



TOWN OF ASHLAND

2020 Warrant – Voters Guide

**TOWN OF ASHLAND
2020 WARRANT**

<u>ARTICLE</u>		<u>APPROPRIATION</u>
ARTICLE 1	Election of Officers	N/A
ARTICLE 2	Town Library	\$525,000
ARTICLE 3	Sewer Department energy audit (no taxation)	\$100,000
ARTICLE 4	Town operating budget	\$3,009,256
ARTICLE 5	Electric Department operating budget (no taxation)	\$2,954,700
ARTICLE 6	Water Department operating budget (no taxation)	\$224,470
ARTICLE 7	Sewer Department operating budget (no taxation)	\$430,733
ARTICLE 8	Sewer Department wastewater treatment plant (no taxation)	\$75,000
ARTICLE 9	Lease payment fire apparatus	\$107,789
ARTICLE 10	Lease payment Public Works loader	\$27,142
ARTICLE 11	DPW dump truck (no taxation)	\$125,000
ARTICLE 12	Road Improvements Capital Reserve Fund	\$125,000
ARTICLE 13	Property Tax Map Capital Reserve Fund (no taxation)	\$39,300
ARTICLE 14	Police Department Capital Reserve Fund	\$30,000
ARTICLE 15	Department of Public Works Capital Reserve Fund	\$25,000
ARTICLE 16	Ashland Library Building Capital Reserve Fund	\$25,000
ARTICLE 17	Building Maintenance and Repair Capital Reserve Fund	\$10,000
ARTICLE 18	Town Employee Collective Bargaining Agreement (CBA)	\$17,514
ARTICLE 19	Special Town Meeting for CBA	N/A
ARTICLE 20	Resurface the courts at Ashland Ballpark (no taxation)	\$27,000
ARTICLE 21	Contingency fund (no taxation)	\$25,000
ARTICLE 22	Change Fire Department Apparatus/Equipment Fund	N/A
ARTICLE 23	Change Building Maintenance Capital Reserve Fund	N/A
ARTICLE 24	PETITIONED: Veterans Tax Credit	N/A
ARTICLE 25	PETITIONED: Ashland Historical Society	N/A
ARTICLE 26	PETITIONED: Pemi-Baker Community Health	\$9,756
ARTICLE 27	PETITIONED: Grafton County Senior Citizens Council	\$6,000
ARTICLE 28	PETITIONED: Lakes Region Mental Health Center	\$3,500
ARTICLE 29	PETITIONED: Tri-County CAP	\$3,107
ARTICLE 30	PETITIONED: Voices Against Violence	\$3,000
ARTICLE 31	PETITIONED: Day Away Program	\$1,500
ARTICLE 32	PETITIONED: Tri-County CAP	\$1,041
ARTICLE 33	PETITIONED: CADY	\$1,000
	Ashland Planning Board Warrant Articles	
ARTICLE 34	Amending Article 3.1 of the Ashland Building Regulations	
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ARTICLE 36	Amending Article 4 of the Ashland Building Regulations	
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TOWN OF ASHLAND
STATE OF NEW HAMPSHIRE
2020 WARRANT

To the inhabitants of the Town of Ashland, in the County of Grafton in said State, qualified to vote in Town Affairs:

First Session – You are hereby notified to meet for the First (Deliberative) Session of the Annual Town Meeting, to be held at the William J. Tirone Gymnasium, 27 Highland Street, Ashland, New Hampshire, on the 1st day of February 2020, being Saturday at 10:00 A.M. The First (Deliberative) Session will consist of explanation, discussion and debate of each of the following articles and will afford those voters who are present the opportunity to propose, debate and adopt amendments to each warrant article, except those articles whose wording is prescribed by state law.

