to any proposed or existing Subdivision or Development unless approved by the Danville Planning Board. Such approval may be provided as part of Subdivision review, Site Plan review, or other Planning Board review.”

***Article 2022-04 Accessory Dwelling Unit modifications***

To see if the town of Danville will vote to amend the Danville Zoning Ordinance to allow for detached Accessory Dwelling Units (ADU) and most ADUs only requiring a building permit. Specifically, this will replace Article II, B, Article IV.A.4 and Article IV.B.2 with the following:

ARTICLE II.B.

ACCESSORY BUILDING

A residential living unit that is within or attached to a single-family dwelling, or detached from a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

ARTICLE IV.A.4

4. Accessory Uses: Accessory Dwelling Unit (formerly known as Extended Family Living Unit). Amended 3/2017

a. The objectives of this ordinance are to:

1) Empower homeowners with a tool to provide housing opportunities the community while affording all parties the necessary privacy and living arrangement conducive to harmonious habitation on a single residential lot.

2) Preserve the aesthetics of single-family housing. This ordinance places strict physical limitations on size and access to the accessory living unit.

3) Protect the residential character of a neighborhood.

4) Provide for Accessory Dwelling Units in accordance with RSA 674:72.

b. The following restrictions shall apply to all Accessory Dwelling Units (formerly known as Extended Family

Accessory Living Units).

1) An Accessory Dwelling Unit shall be allowed wherever a single-family dwelling is permitted, per RSA 674:72.

2) Only one (1) Accessory Dwelling Unit shall be permitted per lot.

3) The accessory living unit shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the existing single-family dwelling.

4) Any and all construction shall be in accordance with the building standards of the Town of Danville in effect at the time of construction and a building permit must be obtained to create an Accessory Dwelling Unit. If the Accessory Dwelling Unit is attached to the main dwelling unit, permanent internal access between the two units shall be maintained per RSA 674:72-III.

5) In accordance with the standards of the Town and the standards of the New Hampshire Water Supply and Pollution Control Division, the septic facilities shall be adequate to service both the main dwelling unit and the accessory dwelling unit. If the existing septic design is inadequate, a new or upgraded septic system conforming to the most recent state and local standards shall be required.

6) In the event the property is sold, the purchaser may continue the use of an approved Accessory Dwelling Unit provided all previously granted conditions are adhered to, including any current building and life safety codes. Any change to the prior conditions will require granting a new building permit.

7) Detached Accessory Dwelling Units must conform to all other requirements of the Zoning Ordinance, including setbacks for dwelling units.

c. To grant the Building Permit, the Building Inspector must confirm that:

1) The proposal meets the objectives outlined in ARTICLE IV.A.4.a, the restrictions as specified in ARTICLE IV.A.4.b and is in conformance with RSA 674:72.

2) The applicant shall have presented to the Building Inspector a construction plan of the proposed accessory use with sufficient detail to enable the Building Inspector to determine adherence to the Zoning Ordinance criteria.

3) No more than one (1) accessory dwelling unit shall be allowed per main dwelling.

4) The accessory dwelling unit and any related changes to the property shall be designed so that the appearance is consistent with the single-family character of the principal residence.

5) The accessory living unit shall be no more than seven hundred fifty square feet (750 sq ft) in size (not including the thickness of exterior walls and non-habitable spaces such as mechanical rooms) and shall be clearly an accessory living unit to the principal dwelling.

6) Appropriate off-street parking is provided for the Accessory Dwelling Unit in conformance with article IV.A.1.d.1) d).

ARTICLE IV.B.2

2. Permitted Uses Amended 3/12/2019,

b. Accessory Uses: Accessory Dwelling Unit, subject to the provisions of article IV-section A.4.

