

STATE OF NEW HAMPSHIRE

Town of Atkinson

2021 WARRANT

To the inhabitants of the Town of Atkinson, in the County of Rockingham, in the State of New Hampshire, qualified to vote in Town affairs:

First Session of the Annual Meeting:

You are hereby notified to meet at the Atkinson Academy, 17 Academy Avenue in Atkinson, New Hampshire, on Saturday, the 30th day of January 2021, at 10 o'clock in the morning to deliberate on the articles included in the Warrant. This session will consist of explanation, discussion and debate of Warrant Articles 2021-3 through Article 2021-23. Warrant Articles may be amended at this session per RSA 40:13, IV, with the exception of warrant articles whose wording is proscribed by law and cannot be amended per RSA 40:13, IV (a). Warrant articles that are amended shall be placed on the Official Ballot for a final vote as amended. *****Covid-19 Safety Protocols will be enforced: Masks/Face Coverings are required in the Atkinson Academy Building. Social distancing will be enforced at the Deliberative Session in the Atkinson Academy Building.*****

Second Session of the Annual Meeting:

You are hereby notified to meet on Tuesday, the 9th of March 2021, at the Atkinson Community Center, 4 Main Street in Atkinson, NH, to vote by Official Ballot on the election of Town Officials and all Warrant Articles. By the vote of the Selectmen, the polls for the meeting will remain open from 7 o'clock in the morning until 8 o'clock in the evening.

Article #2021-1 Election of Officers

Article #2021-2 Amend Zoning Ordinance

Are you in favor of the adoption of the following amendments to the Atkinson Zoning Ordinance?

Insert into the existing section the following:

Article III: DEFINITIONS

Assisted Living provides supportive care for senior persons who require assistance with activities of daily living

Congregate Senior Living Housing for senior persons with separate apartments and shared services and common areas

Continuing Care	A tiered approach to providing care through the aging process
Senior Person	A person having reached the age of 55 years
Senior Household	A household with at least one senior person
Independent Living Facility	Dwelling Unit intended for independent living, which may include additional services
Long Term Care Facilities	A continuum of housing for seniors ranging from independent living through assisted living, to skilled nursing, and may include respite care and rehabilitation and hospice services
Medical Rehabilitation	provides follow up care and rehabilitation services for patients following illness, injury, or surgery
Nursing Home	provides full time care and monitoring for persons unable to live independently, exclusively for seniors

Insert into the existing section the following:

Article V: Section 510 - Permitted Uses:

oo. **Long Term Care Facilities**

Note "Y" for Yes, in every zone, with footnote "4" to designate Site Plan approval required

Add the following new Section (4200) into:

Article IV – General Provisions

4200 Long Term Care Facility Developments (2021)

4200:1 Developments for long term care are planned to:

- a. provide a continuum of housing choices and care options for senior persons which may range from independent living, congregate senior living, assisted living, and skilled nursing, and may include respite care and rehabilitation and hospice services
- b. allow for provision of associated services routinely used by senior persons
- c. provide structural, building and site designs and layouts that are uniquely adapted to the needs of senior persons

4200:2 Dwelling types allowed under this section may contain combinations of the following and a single development may include multiple structures.

- a. Single dwelling unit structures, detached or attached
- b. Multi dwelling unit structures, up to 8 dwelling units per structure
- c. Congregate Senior Living structures that provide efficiency apartments with kitchenette, 1 or 2 bedrooms, sitting area, full bath along with the following communal areas: dining, indoor and outdoor recreation, social interaction and entertainment, containing up to 100 units per structure
- d. Assisted Living, distinctly not hospital or nursing home, where assistance with activities of daily living is routinely provided
- e. Nursing Home, only as licensed by the State of NH Dept of Health and Human Services

4200:3 Associated Services allowed under Section 4200 may consist of any of the following (specifically for residents, guests and workers at these facilities):

- a. Dining rooms, cafeterias, coffee shops, with related preparation and serving
- b. Social areas, game rooms, meeting rooms, recreational and exercise areas
- c. Administrative offices
- d. Mail service and package delivery facilities
- e. Minor retail services (e.g. gift shops, convenience stores, barbers and salons)
- f. Rehabilitation and physical therapy centers, medical offices
- g. Banking options
- h. Cleaning services
- i. Other services incidental to the daily living of elderly residents

4200:4 Long Term Care Developments under this chapter shall be reviewed by the Atkinson Planning Board as Commercial uses under the Site Plan Review Regulations. They can be allowed on any suitable parcel situated in any zone.