Second Session – You are also notified to meet for the Second Session of the Annual Town Meeting, to elect Town Officers by official ballot and to vote by official ballot on the warrant articles as they may have been amended at the First Session, to be held at the William J. Tirone Gymnasium, 27 Highland Street, Ashland, New Hampshire on the 10th day of March 2020, being Tuesday, the polls to be open at 8:00 A.M. and may not close prior to 7:00 P.M. to act upon the following:

ARTICLE 1.	ELECTION OF OFFICERS	
Board of Selectmen	Three-year term	Two positions
Town Treasurer	Three-year term	One position
Town Moderator	Two-year term	One position
Trustee of the Trust Funds	Three-year term	One position
Library Trustee	Three-year term	One position
Supervisor of the Checklist	Six-year term	One position
Budget Committee	Three-year term	One position
Budget Committee	Two-year term	One position
Cemetery Trustee	Three-year term	One position

ARTICLE 2

Estimated Tax impact for 2021 is \$0.23

Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the budget committee

To see if the Town will vote to raise and appropriate the sum of Five Hundred Twenty Five Thousand Dollars (\$525,000) for the purchase of the former elementary school property (41 School Street) from Tri-County Community Action Program for the use of the Ashland Town Library, and to authorize the issuance of not more than Five Hundred Twenty Five Thousand Dollars (\$525,000) of bonds and notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) for that purpose; and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest there on; and to authorize the receipt and expenditure of any Federal, state or private funds that may become available for that purpose. 3/5 ballot vote required.

Recommended by the Board of Selectmen vote 4-0-1
Not Recommended by the Budget Committee vote 4-3

Renovation and furnishing of the building will be funded by Ninety-Five Thousand Dollars (\$95,000) already raised in the Ashland Library Building Capital Reserve fund, which was established for that purpose, and over Six Thousand Dollars (\$6,000 plus) already raised in the Ashland Town Library Building Fund. The Historic School would enable growth of the library collection and programs in a space that meets building and accessibility codes.

ARTICLE 3. No tax impact

To see if the municipality will vote to raise and appropriate the sum of \$100,000 to implement energy efficiency measures at the Waste Water Treatment Plant and to authorize the issuance of not more than \$100,000 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon. 3/5 ballot vote required.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0-1

Passage of this article will allow the department to implement items identified in the energy audit that has been completed to save energy at the Wastewater Plant. The biggest item being is to upgrade the blower system for the aeration in the lagoons.

ARTICLE 4. Estimated tax impact is \$12.19

Shall the Town of Ashland raise and appropriate as the Town General Government operating budget not including appropriations by special warrant articles and other appropriations voted separately, the amount 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 \$3,009,256. Should this article be defeated, the default budget shall be \$2,930,397 which is the same as last year, with certain adjustments required by previous action of the Town of Ashland 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 Budget Committee vote

This article relates to the Town of Ashland operating budget.

ARTICLE 5. No tax impact
Shall the Town of Ashland raise and appropriate as the Ashland Electric Department operating budget not including appropriations by special warrant articles and other appropriations voted separately, the amount 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 \$2,954,700. Should this article be defeated, the default budget shall be \$3,254,040 which is the same as last year, with certain adjustments required by previous action of the Town of Ashland 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 Budget Committee vote 4-1

This article relates to the Ashland Electric Department operating budget [rate payer based-no taxpayer funding].

ARTICLE 6. No tax impact
Shall the Town of Ashland raise and appropriate as the Ashland Water Department operating budget not including appropriations by special warrant articles and other appropriations voted separately, the amount 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 \$224,470. Should this article be defeated, the default budget shall be \$239,189 which is the same as last year, with certain adjustments required by previous action of the Town of Ashland 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 Budget Committee vote 4-1

This article relates to the Ashland Water Department operating budget [rate payer based-no taxpayer funding].

ARTICLE 7. No tax impact
Shall the Town of Ashland raise and appropriate as the Ashland Sewer Department operating budget not including appropriations by special warrant articles and other appropriations voted separately, the amount 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 \$430,733. Should this article be defeated, the default budget shall be \$480,935 which is the same as last year, with certain adjustments required by previous action of the Town of Ashland 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 Budget Committee vote 4-1

This article relates to the Ashland Sewer Department operating budget [rate payer based-no taxpayer funding].

ARTICLE 8. No tax impact

To see if the municipality will vote to raise and appropriate the sum of \$75,000 to evaluate the long-term viability of the Waste Water Treatment Plant and to authorize the issuance of not more than \$75,000 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon. 3/5 ballot vote required.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will help the department with planning for the future use of the lagoons and what the life expectancy is going to be.