***Article 2022-5 Adding properties to the Danville Village District – Kingston Rd & Pleasant St***

To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to include properties along Kingston Road and Pleasant Street added to the Danville Village District, thereby allowing additional types of businesses in these areas. This would amend the official zoning map, Town of Danville, to reflect the following parcels as being included in the Danville Village District:

**Parcels to be included in the Danville Village District**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Map | Lot | Sub |   | Map | Lot | Sub |   | Map | Lot | Sub |   | Map | Lot | Sub |
| 4 | 94 | 0 |   | 4 | 129 | 0 |   | 4 | 148 | 0 |   | 4 | 178 | 0 |
| 4 | 94 | 10 |   | 4 | 131 | 1 |   | 4 | 149 | 0 |   | 4 | 220 | 0 |
| 4 | 94 | 11 |   | 4 | 131 | 2 |   | 4 | 150 | 0 |   | 4 | 221 | 0 |
| 4 | 94 | 12 |   | 4 | 131 | 3 |   | 4 | 151 | 0 |   | 4 | 222 | 0 |
| 4 | 114 | 0 |   | 4 | 131 | 4 |   | 4 | 152 | 0 |   | 4 | 223 | 0 |
| 4 | 115 | 0 |   | 4 | 131 | 5 |   | 4 | 155 | 0 |   | 4 | 224 | 0 |
| 4 | 116 | 0 |   | 4 | 131 | 14-1 |   | 4 | 156 | 0 |   | 4 | 225 | 0 |
| 4 | 117 | 0 |   | 4 | 131 | 14-2 |   | 4 | 157 | 0 |   | 4 | 235 | 1 |
| 4 | 117 | 6 |   | 4 | 136 | 0 |   | 4 | 158 | 0 |   | 4 | 235 | 2 |
| 4 | 119 | 0 |   | 4 | 138 | 0 |   | 4 | 159 | 0 |   | 4 | 235 | 3 |
| 4 | 120 | 0 |   | 4 | 139 | 0 |   | 4 | 160 | 0 |   | 4 | 235 | 4 |
| 4 | 122 | 0 |   | 4 | 139 | 2 |   | 4 | 173 | 0 |   | 4 | 235 | 5 |
| 4 | 123 | 0 |   | 4 | 140 | 0 |   | 4 | 174 | 0 |   | 4 | 235 | 6 |
| 4 | 126 | 0 |   | 4 | 141 | 0 |   | 4 | 175 | 0 |   | 4 | 239 | 1 |
| 4 | 126 | 1 |   | 4 | 142 | 0 |   | 4 | 176 | 0 |   | 4 | 239 | 2 |
| 4 | 127 | 0 |   | 4 | 144 | 0 |   | 4 | 177 | 0 |   | 4 | 239 | 7 |
| 4 | 128 | 0 |   | 4 | 147 | 0 |   |  |  |  |   |  |  |  |

***Article 2022-6 Adding properties to the Danville Village District – Beach Plain Rd***

To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to include properties along Beach Plain Road added to the Danville Village District, thereby allowing additional types of businesses in these areas. This would amend the official zoning map, Town of Danville, to reflect the following parcels as being included in the Danville Village District:

**Parcels to be included in the Danville Village District**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Map | Lot | Sub |  | Map | Lot | Sub |  | Map | Lot | Sub |  | Map | Lot | Sub |
| 2 | 24 | 1 |   | 2 | 40 | 4 |   | 2 | 52 | 1 |   | 2 | 62 |   |
| 2 | 26 | 0 |   | 2 | 41 |   |   | 2 | 52 | 2-1 |   | 2 | 63 |   |
| 2 | 29 | 0 |   | 2 | 42 | 1 |   | 2 | 52 | 2-2 |   | 2 | 64 |   |
| 2 | 31 | 0 |   | 2 | 42 | 2 |   | 2 | 53 |   |   | 2 | 65 | 1 |
| 2 | 33 |   |   | 2 | 45 |   |   | 2 | 58 | 1 |   | 2 | 65 | A |
| 2 | 34 | 1 |   | 2 | 46 |   |   | 2 | 58 | 2 |   | 2 | 65 | B |
| 2 | 35 |   |   | 2 | 47 | 6 |   | 2 | 58 | 3 |   | 2 | 66 |   |
| 2 | 36 |   |   | 2 | 47 |   |   | 2 | 58 |   |   | 2 | 67 |   |
| 2 | 37 |   |   | 2 | 48 | 2 |   | 2 | 59 |   |   | 2 | 68 |   |
| 2 | 38 |   |   | 2 | 48 | 3 |   | 2 | 60 |   |   | 2 | 69 | 1 |
| 2 | 39 |   |   | 2 | 48 |   |   | 2 | 61 | 1 |   | 2 | 70 | 1 |
| 2 | 40 | 1 |   | 2 | 51 |   |   | 2 | 61 | 1B |   | 2 | 70 |   |