4200:5 **Criteria for approval**

- a. Developments under Section 4200 shall adhere to all provisions of the Atkinson Zoning Ordinance unless specifically exempted within Section 4200.
- b. The number of senior person bedrooms shall be based on the number of bedrooms allowed under RSA 485-A and associated Administrative Rules.
- c. Distance between structures including any projections (e.g. decks, steps, bulkheads) shall be a minimum of 25 feet.
- d. The occupancy of dwelling units in the development shall be limited to senior persons 55 years of age or older.

- e. Plans for developments under this section shall meet all requirements for Site Plan Review, see Article V Section 510 footnote #4, unless specifically altered below.

4200:6 Specific Site Plan Requirements for Section 4200

- a. Parking Calculations: refer to Site Plan Review Regulations.
- b. Screening and Buffering as defined in Zoning Ordinance Article IV Section 600:11 shall be subject to the following requirements:
 - i. Buildings, parking areas, and traffic flow will be at least 100 feet from property boundaries in Residential Zones and 75 feet from boundaries in Non-Residential Zones and within the SCR district, on the sides and rear of the parcel.
 - ii. Screening shall be required by way of vegetation, or berms or fencing that provide a visual barrier and may be placed within the buffer.
 - iii. Parking and traffic circulation will not enter the buffer except for primary and secondary access ways.
 - iv. Buildings will be set back from the front lot line by a minimum of 75 feet.
- c. Green space within the developed areas, excluding the Landscaped Buffers, will be a minimum of 10% of the developed area. Green space may consist of paths and landscaped court yards. Tree strips will be placed along interior roadways, and within parking areas per our Landscaping regulations in Site Plan Review Regulations. Recreational areas and walking paths will not encroach into the Landscaped Buffer areas.
- d. Outdoor lighting will illuminate parking and walkway areas, and will be designed in such a way to have minimal effects on neighboring properties.

Recommended by the Planning Board by a vote of 6 to 0

**Article #2021-3 Long-Term Borrowing Planning & Deferred Maintenance of
Town Facilities**

Shall the Town vote to raise and appropriate the sum of Four Hundred Sixty-One Thousand Dollars (\$461,000) for the purpose of completing deferred maintenance and planning of Town Facilities, including health and safety issues at Town Hall, the Town Garage and the Police Station; replacing the failing siding at the Library; fire alarm upgrades at several facilities; repairs and upgrades at Woodlock Park and the Town Cemetery; closing and disposal of the Family Mediation building; repairs and upgrades to other Town buildings and grounds; to authorize the issuance of not more than Four Hundred Sixty-One Thousand Dollars (\$461,000) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33), as amended for a term not to exceed five (5) years; to authorize the Board of Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Board of Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto; and further to raise and appropriate an additional sum of Two Thousand Six Hundred Twenty-five Dollars (\$2,625), for the estimated first year's interest payment on the bond? A 3/5 (60%) ballot vote required.

*Recommended by the Selectmen by a vote of 4 to 0
Not Recommended by the Budget Committee by a vote 5 to 0*

Article #2021-4 Operating Budget

Shall the Town 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 Five Million Three Hundred Thirty-Seven Thousand and Forty-Four Dollars (\$5,337,044)? Should this article be defeated, the Default Budget shall be Five Million Two Hundred Thirty-Two Thousand and Thirty-five Dollars (\$5,232,035), which is the same as last year, with certain adjustments required by previous action of the Town 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 Selectmen by a vote of 4 to 0
Not Recommended by the Budget Committee by a vote of 5 to 0*

Article #2021-5 Police Vehicle Lease Payment

Shall the town raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to complete the third and final 'lease to own' payment on police vehicles as approved

in Article #2019-4 with all the funds coming from the Police Outside Detail Revolving Fund?

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-6 Police Vehicle Purchase

Shall the Town vote to raise and appropriate the sum of One Hundred and Fifteen Thousand Dollars (\$115,000) to purchase and equip two new Police Vehicles with Seventy-Five Thousand Dollars (\$75,000) coming from the Police Outside Detail Revolving Fund and Forty Thousand (\$40,000) to be raised by taxes and allow two current Police vehicles to be disposed of by trade, sale or bid? This is in addition to Article #2021-4 the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-7 Fire Department Capital Reserve

Shall the Town vote to raise and appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) to be added to the Fire Department Capital Reserve Fund, as modified March 14, 2000 (Article #2000-28) for the purpose of acquiring fire equipment and vehicles, as outlined by the Board of Engineers' Capital Improvement Plan? This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-8 Fire Department Staffing