ARTICLE 9. Estimated tax impact is \$0.44

To see if the town will vote to raise and appropriate the sum of One Hundred Seven Thousand Seven Hundred Eighty Nine dollars (\$107,789) for the third-year payment of the four-year lease purchase agreement for the Fire Department fire engine as authorized by vote on March 14, 2017. This will be the final year of a tax impact, with the last payment, next year, coming from capital reserve.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article provides funding for the third and final payment to the Ashland Fire Department fire engine, as the remaining balance will be paid for by the fire truck capital reserve fund.

ARTICLE 10. Estimated tax impact \$0.11

To see if the town will vote to raise and appropriate the sum of Twenty-Seven Thousand One Hundred Forty-Two dollars (\$27,142) for the third payment of the five-year lease purchase for the Public Works loader.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article provides funding for the third payment to the Public Works Department loader – as approved by vote on March 13, 2018.

ARTICLE 11. No tax impact

To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty-Five Thousand dollars (\$125,000) for the purpose of purchasing a one-ton dump truck. Of this sum, Fifty Five Thousand dollars (\$55,000) will be withdrawn from the Public Works Capital Reserve Fund, to be offset by the Highway Block Grant in the amount of Thirty Thousand dollars (\$30,000) and the remaining balance to come from the undesignated fund balance and no amount to be raised from taxation.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will allow for the purchase of a one-ton dump truck for the Public Works at no taxation.

ARTICLE 12. Estimated tax impact is \$0.51
To see if the town will vote to raise and appropriate the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000) to be deposited into the Road Improvements Capital Reserve Fund established in 2012 for the purpose of repairing roads.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will continue the funding of the capital reserve fund to be used for road improvements.

ARTICLE 13. No tax impact
To see if the Town will vote to raise and appropriate the sum of Thirty-Nine Thousand Three Hundred (\$39,300) to be deposited into the Property Tax Map Capital Reserve Fund. This sum to come from the fund balance with no amount to be raised from taxation.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article, at no taxation to the town, will be the last funding request for our parcel mapping project. As expectations are this project will be completed by the end of 2020. Once completed, our Geographic Information System (GIS) can be used as a property tax assessment tool and show the size, shape, location, and ownership of every property in the Town of Ashland. It will also allow residents to generate accurate parcel maps/indexes and “visualize, question, analyze, develop maps, interpret parcel and assessment data.”

ARTICLE 14. Estimated tax impact is \$0.12
To see if the town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be deposited into the Police Department Capital Reserve Fund established in 2013 for the purpose of repairing or purchasing Police Department vehicles.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will continue the funding of the capital reserve fund to be used for repairing or purchasing Ashland Police Department vehicles.

ARTICLE 15. Estimated tax impact is \$0.10
To see if the town will vote to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000) to be deposited into the Department of Public Works Capital Reserve Fund established in 2016 for the purpose of vehicle or equipment purchase, replacement or repairs.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will continue the funding of the capital reserve fund to be used for purchase, replacement, or repairs of DPW vehicles or equipment.

ARTICLE 16. Estimated tax impact is \$0.10
To see if the town will vote to raise and appropriate the sum of Twenty Five Thousand Dollars (\$25,000) to be deposited into the Ashland Library Building Capital Reserve Fund, established in 2015 for the purpose of purchasing, building and/or renovating a facility (including furnishing and equipment) for the Ashland Town Library.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

Passage of this article will continue the funding of the capital reserve fund to be used for purchasing, building or renovating a facility for the Ashland Town Library.

ARTICLE 17. Estimated tax impact is \$0.04
To see if the town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to be added into the Building Maintenance and Repair Capital Reserve Fund for the purpose of maintaining and repairing all Town Buildings.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 5-0-1

Passage of this article will continue the funding of the capital reserve fund to be used for maintaining and repairing town buildings.

ARTICLE 18. Estimated Tax Impact
SEIU Local 1984 (Collective Bargaining Agreement)

To see if the Town of Ashland will vote to approve the cost items included in the collective bargaining agreement reached between the Ashland Board of Selectmen and the SEIU Local 1984 union which calls for the following increases in salaries and benefits at the current staffing level.