***Article 2022-7 Customary Home Occupation Modification***

To see if the town of Danville will vote to amend the Danville Zoning Ordinance to allow for a small number of employees and customers associated with a customary home occupation. Specifically, this will replace Article IV.A.2.d and IV.A.2.e with the following:

Application to the Town for approval of a customary home occupation activity may not require a Special Exception Hearing if all of the criteria specified below are met. Applicants who do not meet these criteria should apply directly to the Zoning Board of Appeals for the Special Exception. Those who meet the criteria (or are unsure whether they meet the criteria) should contact the Planning Board Clerk (or another individual designated by the Board of Selectmen) to review the criteria, and complete the Home Business Registration Form which will be forwarded to the Board of Selectmen for review at a regularly scheduled Board of Selectmen's meeting (the Selectmen may require the applicant to be present). ***Amended 3/12/2019***

1)  No more than one (1) employee will be used other than the homeowner (or permitted resident).

2)  No more than one (1) customer, vendor or distributor will come to the premises at a time.

3)  Adequate off-street parking will be provided for the employees and potential customers.

4)  No hazardous chemicals/materials will be used or stored on the premises.

5)  No outside storage of equipment or materials associated with the home occupation will take place.

6)  The home occupation will not generate unsightliness, noise, smells, fumes or other substances that would adversely affect the character or safety of the neighborhood.

7) Business signage shall be allowed in accordance with Article VII.D. Amended 3/10/2020

8)  Home occupation is conducted solely in the dwelling unit or is conducted primarily off-site such as a service tradesman that provides his/her service away from the primary residence.

9)  There is not more than one (1) commercial motor vehicle (see definition) associated with the business and said vehicle has no more than two (2) axles and a gross vehicle weight of not more than fifteen thousand (15,000) pounds.

All applicants not meeting the above criteria must apply for a Special Exception to the Board of Adjustment.

To grant the Special Exception, the Board of Adjustment must find that:

1)  The accessory use shall require no more than two (2) on-site employees in addition to the owner(s) of the property.

2)  Adequate off-street parking will be provided for the employees and potential customers.

3)  Any changes made to the residential lot as a result of this accessory use that affect the external appearance of the property, the dwelling or any accessory building, shall be in keeping with generally accepted good residential architectural practices and styles and shall conform, in general, to the surrounding neighborhood’s architecture. Amended 3/13/2001

4)  There will be no outside storage of equipment or materials associated with the home occupation nor will there be any hazardous chemicals used or stored on the premises.

5)  There shall be no commercial motor vehicles (see definition) nor shall there be more than two non-commercial vehicles used in conjunction with the home occupation except that, where the business takes place primarily away from the primary residence, such as a service tradesman, the business owner may park no more than one commercial motor vehicle related to the business at his/her residence provided that:

a)  There is adequate space for full off-street parking of the commercial motor vehicle;

b)  The commercial motor vehicle is not parked on Town property, including street, parks, and rights-of-way;

c)  The commercial motor vehicle is parked at least fifty feet (50’) from any abutting property line and at least seventy- five (75’) from any abutting residential structure;

d) The commercial motor vehicle is not repaired or maintained on the premises (unless required in order to move the vehicle from the premises);

e)  The commercial motor vehicle is not left idling for more than ten (10) minutes nor is any equipment associated with the commercial motor vehicle (e.g., refrigeration units) left on for more than ten (10) minutes while on the premises;

f)  Horns and/or sirens on the commercial motor vehicle are use only in emergency situations;

g)  Advertising on the commercial motor vehicle is not used to violate the intent to the Town’s signage restrictions;

h)  Generators or other outdoor equipment are not utilized in conjunction with the commercial motor vehicle;

i)  The commercial motor vehicle will enter and exit the roadway via an approved driveway;

j)  The commercial motor vehicle is properly registered and inspected; and

k)  Commercial motor vehicles used for the transport of hazardous materials, as defined by ARTICLE II.E.4, are prohibited.