Shall the Town approve the addition of two (2) full-time Firefighter/EMT's to supplement the existing full and part-time Paid/Call personnel at an annual cost, including benefits of One Hundred Seventy-Seven Thousand Dollars (\$177,000), beginning June 1, 2021; and to raise and appropriate the sum of Ninety-Seven Thousand Two Hundred Sixty-One Dollars (\$97,261), to be raised by taxes? This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 5 to 0 to 1*

Article #2021-9 Highway Shim and Overlay

Shall the Town vote to raise and appropriate the sum of Four Hundred Fifteen Thousand Dollars (\$415,000) for the purpose of shimming and overlaying the

following roads: Crown Hill Rd., Amberwood Dr., Fernwood Way, Dearborn Ridge Rd., Pine Knoll Dr., Crystal Hill Cir., Murray Dr., Devonshire Rd., Lisheen Dr., King's Grant Dr., Meeting Rock Rd., and Haydn Dr.? This will be a non-lapsing appropriation per RSA32:7, VI, and will not lapse until the project is complete, or by December 31, 2026, whichever is sooner. This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 3 to 2 to 1*

Article #2021-10 Highway Department Capital Reserve Fund

Shall the Town vote to raise and appropriate the sum of Seventy-Two Thousand Dollars (\$72,000) to be deposited into the Highway Capital Reserve fund for the purpose of acquiring Highway vehicles and equipment? This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 5 to 0*

Article #2021-11 Road Agent Additional Duties

Shall the Town vote, as authorized by RSA 231:63, to require the highway agent, in addition to his usual duties as highway agent, to have charge, under the direction of the Selectmen, of the care and maintenance of any one or more of the following: collection of waste, refuse and garbage; care of public dumps; care of public parks and cemeteries; public beaches; public forests; public playgrounds; shade and ornamental trees; and raise and appropriate Sixteen Thousand Dollars (\$16,000) to pay the Road Agent for these Additional Duties. This sum will be added to the Road Agent's salary in recognition of performance of these duties. This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 3 to 1 to 1*

Article #2021-12 Mosquito Control

Shall the Town vote to raise and appropriate Twenty-Six Thousand Dollars (\$26,000) for the purpose of Mosquito insect control? This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or December 31, 2026, whichever is sooner. This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-13 PFAS Investigation

Shall the Town raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to conduct as directed by NH Department of Environmental Services an investigation of high PFAS readings near current and former Town facilities on Academy Avenue? This article was initiated due to an August 31, 2020 letter from the NH Department of Environmental Services directing the Town to perform a focused site investigation of PFAS evidence-higher than State law allows-in the wells of several residents along Academy Avenue. The PFAS chemicals are called “forever” chemicals and the ones discovered in the wells are associated with PFAS chemicals used with fire foam. The Town has already started supplying the residents with bottled water and now must use a consultant to do the focused site investigation. This will be a non-lapsing appropriation per RSA32:7, VI, and will not lapse until the project is complete, or by December 31, 2026, whichever is sooner. This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Not recommended by the Budget Committee by a vote of 5 to 0*

Article #2021-14 Building Needs Expendable Trust Fund

Shall the Town vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to add to the Building Needs Expendable Trust Fund for the purpose of funding ongoing maintenance and improvement issues with Town facilities? It is the intention to request Fifty Thousand Dollars (\$50,000) per year, to maintain a total of Two Hundred Fifty Thousand Dollars (\$250,000) for this Trust. This is in addition to Article #2021-4, the Operating Budget.

*Recommended by the Selectmen by a vote of 5 to 0
Not Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-15 Conversion to LED Street Lights

Shall the Town vote to authorize the Board of Selectmen to enter into an up to 5-year, tax neutral agreement for the installation of up to \$86,000 of energy saving equipment namely, LED streetlights, with annual payments of approximately \$12,000? Such payments to be funded from annual energy savings in the operating budget. The balance of the cost to be funded by a rebate incentive from the Town’s energy provider. No amount to be raised by new taxation.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-16 New Equipment for Atkinson Community Television

Shall the Town vote to raise and appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) for the purchase and installation of a new studio production environment and allied equipment for Atkinson Community Television with the purpose of replacing existing, depreciated equipment and ensuring future, full remote access to studio equipment, such sum to be withdrawn from the Cable Capital Reserve Fund established March 12, 1994 for this purpose? As of December 31, 2020, there were Two Hundred Seventeen Thousand Five Hundred Fifty-Four Dollars (\$217,554) remaining in the Cable Capital Reserve Fund. This will be a non-lapsing article per RSA 32:7, VI, and will not lapse until the project is complete, or until December 31, 2026. This is in addition to Article #2021-4, the Operating Budget. No new tax dollars will be raised.