Fiscal Year	Estimated Increase
2020	\$17,514
Fiscal Year	Estimated Increase
2021	\$12,686
Fiscal Year	Estimated Increase
2022	\$7,891

And, further to raise and appropriate the sum of \$17,514 for the first year of the agreement, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those of the appropriation at current staffing levels paid in the prior fiscal year.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 7-0

Passage of this article would provide the funds for the new collective bargaining agreement. The last ratified contract for the union employees was in 2017.

ARTICLE 19. No tax impact
Special Town Meeting; Collective Bargaining Agreement

Shall the Town of Ashland, if Article 18 is defeated, authorize the governing body to call a special meeting, at its option, to address Article cost items only?

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

If the Collective Bargaining Agreement warrant article should fail to pass, then passage of this article would allow the town to hold a special town meeting without having to petition the Superior Court.

ARTICLE 20. No tax impact
To see if the town will vote to raise and appropriate the sum of Twenty-Seven Thousand Dollars (\$27,000) to resurface the tennis and basketball courts at the Ashland Ballpark. This sum to come from the undesignated fund balance and no amount to be raised from taxation.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 21. No tax impact
To see if the town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate \$25,000 to be deposited into the fund. This sum to come from the undesignated fund balance and no amount to be raised from taxation. Any appropriation left in the contingency fund at the end of the year will lapse to the general fund. Majority vote required.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 5-1

Passage of this article would allow for appropriation expenditures that may not be fully funded in the operating budget. Appropriation request has no tax impact as approval of the article allows for the funds to come from unassigned fund balance. Any unexpended funds from this article would roll back into the general fund at the end of the year.

ARTICLE 22. No tax impact
To see if the town will amend the article passed in 2005, which created the Fire Department Apparatus or Equipment Fund, to allow funds in this account to be used for the purpose of paying the billing fees associated with ambulance transports. 2/3 majority required.

Recommended by the Board of Selectmen vote 5-0

Our ambulance billing service is provided by Quick-Med Claims, who charges a fee of 8% on any payment we receive for ambulance transports. Previously the fee was taken when the billing agency received payment and they then send our portion directly to us. Their new policy is to send the full amount received to the town, and then bill us for their portion. The wording of the article passed in 2005 doesn't currently allow for use of funds from this account to pay the billing service fees, and we have been paying the fees from our EMS supplies line in our operating budget.

ARTICLE 23. No tax impact

To see if the town will vote to change the name and purpose of the existing Building Maintenance and Repair Fund to the Building and Grounds Maintenance and Repair Capital Reserve Fund; for the purpose of maintaining and repairing town buildings and grounds; and further to name the Board of Selectmen as agents to expend from said fund. 2/3 majority required.

Recommended by the Board of Selectmen vote 5-0

Passage of this article would change the name and purpose of the Building Maintenance and Repair Fund to allow for expenditures also be used toward town grounds and land.

ARTICLE 24. No tax impact

PETITIONED Veteran's Tax Credit

To see if the town will vote to raise the veterans tax credit from \$1,400 to \$4,000 for 100% Disabled Veterans.

Recommended by the Board of Selectmen vote 5-0

Recommended by the Budget Committee vote 6-0

ARTICLE 25. No tax impact

PETITIONED Ashland Historical Society

To see if the town will vote to donate any remaining souvenir items left over from Ashland's 150th Anniversary Celebration held in 2018 to the Ashland Historical Society.

Recommended by the Board of Selectmen vote 5-0

ARTICLE 26. Estimated tax impact \$0.04

PETITIONED Pemi-Baker Community Health

To see if the town will vote to raise and appropriate the sum of Nine Thousand Seven Hundred and Fifty-Six Dollars (\$9,756) for Pemi-Baker Community Health.

Recommended by the Board of Selectmen vote 5-0

Recommended by the Budget Committee vote 6-0

ARTICLE 27. Estimated tax impact \$0.02

PETITIONED Grafton County Senior Citizens Council, Inc.