***Article 2022-8 Operating Budget***

Shall the Town of Danville raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Should this article be defeated, the default budget shall be ***$4,109,570.00,*** which is the same as last year, with certain adjustments required by previous action of the Board of Selectmen or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

**Recommended by the Board of Selectmen ( )**

 **Recommended by the Budget Committee ( )**

*Estimated Tax Impact \_\_\_\_ per thousand*

***Article 2022-9 Fire Dept. Capital Reserve Fund for Future Fire Dept. Vehicle Purchases***

To see if the Town of Danville will vote to raise and appropriate the sum of $100,000.00 to be added to the Fire Dept. Capital Reserve Fund for Future Fire Dept. Vehicle Purchases previously established.

**Recommended by the Board of Selectmen (3-0)**

**Recommended by the Budget Committee (4-0)**

*Estimated Tax Impact $0.17373 per thousand*

***Article 2022-10 Highway Capital Reserve Fund***

To see if the Town of Danville will vote to raise and appropriate the sum of $20,000.00 to be added to the Highway Capital Reserve Fund for the purchase of future highway vehicles and equipment previously established.

**Recommended by the Board of Selectmen (3-0)**

**Recommended by the Budget Committee (5-0)**

*Estimated Tax Impact 0.03475 per thousand*

## Article 2022-11 Fire Department Equipment Capital Reserve Fund

To see if the Town of Danville will vote to raise and appropriate the sum of $15,000.00 to be added to the Protection of Personnel Equipment Capital Reserve Fund previously established for the future replacement of Self-Contained Breathing Apparatus (SCBA) to protect firefighters, previously established.

**Recommended by the Board of Selectmen (3-0)**

**Recommended by the Budget Committee (4-0)**

*Estimated Tax Impact 0.02606 per thousand*

***Article 2022-12***  ***Danville Infrastructure and Facility Non-Capital Reserve Fund***

To see if the Town of Danville will vote to raise and appropriate the sum of $10,000.00 to be added to the Danville Infrastructure and Facility Non-Capital Reserve Fund previously established.

**Recommended by the Board of Selectmen (5-0)**

**Recommended by the Budget Committee (5-0)**

*Estimated Tax Impact $0.01737 per thousand*

***Article 2022-13*** ***Change the Name and Purpose*** ***of*** ***Milfoil Control Expendable Trust Fund (Milfoil Expendable Trust Created on 12-15-2019)***

To see if the Town of Danville will vote in accordance with RSA 35:16 to change the name and purpose of the Milfoil Expendable Trust Fund to the **Invasive Species Control Expendable Trust Fund** and allow funds within the trust to be used for the purpose of managing and eradicating milfoil as well as all other invasive species infestations found in Danville’s ponds and other bodies of water.

 **Recommended by the Board of Selectmen (3-0)**

*No Tax Impact*

 ***Article 2022-14 Invasive Species Control Expandable Trust Fund***

To see if the Town of Danville will vote to raise and appropriate the sum of $10,000.00 to be added to the Milfoil Control Expendable Trust Fund, or if Article 8 passes, to be added to the Invasive Species Control Expendable Trust Fund for the purpose of management and eradicating the milfoil infestation found in Danville’s ponds/bodies of water and to name the Selectmen as agents to expend from this Milfoil Control Expendable Trust Fund.

 **Recommended by the Board of Selectmen (5-0)**

 **Recommended by the Budget Committee (5-0)**

*Estimated Tax Impact $0.01737 per thousand*

## Article 2022-15 Animal Control Vehicle Replacement Capital Reserve Fund

## To see if the Town of Danville will vote to raise and appropriate the sum of $5,000.00 to be added to the Animal Control Vehicle Replacement Non-Capital Reserve Fund for future Animal Control Vehicle Purchases previously established.