*Recommended by the Selectmen by a vote of 5 to 0
Recommended by the Budget Committee by a vote of 6 to 0*

Article #2021-17 Update List of Town Forest Parcels

Shall the Town vote to designate the following small unbuildable parcels as Atkinson Town Forests, to be managed by the Conservation Commission under the provisions of RSA 31:112?

Map 4 Lot 47, a 4-acre, land-locked parcel along the state line with Massachusetts abutting (and to be added to) the Sawyer Town Forest. This parcel was acquired by the Town in 2019 for non-payment of taxes.

Map 12 Lot 1-1, a 7-acre, mostly wet parcel comprising the Hovey Meadow Pond and its shoreline, and abutting (and to be added to) the Chadwick Town Forest. This parcel was acquired by the Town in 1992 as part of a land swap from Lewis Builders.

Map 12 Lot 2-3, a 1.8-acre, land-locked, mostly wet parcel close to (and to be added to) the Chadwick Town Forest. This parcel was acquired by the Town in 1978 as a donation from Lewis Builders.

Map 12 Lot 7-1, a 8.25-acre, land-locked parcel abutting (and to be added to) the Chadwick Town Forest. This parcel was acquired by the Town in 1992 as part of a land swap from Lewis Builders.

Map 12 Lot 12, a 2.44-acre, land-locked parcel abutting (and to be added to) the Chadwick Town Forest. This parcel was acquired by the Town in 1992 as part of a land swap from Lewis Builders.

Map 12 Lot 17, a 2.6-acre, land-locked parcel abutting the 2 previous parcels, to be added to the Chadwick Town Forest. This parcel was acquired by the Town in 1990 for non-payment of taxes.

Map 20, Lot 13-1, a 3.9-acre, mostly wet parcel on Lakeside Drive in the vicinity of both the Marshall and Stickney Town Forests, which provides a critical link in a wildlife corridor between those Town Forests, to be added to the Stickney Town Forest. This parcel was acquired by the Town in 1970 for non-payment of taxes.

This article is based on similar articles that appeared on the ballots in 2012, 2013, and 2014.

Recommended by the Selectmen by a vote of 5 to 0

Article #2021-18 Enable the Funding of Conservation Easements

"Shall the town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the Conservation Commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?"

*The **bold** wording in this warrant article is specified by statute and cannot be amended at the Deliberative Session.*

Recommended by the Selectmen by a vote of 5 to 0

Article #2021-19 Eliminate the Elder Services Expendable Trust Fund

To see if the Town will vote to discontinue the Elder Services Expendable Trust Fund. Said funds and accumulated interest to date of withdrawal are to be transferred to the town's general fund. Fund amount is approximately \$20.

This trust is no longer used and its elimination will not affect the other elder service assistance and transportation trusts.

Recommended by the Selectmen by a vote of 5 to 0

Article #2021-20 Eliminate the Mosquito Control Expendable Trust Fund

To see if the Town will vote to discontinue the Mosquito Control Expendable Trust Fund. Said funds and accumulated interest to date of withdrawal are to be transferred to the town's general fund.

Recommended by the Selectmen by a vote of 5 to 0

Article #2021-21 New Hampshire Resolution for Fair Nonpartisan Redistricting (By Petition)

By petition of 25 or more eligible voters of the town of Atkinson to see if the town will vote to urge that the New Hampshire General Court, which is obligated to redraw the maps of political districts within the state following the federal census, will ensure fair and effective representation of New Hampshire voters without gerrymandering.

Additionally, these voters ask the town of Atkinson to urge the NH General Court to carry out the redistricting in a fair and transparent way through public meetings, not to favor a particular political party, to include communities of interest, and to minimize multi-seat districts.

The record of the vote approving this article shall be transmitted by written notice from the selectmen to Atkinson's state legislators, informing them of the demands from their constituents within 30 days of the vote.

Article #2021-22 Create Town Clerk-Tax Collector Position (By Petition)

Shall the voters approve, under RSA 41:45-a, 'having the office of town clerk combined with the office of tax collector, thereby creating a new office of town clerk-tax collector to be held by one individual'? If approved, an election shall be held at the 2024 town meeting to elect one individual to serve a three (3)-year term as town clerk-tax

collector. Voters at the 2020 town meeting supported studying this issue, leading to the creation of a town clerk-tax collector study committee that recommends combining the offices.

Article #2021-23 Acceptance of Reports

Shall the Town accept the reports of agents, auditors and committees as written in the 2020 Annual Report?

Given under our hands and seal this 30th day of January, 2021:

William M. Baldwin
William G. Friel
Jason B. Grosky, Chairman
Gregory S. Spero
Robert Worden