Shall the voters raise and appropriate Six Thousand Dollars (\$6,000) to Grafton County Senior Citizens Council, Inc. for services for Ashland residents in 2020.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 28. Estimated tax impact \$0.01
PETITIONED Lakes Region Mental Health Center
Shall the voters raise and appropriate Three Thousand Five Hundred Dollars (\$3,500) to Lakes Region Mental Health Center for the delivery of Emergency Mental Health Services.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 29. Estimated tax impact \$0.01
PETITIONED Tri-County CAP
To see if the Town will vote to raise and appropriate the sum of Three Thousand One Hundred Seven Dollars (\$3,107) for the operation of Fuel Assistance Program, a community service program provided by Tri County Community Action Program, Inc.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 30. Estimated tax impact \$0.01
PETITIONED Voices Against Violence
To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) for the fiscal year 2019-2020 to support Voices Against Violence, a non-profit Crisis Center and shelter providing emergency shelter, court and hospital accompaniment and general support to women, men and children who are victims of domestic and sexual violence and stalking.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 31. Estimated tax impact \$0.006
PETITIONED Day Away Program
To see if the Town will vote to raise and appropriate the sum of One Thousand Five Hundred Dollars (\$1,500) for the Day Away Program.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 32. Estimated tax impact \$0.004
PETITIONED Tri County CAP
To see if the Town will vote to raise and appropriate the sum of One Thousand Forty-One Dollars (\$1,041) to support Tri County CAP's Homeless Intervention and Prevention Program, a community service program provided by Tri County Community Action Program, Inc.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 33. Estimated tax impact \$0.004
PETITIONED Communities for Alcohol and Drug Free Youth (CADY)
Shall the voters raise and appropriate One Thousand Dollars (\$1,000) for Communities for Alcohol and Drug Free Youth (CADY) a non-profit organization serving Ashland and nearby towns.

Recommended by the Board of Selectmen vote 5-0
Recommended by the Budget Committee vote 6-0

ARTICLE 34. Are you in favor of amending Article 3.1 of the Ashland Building Regulations?

Purpose: To clarify that the value for obtaining a building permit includes labor.

“Article 3.1 Any person, persons, partnership, trust, or corporation intending to construct or erect a new building or to make structural alterations of an estimated labor plus material cost or market value, if new, of more than \$800 shall first make application for a permit on forms obtained from the Building Inspector.”

Explanation: The cost of labor has been added to the cost of materials in determining the need for a building permit for construction or alterations.

ARTICLE 35. Are you in favor of amending Article 3.5 of the Ashland Building Regulations?

Purpose: To add that inspection of heating units are required after installation.

“Article 3.5 Permits shall also be obtained from the Building Inspector for all electrical and plumbing work, and for the installation of mobile home, wood burning heating systems, and oil burners prior to the commencement of the work or installation. Inspection of all heating units (wood, oil, kerosene, and propane) must be completed by the fire chief or his representative after installation.”

Explanation: Permits have always been required for installation of heating systems. We have added wording that clarifies that final inspection of heating systems must be done by the fire chief.

ARTICLE 36. Are you in favor of amending Article 4 of the Ashland Building Regulations?

Purpose: To remove the outdated list of fees and to clarify who establishes the fees and where they are to be found. {Note: list of specific fees will be deleted from the regulations.]

“Article 4: APPLICATION FEES. Fees are determined by the Board of Selectmen as per Article 15 of these regulations. The fee schedule is attached to the permit application forms and fees are to be submitted with the applications. Fees for approved applications are non-refundable.”

Explanation: A previously approved amendment to the Building Regulations transferred the determination of permit fees to the Board of Selectmen, following a public hearing. We are just removing the old and outdated fees from the Regulations and indicating that they will now be part of the permit applications. From now on, we will not have to vote on amendments to revise the Building Regulations every time the fees change.

ARTICLE 37. Are you in favor of amending Article 6 of the Ashland Building Regulations?

Purpose: To remove the outdated list of building and fire codes and clarify which codes are approved for the Town of Ashland. [Note: the list of specific codes will be deleted from the regulations.]

“Article 6: APPROVED BUILDING AND FIRE CODES. The Town of Ashland adopts and enforces the most recent building and fire codes as adopted by the State of New Hampshire, Department of Safety.”