**Recommended by the Board of Selectmen (4-0-1)**

**Recommended by the Budget Committee (4-0-1)**

*Estimated Tax Impact $0.00869 per thousand*

## Article 2022-16 Colby Memorial Library Infrastructure and Facility Non-Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of $5,000.00 to go into this fund for the engineering, repair, and renovation of facilities and the upgrade of the Colby Memorial Library’s infrastructure.

**Recommended by the Board of Selectmen (4-1)**

**Recommended by the Budget Committee (4-0)**

*Estimated Tax Impact $0.00869 per thousand*

***Article 2022-17***  ***Municipal Mosquito Control Expendable Trust Fund***

To see if the Town of Danville will vote to raise and appropriate the sum of $1,000.00 to be added to the Municipal Mosquito Control Expendable Trust Fund established for the purpose of management and spraying for mosquito control.

**Recommended by the Board of Selectmen (5-0)**

**Recommended by the Budget Committee (4-0-1)**

*Estimated Tax Impact 0.00174 per thousand*

## Article 2022-18 Colby Memorial Library Expend Interest

To see if the Town of Danville will vote to raise and appropriate, this year and each year in the future, the amount of interest income earned (not to exceed $100.00) from the library’s checking account and to authorize the Library Trustees to use the expenditure of those funds, annually, on books.

**Recommended by the Board of Selectmen (3-0)**

**Recommended by the Budget Committee (4-0)**

*No Tax Impact*

***Article 2022 -19 Road Agent from Elected to Appointed***

To see if the town will vote to discontinue the elected road agent position and to require the selectmen to appoint a highway agent pursuant to RSA 231:62.

***Article 2022-20 Acceptance of the Town Forest Management Plan***

**To see if the Town of Danville will vote to accept the 2020 Forest Management Plan for the Danville Town Forest, Danville, New Hampshire, prepared by Dalton Mountain Forestry and accepted by the Danville Forestry Committee and the NH Audubon Society (Town Forest conservation easement holder).  This plan has been prepared in accordance with RSA 31:111 to encourage the proper management of natural resources.**

 **Recommended by the Board of Selectmen (2-0-1)**

***Article 2022-21 Modification of Elderly Exemption***

To see if the Town of Danville will vote to modify the elderly exemption from property tax in the Town of Danville, based on assessed value, for qualified taxpayers, to be the following: for a person 65 years of age up to 74 years, Ninety Six Thousand Dollars and no cents ($96,000.00); for a person 75 years of age up to 79 years, One-Hundred Thirty Seven Thousand Five Hundred Dollars and no cents ($137,500.00); for a person 80 years of age or older, One Hundred Sixty Nine Thousand Dollars and no cents ($169,000.00). To qualify, the person much have been a New Hampshire resident for at least three consecutive years, the person may own the real estate individually or jointly, or if the real estate is owned by such person’s spouse, they must have been married for at least 5 years and the property must be the primary residence. In addition, the taxpayer must have a net income of not more than Thirty-Three Thousand Six Hundred Dollars and no cent ($33,600.00) or, if married, a combined net income of less than Forty-Two Thousand Dollars and no cents ($42,000.00); and own net assets not in excess of Seventy-Three Thousand Five Hundred Dollars and no cents ($73,500.00) excluding the value of the person’s residence.” This article shall take effect for 2022 property tax year.

**Recommended by the Board of Selectmen (3-0)**

**Recommended by the Budget Committee (4-0)**

***Article 2022-22 Adoption of Retirement Plan for Full-Time Employees (Advisory Only)***

To see if the Town of Danville will vote to advise the Board of Selectmen to adopt a Retirement Plan for full-time employees.

 **Recommended by the Board of Selectmen (3-0-2)**

***Article 2022-23 Election Provisions (By Petition)***

All voting shall be by paper ballot; and all ballots shall be hand counted only, rather than by use of optical scanning or any other types of programmable electronic counting devises.

Signed this \_\_\_\_\_ of January 2022.

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Shawn O’Neil – Chairman Steven Woitkun - Vice-Chairman

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Sheila Johannesen Dorothy Billbrough

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Scott Borucki