Explanation: The list of building and fire codes in the Building Regulations are outdated. We are removing that list from the regulations and we will now adopt the codes that are adopted by the State of New Hampshire. From now on, we will not have to vote on amendments to revise the Building Regulations each time the codes change.

ZONING ORDINANCE AMENDMENT QUESTIONS

QUESTIONS

~~Strikeout~~ indicates the existing language in the *Town of Ashland Zoning Ordinance* to be deleted. Underscore indicates amended language to be added.

QUESTION 1: Are you in favor of Question 1, as proposed by the Planning Board, to amend the *Town of Ashland Zoning Ordinance* by adding a new Article 4.3 Accessory Dwelling Unit (ADU) and adding a definition of Accessory Dwelling Unit to Article 11.1, which establishes the requirements and definition of Accessory Dwelling Units? If new Article 4.3 is added, the current articles 4.3 to 4/9 will be re-numbered 4.4 to 4.10.

4.3 Accessory Dwelling Unit (ADU)

In accordance with NH RSA 674:71-73, this provision allows for the creation of an Accessory Dwelling Unit (ADU) as a subordinate residential living unit that is contained within or attached to a single-family detached dwelling, on the same parcel of land as the principal dwelling unit it accompanies, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation.

4.3a An ADU is permitted in any zone that permits a single-family dwelling, i.e., Commercial, Village Residential, or Rural Residential.

4.3b Only one (1) ADU shall be permitted on a lot that has an existing single family dwelling. The ADU shall be subordinate and secondary to the principal dwelling.

4.3c Either the ADU or principal dwelling unit shall be the legal domicile and principal residence of the property owner.

4.3d The ADU shall comply with all the zoning regulations for a single-family detached dwelling including, but not limited to, setbacks, height limits, and lot coverage.

4.3e The ADU shall provide independent living facilities for one or more persons, including sleeping, eating, cooking, and sanitation.

4.3f The ADU shall not be less than 750 square feet in habitable floor area.

4.3g Both the ADU and primary residence shall meet all building code, life safety code, and fire code regulations for construction, minimum living space, fire exits, and smoke alarms.

4.3h Two (2) off-street parking spaces shall be provided for the ADU, in addition to those provided for the principal dwelling.

- 4.3i The ADU must have an independent means of ingress and egress, or shall have ingress and egress through a common space such as a shared hallway to an exterior door.
- 4.3j An interior door shall be provided between the principal dwelling and the ADU. There is no requirement for said interior door to remain unlocked.
- 4.3k Adequate provisions shall be made for water supply and sewage disposal for the ADU in accordance with NH RSA 485-A:38 and regulations adopted by New Hampshire Department of Environmental Services. Separate systems shall not be required for the principal and accessory dwelling units.
- 4.3l There shall be no conveyance of an ADU separate from the principal dwelling unit by subdivision, nor shall the ADU have ownership separate from the lot on which the principal dwelling is located. The ADU structure and lot shall not be converted to a condominium or any other form of ownership distinct from the ownership of the principal single-family dwelling.
- 4.3m The use of an ADU shall not be deemed to include such transient occupancies as hotels, motels, rooming or boarding houses. This limitation includes short-term rentals of dwelling units.

11.1, Definitions

Accessory Dwelling Unit (ADU) means a subordinate residential living unit that is contained within or attached to a single-family detached dwelling, on the same parcel of land as the principal dwelling unit it accompanies, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation.

***Explanation:** This new article provides details for attached “Accessory Dwelling Units”, or what some people may call “in-law apartments.” An ADU is a residential unit in any zone that allows single-family residences. Our ordinance is based largely on a state law (RSA 674:71-73) which states what must be included and what may or may not be included in the municipality’s ordinance. For example, the ordinance must state that the accessory unit must be on the same lot as the principal dwelling, must have an interior door between the 2 units, and must provide facilities for sleeping, eating, cooking and sanitation. And for example, the ordinance may require owner occupancy of one of the units and may be restricted from being sold as a condominium. Another discussion of the law requirements are found in the Planning Board’s minutes of its December 23, 2019, meeting, found on the town website. An ADU is not a commercial enterprise. It is a residential unit in any zone that allows single-family residences, and our intent of the ordinance, therefore, is to maintain the residential feel of a neighborhood.*

QUESTION 2: Are you in favor of Question 2, as proposed by the Planning Board, to amend the *Town of Ashland Zoning Ordinance* by amending Article 4.6 Home Occupation and amending the definition of Home Occupation in Article 11.1, to update the criteria for Home Occupation?

4.6 **Home Occupation** A home occupation is any use that is customarily conducted within a dwelling by the inhabitants thereof, which is and the use of a portion of a dwelling or portion of an accessory building must be clearly secondary and incidental to the said dwelling and subordinate to the primary use of the premises as a residence dwelling for residential purposes. It must not change the character of the building or the character of the neighborhood.

A home occupation shall not be interpreted to include dining facilities, lodging or transient housing, convalescent homes, mortuary establishments, garbage and waste hauling services, animal hospitals or kennels, or similar uses. A home occupation may include, but not be limited to, a licensed professional office, business office, arts and crafts, instruction services, agricultural, and other products.

4.6a A home occupation meeting the requirements listed below is permitted in any zone:

4.6a1 The home occupation must be operated by residents of the property. No more than two (2) non-residents may be employed on this site. The operator of the home occupation shall reside at the residence whether he/she is the owner of the property or not and shall be engaged in the home occupation. Advertising shall be limited to business cards, flyers, and newspaper ads, which may refer to the location of the structure and type of occupation.

4.6a2 No signage other than a sign up to 12 inches high by up to 30 inches in length or up to 30 inches high and up to 12 inches in length, or any other in a configuration not to exceed 360 square inches shall be placed only on the property. [Amended March 13, 2007]

4.6a3 Storage of goods and materials is only allowed within the primary structure or accessory building.

4.6a4 No traffic, other than that of employees, shall be caused by the home occupation between the hours of 8:00 pm and 7:00 am. Adequate off-street parking spaces are permitted for the home occupation as deemed necessary by the Applicant.

4.6a5 The occupation shall not cause nuisance due to noise, radiation, radio interference, vibration, sound pressure, odors, dust, fumes, vapors, gases, smoke or glare.

4.6a6 No new separate entrance shall be created for the home occupation. Such use must be clearly secondary and incidental to the use of the premises for dwelling purposes.

4.6a7 No more than ~~thirty-three percent [33%]~~ twenty-five percent (25%) of the ~~gross combined~~ gross combined floor area of the occupied dwelling unit and accessory buildings shall be devoted to ~~such a~~ the home occupation.

4.6b There shall be no outside parking of vehicles defined in NH RSA 259:7, 259:11a, 259:59, 259:98, 259:109 and 259:116 as Bus, Combination Vehicle, Motor Truck, Semi-Trailer, Tractor-trailer, and Truck-tractor.

4.6c Approval for a home occupation shall be non-transferable to another property or operator without a new home occupation application. A home occupation approval shall automatically expire when the applicant is no longer the legal resident of the dwelling.

~~4.6e~~ 4.6d Any Home Occupation not meeting the requirements of 4.6a1 through 4.6a7, and 4.6b may be permitted by Special Exception. Applicants for Special Exception must meet the requirements of Sections 6.3.1 through 6.3.2c of the Zoning Ordinance.

11.1, Definitions

Home Occupation Any use that is customarily conducted within a dwelling by the inhabitants thereof, ~~which is~~ and the use of a portion of a dwelling or portion of an accessory building must be clearly secondary and incidental to the said dwelling and subordinate to the primary use of the premises as a residence dwelling for residential purposes and does. It must not change the character of the building or the character of the neighborhood.

***Explanation:** This is a revision of our current Home Occupation section in the Zoning Ordinance. Restrictions that are put on home occupations are with the intent of maintaining the residential characteristics of a neighborhood. The home occupation is to be secondary to the residential use in the zone. Requirements such as operation by residents of the property, traffic restrictions at night (8 pm to 7 am), no obnoxious nuisances, and no large commercial vehicles, etc. are all intended to maintain the residential use as the primary use.*